# CONFERENCE COMMITTEE REPORT FORM

Austin, Texas

May 26, 2011
Date

Honorable David Dewhurst
President of the Senate

Honorable Joe Straus
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on HB 1 have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

| | |
|---|---|
| Senator Steve Ogden | Representative Jim Pitts |
| Senator Robert Duncan | Representative Myra Crownover |
| Senator Juan Hinojosa | Representative John Otto |
| Senator Jane Nelson | Representative Sylvester Turner |
| On the part of the Senate<br>Senator Tommy Williams | On the part of the House<br>Representative John Zerwas |

**Note to Conference Committee Clerk:**

**Please type the names of the members of the Conference Committee under the lines provided for signature. Those members desiring to sign the report should sign each of the six copies. Attach a copy of the Conference Committee Report and a Section by Section side by side comparison to each of the six reporting forms. The original and two copies are filed in house of origin of the bill, and three copies in the other house.**

09D 47

# CONFERENCE COMMITTEE REPORT

**3RD Printing**

# H.B. NO. 1
# GENERAL APPROPRIATIONS BILL

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## RECAPITULATION - ALL ARTICLES
## (General Revenue)

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| ARTICLE I - General Government | $ 1,005,955,085 | $ 973,229,170 |
| ARTICLE II - Health and Human Services | 13,288,610,882 | 9,114,176,493 |
| ARTICLE III - Agencies of Education | 24,734,006,652 | 23,949,865,173 |
| ARTICLE IV - The Judiciary | 185,456,311 | 185,358,626 |
| ARTICLE V - Public Safety and Criminal Justice | 4,092,203,888 | 4,091,792,602 |
| ARTICLE VI - Natural Resources | 326,152,055 | 327,325,189 |
| ARTICLE VII - Business and Economic Development | 295,605,882 | 298,746,564 |
| ARTICLE VIII - Regulatory | 137,707,003 | 138,477,022 |
| ARTICLE IX - General Provisions | (416,812,689) | (2,600,916,527) |
| ARTICLE X - The Legislature | 161,927,226 | 177,515,738 |
| GRAND TOTAL, General Revenue | $ 43,810,812,295 | $ 36,655,570,050 |

## RECAPITULATION - ALL ARTICLES
## (General Revenue - Dedicated)

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| ARTICLE I - General Government | $ 567,629,839 | $ 258,295,597 |
| ARTICLE II - Health and Human Services | 470,165,379 | 461,510,349 |
| ARTICLE III - Agencies of Education | 1,280,690,239 | 1,221,461,563 |
| ARTICLE IV - The Judiciary | 30,833,076 | 33,518,249 |
| ARTICLE V - Public Safety and Criminal Justice | 85,431,014 | 93,369,959 |
| ARTICLE VI - Natural Resources | 510,671,144 | 499,671,664 |
| ARTICLE VII - Business and Economic Development | 195,847,782 | 196,906,084 |
| ARTICLE VIII - Regulatory | 193,165,737 | 197,540,557 |
| ARTICLE IX - General Provisions | 86,104,961 | 33,001,780 |
| ARTICLE X - The Legislature | 0 | 0 |
| GRAND TOTAL, General Revenue - Dedicated | $ 3,420,539,171 | $ 2,995,275,802 |

## RECAPITULATION - ALL ARTICLES
## (Federal Funds)

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| ARTICLE I - General Government | $ 358,093,140 | $ 316,410,535 |
| ARTICLE II - Health and Human Services | 18,192,804,273 | 12,194,300,446 |
| ARTICLE III - Agencies of Education | 5,814,001,283 | 5,121,333,576 |
| ARTICLE IV - The Judiciary | 1,800,000 | 1,800,000 |
| ARTICLE V - Public Safety and Criminal Justice | 814,992,355 | 810,363,531 |
| ARTICLE VI - Natural Resources | 583,827,900 | 613,979,887 |
| ARTICLE VII - Business and Economic Development | 5,084,772,912 | 4,088,014,879 |
| ARTICLE VIII - Regulatory | 3,364,428 | 2,939,299 |
| ARTICLE IX - General Provisions | (7,427,414) | 395,507,478 |
| ARTICLE X - The Legislature | 0 | 0 |
| GRAND TOTAL, Federal Funds | $ 30,846,228,877 | $ 23,544,649,631 |

## RECAPITULATION - ALL ARTICLES
## (Other Funds)*

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| ARTICLE I - General Government | $ 420,160,259 | $ 391,386,858 |
| ARTICLE II - Health and Human Services | 241,546,061 | 243,339,502 |
| ARTICLE III - Agencies of Education | 6,642,940,642 | 6,833,298,325 |
| ARTICLE IV - The Judiciary | 100,795,898 | 103,581,287 |
| ARTICLE V - Public Safety and Criminal Justice | 732,748,301 | 709,853,285 |
| ARTICLE VI - Natural Resources | 138,771,972 | 158,010,125 |
| ARTICLE VII - Business and Economic Development | 7,413,368,235 | 6,794,997,033 |
| ARTICLE VIII - Regulatory | 11,714,457 | 11,717,395 |
| ARTICLE IX - General Provisions | 127,929,431 | (4,724,363) |
| ARTICLE X - The Legislature | 281,400 | 281,400 |
| GRAND TOTAL, Other Funds | $ 15,830,256,656 | $ 15,241,740,847 |

* Excludes interagency contracts

## RECAPITULATION - ALL ARTICLES
## (All Funds)*

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| ARTICLE I - General Government | $ 2,351,838,323 | $ 1,939,322,160 |
| ARTICLE II - Health and Human Services | 32,193,126,595 | 22,013,326,790 |
| ARTICLE III - Agencies of Education | 38,471,638,816 | 37,125,958,637 |
| ARTICLE IV - The Judiciary | 318,885,285 | 324,258,162 |
| ARTICLE V - Public Safety and Criminal Justice | 5,725,375,558 | 5,705,379,377 |
| ARTICLE VI - Natural Resources | 1,559,423,071 | 1,598,986,865 |
| ARTICLE VII - Business and Economic Development | 12,989,594,811 | 11,378,664,560 |
| ARTICLE VIII - Regulatory | 345,951,625 | 350,674,273 |
| ARTICLE IX - General Provisions | (210,205,711) | (2,177,131,632) |
| ARTICLE X - The Legislature | 162,208,626 | 177,797,138 |
| GRAND TOTAL, All Funds | $ 93,907,836,999 | $ 78,437,236,330 |
| Number of Full-Time-Equivalents (FTE)- Appropriated Funds | 235,239.5 | 235,135.0 |

* Excludes interagency contracts

## A BILL TO BE ENTITLED
## AN ACT

appropriating money for the support of the Judicial, Executive, and Legislative Branches of the State government, for the construction of State buildings, and for State aid to public junior colleges, for the period beginning September 1, 2011 and ending August 31, 2013; authorizing and prescribing conditions, limitations, rules, and procedures for allocating and expending the appropriated funds; and declaring an emergency.

## BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

## ARTICLE I

## GENERAL GOVERNMENT

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 agencies of general government.

## COMMISSION ON THE ARTS

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 1,222,115 | $ 2,349,846 |
| GR Dedicated - Commission on the Arts Operating Account No. 334 | 1,321,157 | 193,426 |
| Federal Funds | 1,075,500 | 1,075,500 |
| Appropriated Receipts | 152,000 | 152,000 |
| **Total, Method of Financing** | $ 3,770,772 | $ 3,770,772 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 12.0 | 12.0 |
| **Schedule of Exempt Positions:** | | |
| Executive Director, Group 2 | $85,250 | $85,250 |
| **Items of Appropriation:** | | |
| **A. Goal:** ARTS AND CULTURAL GRANTS | | |
| Provide and Support Arts and Cultural Grants. | | |
| **A.1.1. Strategy:** ARTS ORGANIZATION GRANTS | $ 2,100,000 | $ 2,100,000 |
| **A.1.2. Strategy:** ARTS EDUCATION GRANTS | $ 850,000 | $ 850,000 |
| **A.1.3. Strategy:** DIRECT ADMINISTRATION | $ 351,467 | $ 351,467 |
| Direct Administration of Arts Organization & Arts Education Grants. | | |
| **Total, Goal A:** ARTS AND CULTURAL GRANTS | $ 3,301,467 | $ 3,301,467 |
| **B. Goal:** PROMOTION AND PARTICIPATION | | |
| Promote Participation in Arts & Cultural Events. | | |
| **B.1.1. Strategy:** CULTURAL TOURISM GRANTS | $ 0 | $ 0 |
| **B.1.2. Strategy:** MARKETING AND FUNDRAISING | $ 0 | $ 0 |
| Market Arts & Cultural Events; Raise Private Funds for Agency Programs. | | |
| **B.1.3. Strategy:** DIRECT ADMINISTRATION | $ 0 | $ 0 |
| Direct Admin of Cultural Tourism Grants and Marketing & Fundraising. | | |
| **Total, Goal B:** PROMOTION AND PARTICIPATION | $ 0 | $ 0 |

| | | |
|---|---|---|
| **C. Goal:** INDIRECT ADMINISTRATION | | |
| **C.1.1. Strategy:** CENTRAL ADMINISTRATION | $ 374,070 | $ 374,070 |
| **C.1.2. Strategy:** INFORMATION RESOURCES | $ 95,235 | $ 95,235 |
| **Total, Goal C:** INDIRECT ADMINISTRATION | $ 469,305 | $ 469,305 |
| **Grand Total,** COMMISSION ON THE ARTS | $ 3,770,772 | $ 3,770,772 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 648,641 | $ 648,641 |
| Other Personnel Costs | 19,140 | 19,140 |
| Professional Fees and Services | 1,350 | 1,350 |
| Consumable Supplies | 4,800 | 4,800 |
| Utilities | 9,200 | 9,200 |
| Travel | 33,873 | 33,873 |
| Rent - Building | 600 | 600 |
| Rent - Machine and Other | 16,000 | 16,000 |
| Other Operating Expense | 87,168 | 87,168 |
| Grants | 2,950,000 | 2,950,000 |
| **Total, Object-of-Expense Informational Listing** | $ 3,770,772 | $ 3,770,772 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 43,135 | $ 43,351 |
| Group Insurance | 88,597 | 89,306 |
| Social Security | 46,373 | 46,605 |
| Benefits Replacement | 1,140 | 1,066 |
| Subtotal, Employee Benefits | $ 179,245 | $ 180,328 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 179,245 | $ 180,328 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Commission on the Arts. 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 the Arts. In order to achieve the objectives and service standards established by this Act, the Commission on the Arts shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** ARTS AND CULTURAL GRANTS | | |
| **Outcome (Results/Impact):** | | |
| Percentage of Grant Dollars Provided to Minority Organizations | 20% | 20% |
| Percentage of Grant Dollars to Rural Counties | 5% | 5% |
| Percentage of Grants Funded That Are for Arts Education | 20% | 20% |
| **A.1.1. Strategy:** ARTS ORGANIZATION GRANTS | | |
| **Output (Volume):** | | |
| Number of Funded Applications from Rural Counties | 136 | 136 |
| Number of Funded Applications from Minority Organizations | 310 | 310 |
| **Efficiencies:** | | |
| Average Grant Amount Awarded to Arts and Cultural Organizations | 3,000 | 3,000 |
| **A.1.2. Strategy:** ARTS EDUCATION GRANTS | | |
| **Efficiencies:** | | |
| Average Grant Amount Awarded for Arts Education | 2,800 | 2,800 |
| **Explanatory:** | | |
| Average Grant Amount Requested for Arts Education | 14,000 | 14,000 |
| **B. Goal:** PROMOTION AND PARTICIPATION | | |
| **B.1.3. Strategy:** DIRECT ADMINISTRATION | | |
| **Output (Volume):** | | |
| Number of Marketing and Public Relations Activities, Conferences, and Seminars to Promote Cultural Tourism | 0 | 0 |

## COMMISSION ON THE ARTS
(Continued)

2. **Unexpended Balances within the Biennium.** Any unexpended balances in appropriations made to Strategy A.1.1, Arts Organization Grants, and Strategy A.1.2, Arts Education Grants, remaining as of August 31, 2012, are hereby appropriated to the Commission on the Arts for the fiscal year beginning September 1, 2012, for the same purpose.

3. **Texas State of the Arts License Plates: Appropriation of License Plate Receipts.** Included in the amounts appropriated above in Strategy A.1.1, Arts Organization Grants, and Strategy A.1.2, Arts Education Grants, is 50 percent of license plate revenue collected on or after September 1, 2011 (estimated to be $150,000 each fiscal year of the biennium), from the sale of license plates as provided by Transportation Code § 504.604 and deposited to the credit of the Commission on the Arts Operating Account No. 334.

   Any unexpended balances as of August 31, 2012, out of the appropriations made herein are hereby appropriated to the Commission on the Arts for the fiscal year beginning September 1, 2012.

4. **Limitation on Reimbursements for Commission Meetings.** Notwithstanding Article IX provisions, the number of days commissioners are appropriated expenses related to conducting Commission business as provided by Government Code § 659.032 is not to exceed six days a fiscal year.

## OFFICE OF THE ATTORNEY GENERAL

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | | |
| General Revenue Fund | $ 70,782,084 | $ 70,798,519 |
| Child Support Retained Collection Account | 96,861,103 | 93,866,657 |
| Attorney General Debt Collection Receipts | 8,300,000 | 8,300,000 |
| General Revenue - Insurance Companies Maintenance Tax and Insurance Department Fees Fund No. 8042 | 3,236,560 | 3,236,560 |
| Subtotal, General Revenue Fund | $ 179,179,747 | $ 176,201,736 |
| General Revenue Fund - Dedicated | | |
| AG Law Enforcement Account No. 5006 | 543,791 | 543,791 |
| Sexual Assault Program Account No. 5010 | 188,504 | 188,504 |
| Attorney General Volunteer Advocate Program Account No. 5036 | 18,000 | 18,500 |
| Compensation to Victims of Crime Account No. 469 | 86,607,561 | 86,607,561 |
| Compensation to Victims of Crime Auxiliary Account No. 494 | 258,531 | 258,531 |
| Subtotal, General Revenue Fund - Dedicated | $ 87,616,387 | $ 87,616,887 |
| Federal Funds | | |
| Federal Funds | 212,333,082 | 206,726,021 |
| Federal American Recovery and Reinvestment Fund | 218,521 | 218,521 |
| Subtotal, Federal Funds | $ 212,551,603 | $ 206,944,542 |
| Other Funds | | |
| State Highway Fund No. 006 | 5,938,292 | 5,938,292 |
| Appropriated Receipts | 20,753,912 | 20,803,481 |
| Interagency Contracts | 12,044,315 | 12,044,315 |
| Subtotal, Other Funds | $ 38,736,519 | $ 38,786,088 |
| **Total, Method of Financing** | $ 518,084,256 | $ 509,549,253 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 4,161.9 | 4,161.9 |
| **Number of FTEs in Riders:** | 40.0 | 40.0 |

| | | | | |
|---|---|---|---|---|
| **Schedule of Exempt Positions:** | | | | |
| Attorney General, Group 6 | | $150,000 | | $150,000 |
| **Items of Appropriation:** | | | | |
| **A. Goal:** PROVIDE LEGAL SERVICES | | | | |
| Provide General Legal Services to the State and Authorized Entities. | | | | |
| **A.1.1. Strategy:** LEGAL SERVICES | $ | 81,254,501 | $ | 81,384,071 |
| Provide Counseling/Litigation/Alternative Dispute Resolution Services. | | | | |
| **B. Goal:** ENFORCE CHILD SUPPORT LAW | | | | |
| Enforce State/Federal Child Support Laws. | | | | |
| **B.1.1. Strategy:** CHILD SUPPORT ENFORCEMENT | $ | 271,361,742 | $ | 261,663,024 |
| Establish Paternity/Obligations, Enforce Orders and Distribute Monies. | | | | |
| **B.1.2. Strategy:** STATE DISBURSEMENT UNIT | $ | 12,824,480 | $ | 12,189,629 |
| **Total, Goal B:** ENFORCE CHILD SUPPORT LAW | $ | 284,186,222 | $ | 273,852,653 |
| **C. Goal:** CRIME VICTIMS' SERVICES | | | | |
| Investigate/Process Applications for Compensation to Crime Victims. | | | | |
| **C.1.1. Strategy:** CRIME VICTIMS' COMPENSATION | $ | 90,538,011 | $ | 92,206,504 |
| Review Claims, Determine Eligibility/State Liability, Pay Correctly. | | | | |
| **C.1.2. Strategy:** VICTIMS ASSISTANCE | $ | 46,425,357 | $ | 46,425,857 |
| Provide Grants & Contrcts for Victims Svcs/Sexual Asslt Vctms/Chld Adv. | | | | |
| **Total, Goal C:** CRIME VICTIMS' SERVICES | $ | 136,963,368 | $ | 138,632,361 |
| **D. Goal:** REFER MEDICAID CRIMES | | | | |
| Investigate/Refer for Prosecution Fraud/Misconduct Involving Medicaid. | | | | |
| **D.1.1. Strategy:** MEDICAID INVESTIGATION | $ | 14,521,350 | $ | 14,521,353 |
| Conduct Investigation Supporting Prosecution of Alleged Medicaid Crime. | | | | |
| **E. Goal:** ADMINISTRATIVE SUPPORT FOR SORM | | | | |
| Provide Administrative Support for the State Office of Risk Management. | | | | |
| **E.1.1. Strategy:** ADMINISTRATIVE SUPPORT FOR SORM | $ | 1,158,815 | $ | 1,158,815 |
| Provide Administrative Support to the State Office of Risk Management. | | | | |
| **Grand Total,** OFFICE OF THE ATTORNEY GENERAL | $ | 518,084,256 | $ | 509,549,253 |
| **Supplemental Appropriations Made in Riders:** | $ | 14,132,008 | $ | 1,632,008 |
| **Object-of-Expense Informational Listing:** | | | | |
| Salaries and Wages | $ | 196,220,981 | $ | 196,559,803 |
| Other Personnel Costs | | 5,897,307 | | 5,897,307 |
| Professional Fees and Services | | 53,801,787 | | 42,181,852 |
| Fuels and Lubricants | | 273,852 | | 273,852 |
| Consumable Supplies | | 2,451,586 | | 2,451,586 |
| Utilities | | 2,269,617 | | 2,269,617 |
| Travel | | 5,274,285 | | 5,224,288 |
| Rent - Building | | 12,194,158 | | 12,194,158 |
| Rent - Machine and Other | | 2,499,829 | | 2,499,829 |
| Other Operating Expense | | 191,886,104 | | 182,181,711 |
| Grants | | 57,881,017 | | 57,881,517 |
| Capital Expenditures | | 1,565,741 | | 1,565,741 |
| **Total, Object-of-Expense Informational Listing** | $ | 532,216,264 | $ | 511,181,261 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | | | |
| Employee Benefits | | | | |
| Retirement | $ | 11,983,846 | $ | 12,043,765 |

| | | |
|---|---|---|
| Group Insurance | 28,846,904 | 29,078,096 |
| Social Security | 15,457,202 | 15,534,488 |
| Benefits Replacement | 1,119,796 | 1,047,009 |
| Subtotal, Employee Benefits | $ 57,407,748 | $ 57,703,358 |
| Debt Service | | |
| Lease Payments | $ 5,383,627 | $ 5,275,427 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 62,791,375 | $ 62,978,785 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Office of the Attorney General. 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 Office of the Attorney General. In order to achieve the objectives and service standards established by this Act, the Office of the Attorney General shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** PROVIDE LEGAL SERVICES | | |
| **Outcome (Results/Impact):** | | |
| Delinquent State Revenue Collected | 45,000,000 | 45,000,000 |
| **A.1.1. Strategy:** LEGAL SERVICES | | |
| **Output (Volume):** | | |
| Legal Hours Billed to Litigation and Counseling | 1,127,611 | 1,118,424 |
| **Efficiencies:** | | |
| Average Cost Per Legal Hour | 51.64 | 52.36 |
| **B. Goal:** ENFORCE CHILD SUPPORT LAW | | |
| **Outcome (Results/Impact):** | | |
| Percent of Title IV-D Cases That Have Court Orders for Child Support | 82% | 82% |
| Percent of All Current Child Support Amounts Due That Are Collected | 63% | 63% |
| Percent of Title IV-D Cases with Arrears Due in Which Any Amount Is Paid Toward Arrears | 66% | 66% |
| Percent of Paternity Establishments for Out of Wedlock Births | 90% | 90% |
| **B.1.1. Strategy:** CHILD SUPPORT ENFORCEMENT | | |
| **Output (Volume):** | | |
| Amount of Title IV-D Child Support Collected (in Millions) | 3,233 | 3,433 |
| **Efficiencies:** | | |
| Ratio of Total Dollars Collected Per Dollar Spent | 11.76 | 13 |
| **B.1.2. Strategy:** STATE DISBURSEMENT UNIT | | |
| **Output (Volume):** | | |
| Number of Payment Receipts Processed by the SDU Vendor | 18,066,000 | 19,125,000 |
| **C. Goal:** CRIME VICTIMS' SERVICES | | |
| **Outcome (Results/Impact):** | | |
| Amount of Crime Victims' Compensation Awarded | 80,274,586 | 82,963,261 |
| **C.1.1. Strategy:** CRIME VICTIMS' COMPENSATION | | |
| **Efficiencies:** | | |
| Average Number of Days to Analyze a Claim and Make an Award | 54 | 54 |
| **D. Goal:** REFER MEDICAID CRIMES | | |
| **Outcome (Results/Impact):** | | |
| Amount of Medicaid Over-payments Identified | 56,600,000 | 56,600,000 |
| **D.1.1. Strategy:** MEDICAID INVESTIGATION | | |
| **Output (Volume):** | | |
| Number of Investigations Concluded | 508 | 508 |

2. **Capital Budget.** Funds appropriated above may be expended for capital budget items listed below. The amounts identified for each item may be adjusted or may be expended on other non-capital expenditures within the strategy to which the funds were appropriated. However, any amounts spent on capital items are subject to the aggregate dollar restrictions on capital budget expenditures provided in the General Provisions of this Act.

| | 2012 | 2013 |
|---|---|---|
| a. Acquisition of Information Resource Technologies | | |
| (1) Data Center Consolidation | $ 23,814,623 | $ 24,006,856 |
| (2) Child Support PC Refresh | 1,535,741 | 1,535,741 |
| (3) Child Support TXCSES 2.0 Infrastructure Enhancements and Improvements | 4,266,906 | 6,042,431 |
| (4) CS TXCSES 2.0 Enterprise Content Management | 699,891 | 1,231,071 |
| (5) CS TXCSES 2.0 Enterprise Reporting System | 773,810 | 275,500 |
| (6) CS TXCSES 2.0 RODEO Upgrade | 400,000 | 267,246 |
| (7) CS TXCSES 2.0 Security Management | 556,100 | 275,501 |
| (8) CS TXCSES 2.0 Establishment and Enforcement Renewal | 500,000 | UB |
| (9) Crime Victims Legacy Workflow System | 2,000,000 | 1,659,500 |
| Total, Acquisition of Information Resource Technologies | $ 34,547,071 | $ 35,293,846 |
| Total, Capital Budget | $ 34,547,071 | $ 35,293,846 |
| Method of Financing (Capital Budget): | | |
| General Revenue Fund | | |
| General Revenue Fund | $ 2,634,970 | $ 2,634,970 |
| Child Support Retained Collection Account | 9,043,332 | 9,626,602 |
| Subtotal, General Revenue Fund | $ 11,678,302 | $ 12,261,572 |
| GR Dedicated - Compensation to Victims of Crime Account No. 469 | 455,295 | 506,757 |
| Federal Funds | 21,352,650 | 21,464,693 |
| Appropriated Receipts | 1,060,824 | 1,060,824 |
| Total, Method of Financing | $ 34,547,071 | $ 35,293,846 |

**3. Cost Allocation, Reporting Requirement.** The Attorney General's Office is directed to continue an accounting and billing system by which the costs of legal services provided to each agency may be determined. This cost information shall be provided to the Legislative Budget Board and the Governor within 60 days after the close of the fiscal year.

**4. Child Support Collections.**

a. The Attorney General shall deposit Child Support Retained Collections in a special account in the Comptroller's Office. The account shall be called the Child Support Retained Collection Account. Child Support Retained Collections shall include the state share of funds collected by the Office of the Attorney General which were previously paid by the State as Aid to Families with Dependent Children (AFDC) or Temporary Assistance for Needy Families (TANF) or foster care payments, all child support enforcement incentive payments received from the federal government, and all revenues specifically established by statute on a fee or service-provided basis and pertaining to the Child Support Enforcement Program.

b. Amounts earned as interest on, and allocated by the Comptroller of Public Accounts to, the Child Support Trust Fund No. 994, in excess of $808,289 in fiscal year 2012 and $808,289 in fiscal year 2013, shall be transferred monthly by the Comptroller of Public Accounts to such funds from the General Revenue Fund, and all amounts so transferred are hereby appropriated to the Attorney General for use during the 2012-13 biennium, in addition to the amounts otherwise appropriated herein. Amounts transferred pursuant to this provision shall be shown as a separate, individual entry in the Method of Finance in all standard reports regularly utilizing a method of finance which are submitted to the Governor's Office or the Legislative Budget Board.

c. The Attorney General, in cooperation with the Comptroller of Public Accounts, shall develop and maintain such cost centers and/or sub accounts within the Child Support Trust Fund No. 994 and/or the Child Support Retained Collection Account as may be determined

necessary or appropriate to separately account for, and allocate the interest earned on, the various sources for receipts deposited to, and types of expenditures made from such funds. The Comptroller of Public Accounts shall separately allocate interest earned by the State to each such cost center and/or subaccount, or to such groupings thereof as may be designated by the Attorney General for purposes of reporting interest earned to the federal government.

d. The Comptroller of Public Accounts is directed to transfer and carry forward all the balances of funds in the Child Support Trust Fund No. 994 and the Child Support Retained Collection Account as of August 31, 2011, in such funds to be available for use in fiscal year 2012. Any balances in the Child Support Trust Fund No. 994 and the Child Support Retained Collection Account on hand as of August 31, 2012, shall be carried forward in such funds as funding sources for the appropriation for fiscal year 2013.

e. In addition to the amounts otherwise appropriated for Strategy B.1.1, Child Support Enforcement, all funds received from the federal government as reimbursement for the costs and fees paid to counties, district or county clerks, sheriffs or constables pursuant to the provisions of Chapter 231 of the Texas Family Code are hereby appropriated to the Office of the Attorney General for use during the 2012-13 biennium.

**5. Reporting Requirement.** The Attorney General's Office is directed to develop and maintain separate accounting information and records on receipts and distribution of funds from the Child Support Trust Fund No. 994 and the Child Support Retained Collection Account. Such information must at a minimum identify all deposits, allocations, and expenditures by type of revenues. The Comptroller of Public Accounts shall prescribe rules and procedures to assure compliance with this section and all transactions and balances shall be reconciled monthly against the records of the Comptroller. In addition to the requirements for annual financial reports required by the General Provisions of this Act, the Attorney General shall include a separate section detailing all such balances, receipts, and distributions of money in Child Support Trust Fund No. 994 and the Child Support Retained Collection Account. The report must specifically show balances held for transfer to operating appropriations of the Attorney General's Office and any other agency. In addition, any balances which are unclaimed and subject to escheat under other laws must be identified as to amount and age.

**6. Debt Collections.**

a. The Office of the Attorney General shall attempt to collect all delinquent judgments owed the State of Texas. A portion of those debts collected, as outlined below, shall be eligible for retention by the Office of the Attorney General and may be used as a source of funding for agency operations as specified in and limited by the method of financing of the Office. One hundred percent of the debts collected by the Office of the Attorney General and eligible for retention by the Office shall be applied toward the amounts shown above for Attorney General Debt Collection Receipts in the method of financing for agency operations. Regardless of the total amount collected by the Attorney General, in no event shall this provision be construed as an appropriation in addition to the amount appropriated above as specified in the method of financing, of any of the funds collected by the Office of the Attorney General.

b. To be eligible for retention by the Office of the Attorney General, the debt collected must be from a qualifying judgment. Qualifying judgments, as used in this rider, are judgments that are at least one year old from the date of entry of the court order and also include debts not reduced to judgment where there are collections on the debt by the Collections Division of the Attorney General's Office if the debt is delinquent by more than one year or has been certified for collection to the Collections Division of the Attorney General's Office. In no event shall more than $5.0 million from collections stemming from a common nucleus of operative fact be eligible for retention by the Office of the Attorney General.

c. It is the intent of the Legislature that the following not be allowed as a credit toward the percentage set forth in Rider 6a above: judgments collected by state agencies; judgments less than one year old; or judgments collected without direct action by the Attorney General's Collection Division.

d. The Attorney General shall maintain a centralized recordkeeping system for accounting for various departmental and agency certification of delinquent taxes, judgments, and other debts owed the state. The accounting should distinguish by type of tax, judgment, or other debt, and provide for: when the debt was certified by an agency or department for collection by the

Attorney General; when it was collected or disposed of, and such other information as the Legislative Budget Board, Governor, or the Comptroller of Public Accounts may require. The Attorney General shall submit semi-annual reports to the Governor and the Legislative Budget Board detailing by agency or department the amount of each debt, when the debt was certified, and when and in what amount, it was collected or disposed of.

7. **River Compact Lawsuit Contingency.** Out of the amounts appropriated above in Strategy A.1.1, Legal Services, is funding set aside to purchase professional services to force compliance with the Texas river compacts by member states and/or agencies of the United States and defend the State in any legal proceeding involving the compacts.

8. **Appropriation of Receipts, Court Costs.** Out of the funds appropriated above as Appropriated Receipts, $16,797,356 in 2012 and $15,810,483 in 2013 represents the annual appropriation of court costs, attorneys' fees, and investigative costs recovered by the Office of the Attorney General. Court costs, attorneys' fees, and investigative costs recovered by the Office of the Attorney General in excess of those specifically appropriated and shown in the agency's method of financing are appropriated to the Office of the Attorney General in an amount not to exceed $10,000,000 each fiscal year and shall be used for Strategy A.1.1, Legal Services. At least semi-annually, beginning within 60 days after the close of each fiscal year or more often upon request of the Legislative Budget Board, the Office of the Attorney General shall submit to the Legislative Budget Board, the Senate Finance Committee, the House Appropriations Committee, and the Governor a report that lists each case in which an award of court costs, attorneys' fees, or investigative fees was made, the date of the award, the amount of court costs that were awarded, the amount of investigative costs that were awarded, the amount of attorneys' fees that were awarded, and the strategy or strategies to which the above receipts were allocated, in addition to any other information that may be requested by the Legislative Budget Board.

9. **Interagency Contracts for Legal Services.** The Office of the Attorney General shall not be appropriated any state funds from interagency contracts, notwithstanding the provisions of the section entitled Reimbursements and Payments, in Article IX, General Provisions of this Act unless the Attorney General gives prior written notice to the Legislative Budget Board and the Governor, accompanied by written permission by the affected agency. Any such interagency contract for legal services between the Attorney General's Office and state agencies shall not jeopardize the ability of the agencies to carry out their legislative mandates, shall not affect their budget such that employees must be terminated in order to pay the requested amount, and shall not exceed reasonable attorney fees for similar legal services in the private sector. The Office of the Attorney General is hereby appropriated funds received from interagency contracts for non-legal services rendered by the Office of the Attorney General.

10. **Unexpended Balances: Between Fiscal Years within the Biennium.** Any unexpended balances as of August 31, 2012, in appropriations made to the Office of the Attorney General are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2012. It is the intent of the Legislature that any unexpended balances in Strategy B.1.1, Child Support Enforcement, shall be used only to enforce child support laws and regulations.

11. **Transfer Authority.** Notwithstanding limitations on appropriation transfers contained in the General Provisions of this Act, the Attorney General is hereby authorized to direct agency resources and transfer such amounts appropriated above between appropriation line items.

12. **Victims Assistance Grants.** Funds appropriated above in C.1.2, Victims Assistance, shall be spent as follows:

| Program: | FY2012 | FY2013 |
|---|---|---|
| (1) Victims Assistance Coordinators and Victims Liaisons | $2,443,518 | $2,443,518 |
| (2) Court Appointed Special Advocates | 8,518,000 | 8,518,500 |
| (3) Sexual Assault Prevention and Crisis Services Program | 10,285,541 | 10,285,541 |
| (4) Sexual Assault Services Program Grants | 375,000 | 375,000 |
| (5) Children's Advocacy Centers | 7,999,003 | 7,999,003 |
| (6) Legal Services Grants | 2,500,000 | 2,500,000 |

| | | |
|---|---|---|
| (7) Other Victims Assistance Grants | 10,564,445 | 10,564,445 |
| (8) Statewide Victim Notification System | 3,502,263 | 3,502,263 |
| (9) Address Confidentiality | 258,531 | 258,531 |
| Total | 46,446,301 | 46,446,801 |
| Method of Financing: | | |
| General Revenue - Dedicated | | |
| Compensation to Victims of Crime Fund No. 469 | 42,799,105 | 42,799,105 |
| Victims of Crime Auxiliary Fund No. 494 | 258,531 | 258,531 |
| Sexual Assault Program Account No. 5010 | 209,449 | 209,449 |
| Attorney General Volunteer Advocate Program Plates Account No. 5036 | 18,000 | 18,500 |
| Subtotal, General Revenue - Dedicated | $43,285,085 | $43,285,585 |
| Federal Funds | 3,161,216 | 3,161,216 |
| Total, Method of Financing | 46,446,301 | 46,446,801 |

The Office of the Attorney General shall adopt rules for the competitive allocation of funds under item number (7) Other Victims Assistance Grants. None of the funds appropriated in Strategy C.1.2, Victims Assistance, may be expended on grants to organizations that make contributions to campaigns for elective office or that endorse candidates.

Within 100 days after the close of each fiscal year, the Office of the Attorney General shall submit a report detailing the expenditure of funds appropriated in Strategy C.1.2, Victims Assistance. The report shall include information on the guidelines used to select programs that receive grants, on the amount of grants awarded in each of the categories listed above, on the amount of expenditures for administration, and on audit and oversight activities conducted relating to the victims assistance grants and the programs receiving such grants. The report shall be submitted to the Legislative Budget Board, the Governor, the Senate Finance Committee, and the House Appropriations Committee.

**13. Appropriation of CASA License Plate Receipts.** Included in amounts appropriated above in Strategy C.1.2, Victims Assistance, is 50 percent of license plate revenue collected on or after September 1, 2010 (estimated to be $ 18,000 in fiscal year 2012 and $18,500 in fiscal year 2013), from the sale of license plates as provided by the Transportation Code Section 504.611 and deposited to the credit of the General Revenue - Dedicated Attorney General Volunteer Advocate Program Plates Account No. 5036.
Any unexpended balances remaining as of August 31, 2012, in the appropriation made herein are hereby appropriated for the fiscal year beginning September 1, 2011.

**14. Child Support Contractors.** Full-Time-Equivalent (FTE) positions associated with contracted workers in Strategy B.1.1, Child Support Enforcement, shall be exempt from the provisions in Article IX relating to limiting state agency employment levels.

**15. Elephant Butte Litigation.** The Office of the Attorney General may, if the Attorney General deems necessary, use funds appropriated above in Strategy A.1.1, Legal Services, for potential intervention in certain developing ground and surface water disputes with the state of New Mexico along the Rio Grande Project from Elephant Butte Reservoir to Fort Quitman, Texas.

**16. Excess Incentive Collections.** In addition to Child Support Retained Collections appropriated above, the Office of the Attorney General is hereby appropriated Child Support Incentive Collections receipts in excess of $51,335,277 in fiscal year 2012 and $51,335,277 in fiscal year 2013, to be used in Strategy B.1.1, Child Support Enforcement, and B.1.2, State Disbursement Unit, during the 2012-13 biennium.

**17. Litigation Related to the Conversion of Mineral Rights on State Property.** Included in amounts appropriated above in Strategy A.1.1, Legal Services, out of the State Highway Fund No. 006 for the 2012-13 biennium, is funding for litigation expenses related to the conversion of mineral rights on state property.

**18. Interagency Contract with the Texas Department of Criminal Justice.** Notwithstanding Rider 9 above, Interagency Contracts for Legal Services, the Office of the Attorney General is appropriated any funds transferred from the Texas Department of Criminal Justice (TDCJ) pursuant to an interagency contract for the Office of the Attorney General to provide legal services to the Texas Department of Criminal Justice.

**19. Interagency Contract with the Department of Public Safety.** Notwithstanding Rider 9 above, Interagency Contracts for Legal Services, the Office of the Attorney General is appropriated any funds transferred from the Department of Public Safety pursuant to an interagency contract for the Office of the Attorney General to provide legal services to the Department of Public Safety.

**20. Bond Review Fees.** Included in the General Revenue amounts appropriated above for the 2012-13 biennium is $8,773,794 in Strategy A.1.1, Legal Services, and $1,388,590 in Strategy D.1.1, Medicaid Investigation, from the deposit of bond review fees as authorized by Government Code, § 1202.004.

**21. Cash Flow Contingency.** Contingent upon the receipt of federal funds in federally funded programs and with prior approval by the Legislative Budget Board, the Office of the Attorney General may temporarily utilize additional General Revenue funds, pending receipt of federal reimbursement, in an amount not to exceed the anticipated reimbursement, in each fiscal year of the biennium. The General Revenue amounts utilized above the General Revenue method of finance shall be utilized only for the purpose of temporary cash flow needs. 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.

**22. Travel Cap Exemption for Litigation Related Travel.** Travel expenses incurred by the Office of the Attorney General related to litigation are exempt from the requirements of Article IX, Section 5.08, Limitation on Travel Expenditures.

**23. Sex Offender Apprehension.** Out of funds appropriated above, the Office of the Attorney General shall coordinate activities related to sex offender apprehension with the Department of Public Safety, Texas Department of Criminal Justice, the Board of Pardons and Parole, and any other state law enforcement agency in order to maximize resources for the apprehension and arrest of sex offenders.

**24. Unexpended Balances Carried Forward Between Biennia.** Included in amounts appropriated above are unexpended balances out of Appropriated Receipts as of August 31, 2011 (estimated to be $7,885,554) remaining in Strategy A.1.1, Legal Services, from the collection of attorney fees, investigative costs, and court costs for the purpose of litigation related expenses.

Any unobligated balances remaining as of August 31, 2012 are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2012.

**25. Capital Expenditures Authorized.** Notwithstanding the limitations placed on the expenditure of funds for capital budget items contained in this Act, the Office of the Attorney General is hereby authorized to expend funds appropriated to the Office of the Attorney General for the acquisition of capital budget items.

**26. Contingency Appropriation: Electronic Filing of Documents Fee.** Contingent upon passage of legislation assessing a fee for the electronic filing of certain documents established by Texas Government Code Chapter 402, and in addition to the amounts appropriated above, there is hereby appropriated to the Office of the Attorney General revenues derived from the new fee assessment and deposited to Revenue Object Code (to be determined) in the General Revenue Fund in excess of the Comptroller's Biennial Revenue Estimate for 2012-13 biennium, an amount not to exceed $450,000 in fiscal year 2012 and $450,000 in fiscal year 2013. These funds shall be used to operate programs in Strategy A.1.1, Legal Services.

These appropriations are contingent upon the Office of the Attorney General assessing fees sufficient to generate, during the 2012-13 biennium, revenue to cover, at a minimum, program costs for review of electronic filing of documents in Strategy A.1.1, Legal Services, as well as "Other Direct and Indirect Costs", appropriated elsewhere in this Act estimated to be $85,054 in fiscal year 2012 and $85,054 in fiscal year 2013. 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 the Comptroller of Public Accounts to reduce the appropriation authority provided above to be within the amount of revenue expected to be available.

In addition, contingent upon the passage of legislation authorizing the electronic filing fee and the appropriation of funds described herein, the Office of the Attorney General's Number of Full-Time Equivalents (FTEs) is hereby increased by 10.0 in fiscal year 2012 and by 10.0 in fiscal year 2013, and the following performance measure targets are adjusted by the following incremental amounts:

| | FY 2012 | FY 2013 |
|---|---|---|
| Legal Hours Billed to Litigation and Counseling | 10,000 | 10,000 |
| Average Cost Per Legal Hour | 10.01 | 10.01 |

**27. Contingency Appropriation: Comprehensive Development Agreement Review Fee.** Contingent upon passage of legislation assessing a fee for the review of comprehensive development agreements, and in addition to the amounts appropriated above, there is hereby appropriated to the Office of the Attorney General revenues derived from the new fee assessment and deposited to Revenue Object Code (to be determined) in the General Revenue Fund in excess of the Comptroller's Biennial Revenue Estimate for 2012-13 biennium, an amount not to exceed $1,000,000 in fiscal year 2012 and $1,000,000 in fiscal year 2013. These funds shall be used to operate programs in Strategy A.1.1, Legal Services.

These appropriations are contingent upon the Office of the Attorney General assessing fees sufficient to generate, during the 2012-13 biennium, revenue to cover, at a minimum, program costs for review of comprehensive development agreements in Strategy A.1.1, Legal Services, as well as “Other Direct and Indirect Costs”, appropriated elsewhere in this Act estimated to be $209,634 in fiscal year 2012 and $209,634 in fiscal year 2013. 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 the Comptroller of Public Accounts to reduce the appropriation authority provided above to be within the amount of revenue expected to be available.

In addition, contingent upon the passage of legislation authorizing the comprehensive development agreements fee and the appropriation of funds described herein, the Office of the Attorney General's Number of Full-Time Equivalents (FTEs) is hereby increased by 25.0 in fiscal year 2012 and by 25.0 in fiscal year 2013, and the following performance measure targets are increased by the following incremental amounts:

| | FY 2012 | FY 2013 |
|---|---|---|
| Legal Hours Billed to Litigation and Counseling | 15,000 | 15,000 |
| Average Cost Per Legal Hour | 10.01 | 10.01 |

**28. Contingency Appropriation: Outside Legal Counsel Contracts Review Fee.** Contingent upon passage of legislation assessing a fee for the review of invoices for outside legal services, and in addition to the amounts appropriated above, there is hereby appropriated to the Office of the Attorney General revenues derived from the new fee assessment and deposited to Revenue Object Code (to be determined) in the General Revenue Fund in excess of the Comptroller's Biennial Revenue Estimate for 2012-13 biennium, an amount not to exceed $182,008 in fiscal year 2012 and $182,008 in fiscal year 2013. These funds shall be used to operate programs in Strategy A.1.1, Legal Services.

These appropriations are contingent upon the Office of the Attorney General assessing fees sufficient to generate, during the 2012-13 biennium, revenue to cover, at a minimum, program costs for review of outside legal contract invoices in Strategy A.1.1, Legal Services, as well as "Other Direct and Indirect Costs", appropriated elsewhere in this Act estimated to be $42,524 in fiscal year 2012 and $42,524 in fiscal year 2013. 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 the Comptroller of Public Accounts to reduce the appropriation authority provided above to be within the amount of revenue expected to be available.

In addition, contingent upon the passage of legislation authorizing the outside legal counsel contracts review fee and the appropriation of funds described herein, the Office of the Attorney General's Number of Full-Time Equivalents (FTEs) is hereby increased by 5.0 in fiscal year 2012 and by 5.0 in fiscal year 2013, and the following performance measure targets are increased by the following incremental amounts:

| | FY 2012 | FY 2013 |
|---|---|---|
| Legal Hours Billed to Litigation and Counseling | 1,000 | 1,000 |
| Average Cost Per Legal Hour | 3.01 | 3.01 |

**29. State Office of Risk Management.** Included in amounts appropriated above in Strategy E.1.1, Administrative Support for SORM, is $1,158,815 in fiscal year 2012 and $1,158,815 in fiscal year 2013 in Interagency Contracts from the State Office of Risk Management (SORM) for the administrative support of SORM.

**30. Annual Child Support Service Fee.** Included in amounts appropriated above out of the General Revenue Fund in Strategy B.1.1, Child Support Enforcement, are revenue collected on or after September 1, 2011 by the Office of the Attorney General for assessing a $25 annual service fee on all non-TANF cases in which $500 or more has been collected in child support payments, established by Texas Family Code, Chapter 231, and deposited to Revenue Object Code 3618 in the General Revenue Fund, estimated to be $11,205,000 in fiscal year 2012 and $11,925,000 in Fiscal Year 2013. 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 the Comptroller of Public Accounts to reduce the appropriation authority provided above to be within the amount of revenue expected to be available.

**31. Monthly Child Support Processing Fee.** Included in amounts appropriated above out of the General Revenue Fund in Strategy B.1.2, State Disbursement Unit, are revenue collected on or after September 1, 2011 by the Office of the Attorney General for assessing a $3 monthly processing fee on child support payments processed through the State Disbursement Unit, established by Texas Family Code, Chapter 231, and deposited to Revenue Object Code 3618 in the General Revenue Fund, estimated to be $1,028,825 in fiscal year 2012 and $1,045,256 in fiscal year 2013. 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 the Comptroller of Public Accounts to reduce the appropriation authority provided above to be within the amount of revenue expected to be available.

**32. Contingency Appropriation for Outside Legal Counsel.** Contingent upon the final resolution of State of Texas vs. Sandoz Inc. f/k/a Geneva Pharmaceuticals, Inc., Cause No. D-1-GV-07-001259, and State of Texas vs. Eon Labs, Inc. and Lek Pharmaceuticals, Inc., Cause No. D-1-GV-09-001839, and contingent upon the Comptroller of Public Accounts certifying that $12,500,000 in additional revenue is generated from the aforementioned lawsuits, there is hereby appropriated to the Office of the Attorney General from the revenues derived from the settlement of the lawsuits, an amount not to exceed $12,500,000 in General Revenue for the 2012-13 biennium for payment of the outside counsel representing the State of Texas in the lawsuits, pursuant to Outside Counsel Contract: OCC No. 2007-302-0012.

## BOND REVIEW BOARD

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 486,967 | $ 486,968 |
| **Total, Method of Financing** | $ 486,967 | $ 486,968 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 8.0 | 8.0 |
| **Schedule of Exempt Positions:** | | |
| Executive Director, Group 3 | $99,000 | $99,000 |
| **Items of Appropriation:** | | |
| **A. Goal:** PROTECT TEXAS BOND RATING<br>Issue Texas' Bonds Cost Effectively Using Sound Debt Mgmt. Policies. | | |
| **A.1.1. Strategy:** REVIEW BOND ISSUES<br>Review Bond Issues to Assure Legality and Other Provisions. | $ 162,936 | $ 162,937 |

| | | |
|---|---|---|
| **A.1.2. Strategy:** STATE BOND DEBT<br>Report to the Legislature on Debt Obligation and Policy Alternatives. | $ 83,575 | $ 83,575 |
| **Total, Goal A:** PROTECT TEXAS BOND RATING | $ 246,511 | $ 246,512 |
| **B. Goal:** LOCAL BOND DEBT<br>Ensure That Public Officials Have Current Info on Debt Management. | | |
| **B.1.1. Strategy:** ANALYZE LOCAL BOND DEBT<br>Analyze Data on Local Government Finance and Debt Management. | $ 94,978 | $ 94,978 |
| **C. Goal:** PRIVATE ACTIVITY BONDS<br>Equitably Administer the Private Activity Bond Allocation for Texas. | | |
| **C.1.1. Strategy:** ADMINISTER PRIVATE ACTIVITY BONDS<br>Effectively Administer the Private Activity Bond Allocation Program. | $ 145,478 | $ 145,478 |
| **Grand Total,** BOND REVIEW BOARD | $ 486,967 | $ 486,968 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 459,594 | $ 459,594 |
| Other Personnel Costs | 9,460 | 9,460 |
| Professional Fees and Services | 3,000 | 3,000 |
| Consumable Supplies | 1,000 | 1,000 |
| Travel | 1,000 | 1,000 |
| Rent - Building | 500 | 500 |
| Rent - Machine and Other | 4,200 | 4,200 |
| Other Operating Expense | 8,213 | 8,214 |
| **Total, Object-of-Expense Informational Listing** | $ 486,967 | $ 486,968 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 28,758 | $ 28,901 |
| Group Insurance | 65,658 | 66,185 |
| Social Security | 41,297 | 41,504 |
| Benefits Replacement | 2,682 | 2,507 |
| Subtotal, Employee Benefits | $ 138,395 | $ 139,097 |
| Debt Service | | |
| Lease Payments | $ 58,055 | $ 58,200 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 196,450 | $ 197,297 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Bond Review Board. 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 Bond Review Board. In order to achieve the objectives and service standards established by this Act, the Bond Review Board shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** PROTECT TEXAS BOND RATING | | |
| **A.1.1. Strategy:** REVIEW BOND ISSUES | | |
| **Output (Volume):** | | |
| Number of State Bond Issues and Lease-purchase Projects Reviewed | 55 | 60 |
| **A.1.2. Strategy:** STATE BOND DEBT | | |
| **Output (Volume):** | | |
| Number of Responses to Debt Information Requests | 100 | 150 |

| | | |
|---|---|---|
| **B. Goal:** LOCAL BOND DEBT | | |
| **B.1.1. Strategy:** ANALYZE LOCAL BOND DEBT | | |
| **Output (Volume):** | | |
| Number of Local Government Financings Analyzed | 1,000 | 1,000 |
| **C. Goal:** PRIVATE ACTIVITY BONDS | | |
| **C.1.1. Strategy:** ADMINISTER PRIVATE ACTIVITY BONDS | | |
| **Output (Volume):** | | |
| Number of Applications Reviewed | 100 | 110 |

## CANCER PREVENTION AND RESEARCH INSTITUTE OF TEXAS

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| GR Dedicated - Cancer Prevention and Research Fund No. 5136 | $ 6,000 | $ 6,000 |
| Other Funds | | |
| Appropriated Receipts | 20,000 | 20,000 |
| Bond Proceeds - General Obligation Bonds | 300,000,000 | 300,000,000 |
| Subtotal, Other Funds | $ 300,020,000 | $ 300,020,000 |
| **Total, Method of Financing** | $ 300,026,000 | $ 300,026,000 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 24.0 | 24.0 |
| **Schedule of Exempt Positions:** | | |
| Executive Director, Group 7 | $214,000 | $214,000 |
| Chief Scientific Officer, Group 6 | 212,000 | 212,000 |
| **Items of Appropriation:** | | |
| **A. Goal:** CANCER RESEARCH AND PREVENTION SVCS Create and Expedite Innovation in Cancer Research and Prevention Servs. | | |
| **A.1.1. Strategy:** AWARD CANCER RESEARCH GRANTS | $ 261,262,199 | $ 261,059,105 |
| **A.1.2. Strategy:** AWARD CANCER PREVENTION GRANTS | $ 29,012,567 | $ 29,012,567 |
| **A.1.3. Strategy:** GRANT REVIEW AND AWARD OPERATIONS | $ 6,944,359 | $ 6,944,359 |
| **Total, Goal A:** CANCER RESEARCH AND PREVENTION SVCS | $ 297,219,125 | $ 297,016,031 |
| **B. Goal:** INDIRECT ADMINISTRATION | | |
| **B.1.1. Strategy:** INDIRECT ADMINISTRATION | $ 2,806,875 | $ 3,009,969 |
| **Grand Total,** CANCER PREVENTION AND RESEARCH INSTITUTE OF TEXAS | $ 300,026,000 | $ 300,026,000 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 2,586,531 | $ 2,586,531 |
| Other Personnel Costs | 25,000 | 25,000 |
| Professional Fees and Services | 4,655,971 | 6,207,001 |
| Consumable Supplies | 52,656 | 25,750 |
| Utilities | 32,600 | 32,600 |
| Travel | 48,576 | 52,320 |
| Rent - Building | 432,317 | 451,850 |
| Rent - Machine and Other | 16,763 | 21,776 |
| Other Operating Expense | 1,900,820 | 551,500 |
| Grants | 290,274,766 | 290,071,672 |
| **Total, Object-of-Expense Informational Listing** | $ 300,026,000 | $ 300,026,000 |

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

| | | |
|---|---|---|
| Employee Benefits | | |
| Retirement | $ 93,883 | $ 94,353 |
| Group Insurance | 93,976 | 93,976 |
| Social Security | 124,123 | 124,743 |
| Benefits Replacement | 4,506 | 4,213 |
| Subtotal, Employee Benefits | $ 316,488 | $ 317,285 |
| Debt Service | | |
| TPFA GO Bond Debt Service | $ 21,125,035 | $ 56,962,816 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 21,441,523 | $ 57,280,101 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Cancer Prevention and Research Institute of Texas. 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 Cancer Prevention and Research Institute of Texas. In order to achieve the objectives and service standards established by this Act, the Cancer Prevention and Research Institute of Texas shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** CANCER RESEARCH AND PREVENTION SVCS | | |
| **Outcome (Results/Impact):** | | |
| Percent of Texas Counties with Cancer Prevention Services and Activities Initiated as Addressed in the Texas Cancer Plan through Grant Awards | 100 | 100 |
| **A.1.1. Strategy:** AWARD CANCER RESEARCH GRANTS | | |
| **Output (Volume):** | | |
| Number of Entities Relocating to Texas for Cancer-Research Related Projects | 7 | 7 |
| **Explanatory:** | | |
| Number of Published Articles on CPRIT-Funded Research Projects | 300 | 400 |
| Number of New Jobs Created and Maintained | 140 | 200 |
| **A.1.2. Strategy:** AWARD CANCER PREVENTION GRANTS | | |
| **Output (Volume):** | | |
| Number of People Served by Institute-funded Prevention and Control Activities | 400,000 | 400,000 |
| Number of Health Care Professionals Educated | 500,000 | 500,000 |
| **Efficiencies:** | | |
| Average Cost per Health Care Professional Educated | 6.5 | 6.5 |
| **Explanatory:** | | |
| Annual Age-adjusted Cancer Mortality Rate | 156.2 | 153.1 |

2. **Texans Conquer Cancer Plates: Appropriation of License Plate Receipts.** Included in the amounts appropriated above in Strategy A.1.2, Award Cancer Prevention Grants is 50 percent of revenue collected on or after September 1, 2011 (estimated to be $6,000 in fiscal year 2012 and $6,000 in fiscal year 2013) from the sale of license plates as provided by Transportation Code § 504.620 and deposited to the credit of the Cancer Prevention and Research Fund Account No. 5136.

3. **Unexpended Balances Within the Biennium.** Any unexpended balances remaining as of August 31, 2012, in the appropriations made above are hereby appropriated for the fiscal year beginning September 1, 2012.

4. **Salary Supplements for Exempt Positions.** The Executive Director and the Chief Scientific Officer of the Institute, because of the particular requirements of directing the administrative and scientific affairs of the Institute, may receive, in addition to salary amounts appropriated above out of state funds, a supplement from a foundation established to benefit the Cancer Prevention and Research Institute of Texas. The amounts identified above in the line item, "Schedule of Exempt Positions:", reflects the not-to-exceed salary amounts for the Executive Director and the Chief Scientific Officer which may be paid out of appropriated state funds. In addition to these amounts, the Executive Director may receive a salary supplement not to exceed $86,000 for a total combined salary of $300,000 out of state and foundation funds each fiscal year of the biennium.

Likewise, the Chief Scientific Officer may receive a salary supplement not to exceed $488,000 for a total combined salary of $700,000 out of state and foundation funds each fiscal year of the biennium. The respective salaries paid out of appropriated state funds and foundation funds for each fiscal year of the biennium for the Executive Director and the Chief Scientific Officer of the Institute may not exceed the highest salary paid to a chancellor of a public university system.

The salary of the Executive Director and the Chief Scientific Officer as provided under this section are not limited by Article IX, Section 3.05 of this Act. In addition to reporting requirements provided in Article IX, Section 3.02 of this Act, it is the intent of the legislature that contributions and expenditures of the foundation established to benefit the Cancer Prevention and Research Institute of Texas be annually reported to the Legislative Budget Board, the Senate Finance Committee, and the House Appropriations Committee no later than December 31. An individual, an organization, or an employee, officer or director of an organization that makes a contribution to the foundation, or person who is second-degree consanguinity or affinity to an employee of the Institute is not eligible to receive grants from the Institute.

5. **Reimbursement of Advisory Committees.** Out of funds appropriated above, reimbursement of travel costs shall be in accordance with provisions of this Act related to the per diem of Advisory Committee Members. Additionally, the Cancer Prevention and Research Institute of Texas may provide an honorarium to members of the Scientific Research and Prevention Programs Committees as authorized in Health and Safety Code, Chapter 102 and in accordance with Government Code 2110.

   To the maximum extent possible, the Cancer Prevention and Research Institute shall encourage the use of videoconferencing and teleconferencing.

6. **Unexpended Balances of Bond Proceeds.** Included in amounts appropriated above are unexpended and unobligated balances of General Obligation Bond Proceeds remaining as of August 31, 2011, (estimated to be $0) for the Cancer Prevention and Research Institute for the 2012-13 biennium in Strategies A.1.1, Award Cancer Research Grants, A.1.2, Award Cancer Prevention Grants, A.1.3, Grant Review and Award Operations, and B.1.1, Indirect Administration for purposes authorized by Health and Safety Code Chapter 102.

   Any unexpended balances in General Obligation Bond Proceeds described herein and remaining as of August 31, 2012, are hereby appropriated for the same purposes for the fiscal year beginning September 1, 2012.

7. **Contingency Appropriation Requiring Statutory Change: General Obligation Bond Proceeds for Cancer Prevention and Research Grants.** Contingent on the enactment of House Bill 2251, Senate Bill 73, Senate Bill 654, or Senate Bill 1579, or similar legislation by the Eighty-second Legislature, Regular Session, 2011, authorizing the Cancer Prevention and Research Institute of Texas general obligation bonds to be issued on an as-needed basis, included in amounts appropriated above is an amount not to exceed $300,000,000 out of general obligation bond proceeds for each year of the 2012-13 biennium, as authorized in Article III of the Texas Constitution.

8. **Contingency Appropriation Requiring Statutory Change: Cancer Registry.** Contingent on the enactment of legislation authorizing the Cancer Prevention and Research Institute of Texas to issue bonds on an as needed basis and out of amounts appropriated in Rider 7, Contingency Appropriation Requiring Statutory Change: General Obligation Bond Proceeds for Cancer Prevention and Research Grants, of this Act, to the Cancer Prevention and Research Institute of Texas is $2,969,554 out of General Obligation Bond Proceeds each fiscal year of the 2012-13 biennium which shall be transferred to the Department of State Health Services in Strategy A.1.2, Health Registries, Information, and Vital Records for administration of the Cancer Registry in accordance with the Texas Constitution, Article III, Section 67 and Health and Safety Code, Chapter 102.

# COMPTROLLER OF PUBLIC ACCOUNTS

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 201,496,491 | $ 201,488,196 |
| Other Funds | | |
| Appropriated Receipts | 1,401,831 | 1,401,831 |
| Interagency Contracts | 2,686,671 | 2,615,365 |
| Subtotal, Other Funds | $ 4,088,502 | $ 4,017,196 |
| **Total, Method of Financing** | $ 205,584,993 | $ 205,505,392 |
| **This bill pattern represents an estimated 19.9% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 2,851.8 | 2,851.8 |
| **Number of FTEs in Riders:** | 6.0 | 6.0 |
| **Schedule of Exempt Positions:** | | |
| Comptroller of Public Accounts, Group 6 | $150,000 | $150,000 |
| **Items of Appropriation:** | | |
| **A. Goal:** COMPLIANCE WITH TAX LAWS | | |
| To Improve Voluntary Compliance with Tax Laws. | | |
| **A.1.1. Strategy:** ONGOING AUDIT ACTIVITIES | $ 75,994,074 | $ 75,986,208 |
| Maintain an Ongoing Program of Audit and Verification Activities. | | |
| **A.2.1. Strategy:** TAX LAWS COMPLIANCE | $ 34,196,540 | $ 34,196,540 |
| Improve Compliance with Tax Laws through Contact & Collection Program. | | |
| **A.3.1. Strategy:** TAXPAYER INFORMATION | $ 15,544,769 | $ 15,544,769 |
| Provide Information to Taxpayers, Government Officials and the Public. | | |
| **A.4.1. Strategy:** TAX HEARINGS | $ 7,621,230 | $ 7,621,230 |
| Provide Tax Hearings/Represent the Agency/Provide Legal Counsel. | | |
| **Total, Goal A:** COMPLIANCE WITH TAX LAWS | $ 133,356,613 | $ 133,348,747 |
| **B. Goal:** MANAGE FISCAL AFFAIRS | | |
| To Efficiently Manage the State's Fiscal Affairs. | | |
| **B.1.1. Strategy:** ACCOUNTING/REPORTING | $ 22,984,022 | $ 22,912,716 |
| Proj Receipts/Disbursements; Complete Accounting/Reporting Resps. | | |
| **B.2.1. Strategy:** PROPERTY TAX PROGRAM | $ 7,629,943 | $ 7,629,943 |
| Conduct Property Value Study; Provide Assistance; Review Methods. | | |
| **B.3.1. Strategy:** FISCAL RESEARCH & STUDIES | $ 113,624 | $ 113,195 |
| Provide Information & Analysis to the Public & Private Sectors. | | |
| **B.4.1. Strategy:** TREASURY OPERATIONS | $ 4,094,459 | $ 4,094,459 |
| Ensure State's Assets, Cash Receipts, and Warrants are Prop Secured. | | |
| **B.5.1. Strategy:** PROCUREMENT | $ 4,736,653 | $ 4,736,653 |
| Provide Statewide Procurement and Support Services. | | |
| **B.6.1. Strategy:** COUNCIL ON COMPETITIVE GOVERNMENT | $ 210,005 | $ 210,005 |
| Identify State Programs, Services & Processes for Competitive Bidding. | | |
| **Total, Goal B:** MANAGE FISCAL AFFAIRS | $ 39,768,706 | $ 39,696,971 |

| | | |
|---|---|---|
| **C. Goal:** TAX AND FINANCIAL INFO TECHNOLOGY | | |
| Manage the Receipt and Disbursement of State Tax Revenue. | | |
| **C.1.1. Strategy:** REVENUE & TAX PROCESSING | $ 32,459,674 | $ 32,459,674 |
| Improve Tax/Voucher Data Processing, Tax Collection & Disbursements. | | |
| **Grand Total,** COMPTROLLER OF PUBLIC ACCOUNTS | $ 205,584,993 | $ 205,505,392 |
| **Supplemental Appropriations Made in Riders:** | $ 500,000 | $ 500,000 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 153,772,658 | $ 153,772,658 |
| Other Personnel Costs | 4,397,682 | 4,397,682 |
| Professional Fees and Services | 8,181,529 | 8,181,529 |
| Fuels and Lubricants | 23,882 | 23,882 |
| Consumable Supplies | 1,246,279 | 1,246,279 |
| Utilities | 2,815,620 | 2,815,620 |
| Travel | 5,476,636 | 5,476,636 |
| Rent - Building | 3,338,016 | 3,338,016 |
| Rent - Machine and Other | 9,071,587 | 9,071,587 |
| Other Operating Expense | 17,761,104 | 17,681,503 |
| **Total, Object-of-Expense Informational Listing** | $ 206,084,993 | $ 206,005,392 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 9,023,408 | $ 9,068,525 |
| Group Insurance | 25,076,046 | 25,500,790 |
| Social Security | 12,360,018 | 12,421,818 |
| Benefits Replacement | 1,080,819 | 1,010,565 |
| Subtotal, Employee Benefits | $ 47,540,291 | $ 48,001,698 |
| Debt Service | | |
| Lease Payments | $ 1,228,405 | $ 1,057,619 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 48,768,696 | $ 49,059,317 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Comptroller of Public Accounts. 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 Comptroller of Public Accounts. In order to achieve the objectives and service standards established by this Act, the Comptroller of Public Accounts shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** COMPLIANCE WITH TAX LAWS | | |
| **Outcome (Results/Impact):** | | |
| Percent Accuracy Rate of Reported Amounts on Original Audits | 97% | 97% |
| Average Monthly Delinquent and Other Account Closure Rate per Enforcement Collector | 269 | 269 |
| **A.1.1. Strategy:** ONGOING AUDIT ACTIVITIES | | |
| **Output (Volume):** | | |
| Number of Audits and Verifications Conducted | 15,000 | 15,000 |
| **Efficiencies:** | | |
| Average Dollars Assessed to Dollar Cost | 28 | 28 |
| **A.2.1. Strategy:** TAX LAWS COMPLIANCE | | |
| **Efficiencies:** | | |
| Delinquent Taxes Collected Per Collection-related Dollar Expended | 65 | 65 |
| **A.3.1. Strategy:** TAXPAYER INFORMATION | | |
| **Output (Volume):** | | |
| Total Number of Responses Issued by Tax Policy and Tax Policy Support | 29,386 | 30,267 |

| | | |
|---|---|---|
| **Efficiencies:** | | |
| Percent of Responses Issued by the Tax Policy and Tax Policy Support Areas within 7 Working Days | 50% | 51% |
| **B. Goal:** MANAGE FISCAL AFFAIRS | | |
| **Outcome (Results/Impact):** | | |
| Percentage of Scheduled Independent School Districts' Total Value in Which PTAD Met the Target Margin of Error | 95% | 95% |
| Percentage of Funds Processed Electronically | 98% | 98% |
| **B.2.1. Strategy:** PROPERTY TAX PROGRAM | | |
| **Output (Volume):** | | |
| Number of Properties Included in the Property Value Study | 85,000 | 85,000 |
| **B.3.1. Strategy:** FISCAL RESEARCH & STUDIES | | |
| **Output (Volume):** | | |
| Number of Responses Provided to Local Government Requests for Assistance and Information | 0 | 0 |
| **B.4.1. Strategy:** TREASURY OPERATIONS | | |
| **Output (Volume):** | | |
| Number of State Depository Bank Account Reconciliations Performed | 10,000 | 10,000 |
| **B.5.1. Strategy:** PROCUREMENT | | |
| **Output (Volume):** | | |
| Number of Historically Underutilized Business Field Audits Conducted | 600 | 600 |
| Number of Historically Underutilized Business Desk Audits Conducted | 1,900 | 1,900 |
| **C. Goal:** TAX AND FINANCIAL INFO TECHNOLOGY | | |
| **Outcome (Results/Impact):** | | |
| Time Taken to Return Tax Allocations to Local Jurisdictions (Days) | 28 | 28 |
| **C.1.1. Strategy:** REVENUE & TAX PROCESSING | | |
| **Output (Volume):** | | |
| Number of Tax Returns Processed | 4,750,000 | 4,850,000 |
| **Efficiencies:** | | |
| Average Number of Hours to Deposit Receipts | 28 | 28 |

2. **Capital Budget.** Funds appropriated above may be expended for capital budget items listed below. The amounts identified for each item may be adjusted or expended on other capital expenditures, subject to the aggregate dollar restrictions on capital budget expenditures provided in the general provisions of this Act.

| | 2012 | 2013 |
|---|---|---|
| a. Acquisition of Information Resource Technologies | | |
| (1) Daily Operations - Capital | $ 10,108,109 | $ 10,108,109 |
| Total, Capital Budget | $ 10,108,109 | $ 10,108,109 |
| Method of Financing (Capital Budget): | | |
| General Revenue Fund | $ 10,108,109 | $ 10,108,109 |
| Total, Method of Financing | $ 10,108,109 | $ 10,108,109 |

3. **Appropriation of Receipts.** The Comptroller is hereby authorized to transfer appropriated funds and cash from the state agencies' funds and accounts to the Comptroller's Office to reimburse for the cost of mailing warrants and consolidating payments across agency and fund lines, making electronic transfers and data transmissions to financial institutions, vendors, and associated activities. These, and all sums received in refund of postage, insurance, and shipping costs for the cigarette stamp program, are hereby appropriated to the Comptroller's Office.

4. **Employee Incentive Rider.** In addition to the existing authority and amounts related to employee compensation and benefits, the Comptroller of Public Accounts may expend amounts necessary from funds appropriated for the 2012-13 biennium for the purposes of enhancing compensation, providing incentives, or paying associated expenses for high performing employees within the Comptroller's Office.

5. **Capital Expenditures Authorized.** Notwithstanding the limitations placed on the expenditure of funds for capital budget items contained in this Act, the Comptroller of Public Accounts is hereby

authorized to expend funds appropriated to the Comptroller of Public Accounts for the acquisition of capital budget items.

6. **Transfer Authority.** Notwithstanding limitations on appropriation transfers contained in the General Provisions of this Act, the Comptroller of Public Accounts is hereby authorized to direct agency resources and transfer such amounts appropriated above between appropriation line items.

7. **Unexpended Balances Carried Forward Between Biennia.** All unexpended balances appropriated and/or allocated to the Comptroller of Public Accounts from the 2010-11 biennium due to efficiencies or other cost savings of the Comptroller are hereby appropriated for the 2012-13 biennium. The appropriations herein are for ensuring the continuation of high priority programs within the Comptroller's Office.

8. **Appropriation for Statutory Obligations.** Contingent upon enactment of legislation by the Eighty-second Legislature, Regular Session, 2011, amending Texas Property Code 74.509 to set the rate of a handling fee on Unclaimed Property claims to 10 percent and deducted from payment on claims over $100, the Comptroller of Public Accounts is appropriated 15 percent of receipts from Unclaimed Property handling fees to perform statutory obligations under §§ 74.201, 74.203, 74.601, and 74.602 of the Texas Property Code and to respond to public inquiries generated by the advertising program including, but not limited to, the hiring of temporary employees.

   In the event that legislation is not enacted by the Eighty-second Legislature, Regular Session, 2011, to amend Property Code 74.509 to set the rate of Unclaimed Property handling fee to 10 percent, the Comptroller of Public Accounts is hereby appropriated from Unclaimed Property handling fees, collected pursuant to Property Code 74.509, all sums necessary to perform statutory obligations under §§ 74.201, 74.203, 74.601, and 74.602 of the Texas Property Code and to respond to public inquiries generated by the advertising program including, but not limited to, the hiring of temporary employees. Such amounts shall not exceed the amount of money credited to Unclaimed Property Receipts from unclaimed property proceeds.

9. **Uniform Statewide Accounting and Payroll Services and Technology.** There is hereby appropriated to the Comptroller of Public Accounts all revenues received as a result of cost sharing arrangements with other state agencies, other governmental units, or non-government entities for software, technology, licensing arrangements, royalty receipts, or other charges or receipts from the sharing of technological or other information, expertise, services, or cooperative agreements of any kind. Such revenues shall be available to the Comptroller for the use of further enhancement of automation and technology services, computer services, and computer time.

10. **Unexpended Balances Between Fiscal Years Within the Biennium.** Any unexpended balances as of August 31, 2012, in the appropriations made herein to the Comptroller of Public Accounts are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2012.

11. **Reimbursement for Treasury Operations.** In accordance with § 404.071, Government Code, the Comptroller of Public Accounts shall determine the costs incurred in receiving, paying, accounting for, and investing money in funds and accounts which are entitled to receive temporary interest. An amount equal to these costs shall be deducted from the interest earned on such funds and accounts and is hereby appropriated for deposit into the General Revenue Fund.

12. **Vehicle Fuel Efficiency Standard.** The Comptroller of Public Accounts shall report to the Legislature once per biennium on the number of vehicles procured by each state agency that comply with state agency vehicle fuel standard described in § 2158.009, Government Code, and the number of vehicles procured by each state agency that do not comply with the standard.

13. **Contingency for Government Effectiveness and Efficiency Recommendations relating to the Texas Economic Development Act.** Contingent on enactment of House Bill 269, House Bill 3015, or similar legislation implementing recommendations to restructure the Texas Economic Development Act with respect to the authority of the state and local school districts, the economic impact evaluation, treatment of eligibility categories, job and wage requirements, and related fee authority by the Eighty-second Legislature, Regular Session, 2011, and contingent on the Comptroller of Public Accounts using the fee authority relating to this program to assess and collect funds sufficient to cover the costs associated with administering the Texas Economic Development Act, in addition to amounts appropriated above, the Comptroller of Public Accounts is hereby appropriated amounts estimated to be $500,000 for fiscal year 2012 and $500,000 for fiscal year 2013 from General Revenue Funds and the "Number of Full-Time Equivalents" is increased by 6.0 in each fiscal year to carry out responsibilities related to the program.

In the event that legislation is not enacted by the Eighty-second Legislature, Regular Session, 2011, to restructure the Texas Economic Development Act and related fee authority as described herein, the Comptroller of Public Accounts shall perform statutory responsibilities required of the agency relating to the Economic Development Act, Chapter 313 of the Tax Code, out of amounts appropriated above.

**14. Plan for Consolidation of Filing Requirements.** Out of funds appropriated above, the Comptroller of Public Accounts and Secretary of State shall work in cooperation to produce a plan for the consolidation of filing requirements placed upon businesses for franchise tax and certificate of good standing. The plan shall be provided to the Legislature by December 1, 2012.

**15. Increase Tax Compliance and State Revenue Related to Natural Gas Tax Collections.** Included in amounts appropriated above to the Comptroller of Public Accounts is $343,267 in fiscal year 2012 and $335,400 in fiscal year 2013 for Strategy A.1.1, Ongoing Audit Activities, out of the General Revenue Fund, including 5.0 full-time equivalent (FTE) positions in each fiscal year, for the purpose of increasing tax compliance and state revenue related to natural gas tax collections and the high-cost natural gas tax rate reduction program. This appropriation is contingent upon the Comptroller's certification of available General Revenue of at least $5,147,595 in General Revenue above the January 2011 Biennial Revenue Estimate resulting from related activities.

## FISCAL PROGRAMS - COMPTROLLER OF PUBLIC ACCOUNTS

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 328,354,392 | $ 328,627,686 |
| General Revenue Fund - Dedicated | | |
| Oil Overcharge Account No. 5005 | 75,111,292 | 14,645,292 |
| Compensation to Victims of Crime Auxiliary Account No. 494 | 30,000 | UB |
| Subtotal, General Revenue Fund - Dedicated | $ 75,141,292 | $ 14,645,292 |
| Federal Funds | | |
| Federal Funds | 1,288,784 | 1,288,784 |
| Federal American Recovery and Reinvestment Fund | 823,842 | 0 |
| Subtotal, Federal Funds | $ 2,112,626 | $ 1,288,784 |
| Other Funds | | |
| State Highway Fund No. 006 | 7,500,000 | 7,500,000 |
| County and Road District Highway Fund No. 0057 | 7,300,000 | 7,300,000 |
| Subtotal, Other Funds | $ 14,800,000 | $ 14,800,000 |
| **Total, Method of Financing** | $ 420,408,310 | $ 359,361,762 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 25.0 | 25.0 |
| **Items of Appropriation:** | | |
| **A. Goal:** CPA - FISCAL PROGRAMS | | |
| Comptroller of Public Accounts - Fiscal Programs. | | |
| **A.1.1. Strategy:** VOTER REGISTRATION | $ 5,000,000 | $ 1,000,000 |
| Payments to Counties for Voter Registration Activity. Estimated. | | |
| **A.1.2. Strategy:** MISCELLANEOUS CLAIMS | $ 6,500,000 | $ 6,500,000 |
| Pay misc claims/wrongful imprisonment, Gov't Code 403.074. Estimated. | | |

| | | | | |
|---|---|---|---|---|
| **A.1.3. Strategy:** REIMBURSEMENT- COMMITMENT HEARINGS<br>Reimburse-Commitment Hearings Ch. 591-595, 597, Health & Safety Code. | $ | 2,000 | $ | UB |
| **A.1.4. Strategy:** REIMBURSE - BEVERAGE TAX<br>Reimburse mix bev tax per Tax Code 183.051. Estimated. | $ | 119,714,964 | $ | 126,305,843 |
| **A.1.5. Strategy:** JUDGMENTS AND SETTLEMENTS<br>Payment of Ch. 101, 104 CPR Code, Ch. 59 Educ Code. Fed Court Claims. | $ | 2,500,000 | $ | UB |
| **A.1.6. Strategy:** COUNTY TAXES - UNIVERSITY LANDS<br>Payment of County Taxes on University Lands. Estimated. | $ | 3,414,396 | $ | 3,598,811 |
| **A.1.7. Strategy:** LATERAL ROAD FUND DISTRICTS<br>Lateral Road Fund Distribution. | $ | 7,300,000 | $ | 7,300,000 |
| **A.1.8. Strategy:** UNCLAIMED PROPERTY<br>To Pay Legitimate Claims for Unclaimed Prop Held by State. Estimated. | $ | 183,545,461 | $ | 183,545,461 |
| **A.1.9. Strategy:** UNDERAGE TOBACCO PROGRAM<br>Allocate Underage Tobacco Enforcement Program Grants. | $ | 0 | $ | 0 |
| **A.1.10. Strategy:** LOCAL CONTINUING EDUCATION GRANTS<br>Allocate Local Continuing Education Grants. | $ | 0 | $ | 0 |
| **A.1.11. Strategy:** ADVANCED TAX COMPLIANCE | $ | 7,115,574 | $ | 7,115,574 |
| **A.1.12. Strategy:** SUBSEQUENT CVC CLAIMS<br>Subsequent Crime Victim Compensation Claims. Estimated. | $ | 30,000 | $ | UB |
| **A.1.13. Strategy:** GROSS WEIGHT/AXLE FEE DISTRIBUTION<br>Distribution to Counties per Transportation Code 621.353. Estimated. | $ | 7,500,000 | $ | 7,500,000 |
| **A.1.14. Strategy:** JOBS AND EDUCATION FOR TEXANS | $ | 0 | $ | 0 |
| **A.1.15. Strategy:** MAJOR EVENTS TRUST FUND | $ | UB | $ | UB |
| **Total, Goal A:** CPA - FISCAL PROGRAMS | $ | 342,622,395 | $ | 342,865,689 |
| **B. Goal:** ENERGY OFFICE<br>Develop & Administer Programs That Promote Energy Efficiency. | | | | |
| **B.1.1. Strategy:** ENERGY OFFICE<br>Promote and Manage Energy Programs. | $ | 3,234,285 | $ | 2,410,443 |
| **B.1.2. Strategy:** OIL OVERCHARGE SETTLEMENT FUNDS<br>Allocate Grants and Loans to Promote Energy Efficiency. | $ | 74,551,630 | $ | 14,085,630 |
| **Total, Goal B:** ENERGY OFFICE | $ | 77,785,915 | $ | 16,496,073 |
| **Grand Total,** FISCAL PROGRAMS - COMPTROLLER OF PUBLIC ACCOUNTS | $ | 420,408,310 | $ | 359,361,762 |
| **Supplemental Appropriations Made in Riders:** | $ | 12,000,000 | $ | 10,000,000 |
| **Object-of-Expense Informational Listing:** | | | | |
| Salaries and Wages | $ | 1,579,314 | $ | 1,579,314 |
| Other Personnel Costs | | 405,153 | | 405,153 |
| Professional Fees and Services | | 5,435,561 | | 5,435,561 |
| Consumable Supplies | | 500 | | 500 |
| Utilities | | 284,831 | | 284,831 |
| Travel | | 21,452 | | 21,452 |
| Rent - Machine and Other | | 15,571 | | 15,571 |
| Other Operating Expense | | 203,990,549 | | 201,458,549 |
| Client Services | | 450,000 | | 450,000 |
| Grants | | 220,225,379 | | 159,710,831 |
| **Total, Object-of-Expense Informational Listing** | $ | 432,408,310 | $ | 369,361,762 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | | | |
| Employee Benefits | | | | |
| Retirement | $ | 95,088 | $ | 95,563 |

| | | |
|---|---|---|
| Group Insurance | 146,241 | 147,320 |
| Social Security | 75,609 | 75,987 |
| Benefits Replacement | 6,330 | 5,918 |
| Subtotal, Employee Benefits | $ 323,268 | $ 324,788 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 323,268 | $ 324,788 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Fiscal Programs - Comptroller of Public Accounts. 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 Fiscal Programs - Comptroller of Public Accounts. In order to achieve the objectives and service standards established by this Act, the Fiscal Programs - Comptroller of Public Accounts shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **B. Goal:** ENERGY OFFICE | | |
| **Outcome (Results/Impact):** | | |
| State Agency Energy Cost Savings as a Percentage of Energy Expenditures | 21% | 21% |
| Energy Dollars Saved by LoanSTAR Projects (in Millions) | 30 | 30 |

2. **Appropriation from the Compensation to Victims of Crime Auxiliary Fund.** Included in amounts appropriated above in Strategy A.1.12, Subsequent CVC Claims, are funds received by the Comptroller from departments under Government Code § 76.013, for crime victims who have not made a claim for restitution during the prescribed five year period and who make a subsequent claim (estimated to be $30,000 for the biennium). In addition to amounts identified herein and included above, all revenue collected on or after September 1, 2011, is hereby appropriated for the same purpose. Any unobligated balances remaining as of August 31, 2012, are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2012.

3. **Appropriation, Payment of Miscellaneous Claims.** In addition to amounts appropriated above in Strategy A.1.2, Miscellaneous Claims, the Comptroller of Public Accounts is hereby appropriated out of other special funds and accounts as appropriate, amounts necessary to pay small miscellaneous claims.

4. **Appropriation, Payment of Judgments and Settlements.** Except for claims under Chapter 59, Education Code, in addition to amounts appropriated above in Strategy A.1.5, Judgments and Settlements, the Comptroller of Public Accounts is hereby appropriated out of other special funds and accounts as appropriate, amounts necessary to pay claims, judgments, and settlements.

5. **Limitation, Payment of Judgments and Settlements.** The expenditures authorized in Strategy A.1.5, Judgments and Settlements, for payment of settlements and judgments for claims against state agencies payable under Chapter 101 and 104, Civil Practice and Remedies Code, including indemnification for criminal prosecution and Federal Court judgments and settlements, are hereby limited to those claims where the settlement or judgment amount exceeds the amount authorized by Article IX, Judgments and Settlements, of this Act to be paid out of appropriations made to the involved agency elsewhere in this Act. These judgments and settlements shall be paid from special or local funds of the agency or institution to the extent available, and then from General Revenue. The Comptroller shall require reimbursement from agencies and institutions as special or local funds become available. This limitation shall not apply in those cases where the judgment order of the trial court was entered, or a settlement agreement was executed, prior to September 1, 1995, or to the payment of eligible medical malpractice claims under Chapter 59, Education Code. All claims shall be prepared, verified and signed by the Office of the Attorney General.

6. **International Fuel Tax Agreement.** Out of amounts collected as a result of the administration of Chapter 162, Tax Code, the Comptroller shall determine the amounts due other jurisdictions as reflected by motor fuels reports and other information available pursuant to an International Fuel Tax Agreement or otherwise subject to refund. Such amounts are hereby appropriated and may be segregated as necessary for remittance to other jurisdictions and for refunds as provided by law. Fees and costs associated with an International Fuel Tax Agreement may be paid from the interest earnings on amounts due other jurisdictions or subject to refund. The Comptroller may estimate

the amounts due other jurisdictions or subject to refund out of amounts collected as a result of the administration of Chapter 162, Tax Code, and may segregate such funds as necessary for administration of the agreement.

7. **Appropriation of Tax and Revenue Anticipation Note Fund No. 0577.** There is hereby appropriated to the Comptroller of Public Accounts all money deposited in the tax and revenue anticipation note fund for the purposes of paying principal of, premium (if any), interest on, and costs of issuance relating to tax and revenue anticipation notes issued during the biennium. To the extent that money deposited into the tax and revenue anticipation note fund is insufficient to pay the principal of, premium (if any), interest on, and costs of issuance relating to notes, there is hereby appropriated to the Comptroller of Public Accounts from the General Revenue Fund amounts necessary for the full repayment of all principal of, premium (if any), and interest on any notes issued during the biennium.

8. **Advanced Tax Compliance and Debt Collections.** To the extent that the Comptroller contracts with persons or entities to provide information, services, or technology or expands and/or enhances the technology to aid in the advanced collections of debts, taxes, or other property due to or belonging to the State of Texas pursuant to Government Code, §§ 403.019, 403.0195 or Tax Code § 111.0035 or § 111.0036, all sums necessary to pay contract, maintenance, and other expenses connected with the collections, including any administrative costs of the Comptroller directly associated with the collections program, are hereby appropriated to the Comptroller from collection proceeds. The balance of collection proceeds shall be transferred to the General Revenue Fund or to any dedicated or special funds or accounts to which the collection proceeds may belong.

   Consistent with the Comptroller's role as the chief fiscal officer and tax collector for the state, all resulting collections and associated expenses shall be accounted for through the fiscal agency operations of the Comptroller's Office in a manner which reflects both the amounts of enhanced collections as well as the amount of expenses related to the increased deposits.

9. **Investment Fund Management.** Consistent with the Comptroller's responsibility for investing Tobacco Settlement Permanent Trust Funds Account No. 872 and the Permanent Higher Education Fund Account No. 346, as much of the investment earnings as necessary up to a maximum of 50 basis points of the average fund balance for funds managed by external fund managers and 20 basis points for internally managed funds are hereby appropriated each year of the biennium to the fiscal agency operation of the Comptroller's Office to pay the expenditures related to these investment activities. The total appropriated amount shall not exceed $10 million per fiscal year of the biennium. The Comptroller shall prepare an annual report detailing the expenditures made in connection with each fund for investment activities.

10. **Oil Overcharge Settlement Funds.** Included in funds appropriated above to Strategy B.1.1, Energy Office, and Strategy B.1.2, Oil Overcharge Settlement Funds, out of Oil Overcharge Account No. 5005, are funds allocated to the State of Texas through consent decrees, court decrees, and administrative orders involving violation of the mandatory petroleum pricing and allocation regulations, including the interest earned on those used by the State Energy Conservation Office (SECO) for the biennium beginning September 1, 2011 (estimated to be $29,290,584). Any unexpended balances as of August 31, 2011, of Oil Overcharge Funds Account No. 5005 are included in Strategy B.1.2, Oil Overcharge Settlement Funds, and are to be used by SECO for the biennium beginning September 1, 2011 (estimated to be $60,466,000). In addition to amounts identified herein and included above, all unexpended balances remaining as of August 31, 2011, and all revenue generated on or after September 1, 2011, are hereby appropriated for the same purpose.

    Out of these estimated balances and revenues, the State Energy Conservation Office shall allocate an estimated total of $1,712,710 over the biennium based on the designations listed below. SECO is granted the discretion to prorate Oil Overcharge Funds based on these designations in the event that the total amount estimated by this allocation is not realized. The amounts below are hereby designated for the biennium beginning September 1, 2011, for the following purposes:

| | 2012 | 2013 |
|---|---|---|
| Schools/Local Government Program | $171,271 & UB | $171,271 & UB |

| | | |
|---|---|---|
| State Agencies/Higher Education Program | $171,271 & UB | $171,271 & UB |
| Renewable Energy Program | $171,271 & UB | $171,271 & UB |
| Transportation Energy Program | $171,271 & UB | $171,271 & UB |
| Alternative Fuels Program | $171,271 & UB | $171,271 & UB |

Funds de-obligated from contracts within the above programs shall remain within the program. State Energy Program Administration funds are appropriated in Strategy B.1.1, Energy Office.

Pursuant to Texas Government Code § 2305.032 (f), funds available to the LoanSTAR Revolving Loan Program shall equal or exceed $95,000,000 at all times. All unexpended LoanSTAR balances (estimated to be $60,466,000 of total balances noted above) and all revenues, except depository interest earned on LoanSTAR balances, generated by funds in the LoanSTAR Program (estimated to be $27,577,874 of total revenues noted above), shall remain in the program. If a state agency or institution of higher education is a recipient of a loan under the statewide retrofit demonstration and revolving loan program, the agency or institution shall repay the loan from agency funds budgeted for the energy costs of the agency or institution.

**11. Department of Energy (DOE) Federal Funds.** In addition to funds appropriated above for administration of the State Energy Conservation Office, all funds allocated to the State of Texas by the U.S. Department of Energy to fund Pantex and State energy programs are detailed below for the biennium beginning September 1, 2011.

The SECO shall allocate funds based upon the designations listed below:

| | FY 2012 | FY 2013 |
|---|---|---|
| Federal Funds: Pantex Programs | | |
| Agreement in Principle (Remedial Clean Up Action) | $966,153 &UB | $966,153 &UB |
| Waste Isolation Pilot Plant | $341,000 &UB | $341,000 &UB |
| Federal Funds: State Energy Program | | |
| State Energy Program (SEP) Grant | $308,254 &UB | $308,254 &UB |

**12. Appropriation of Tax Refunds.** As much of the respective taxes, fees, and charges, including penalties or other financial transactions administered or collected by the Comptroller as may be necessary is hereby appropriated and set aside to pay refunds, interest, and any costs and attorney fees awarded in court cases, as provided by law, subject to the following limitations and conditions:

a. Unless another law, or section of this Act, provides a period within which a particular refund claim must be made, funds appropriated herein may not be used to pay a refund claim made under this section after four years from the latest date on which the amount collected or received by the State was due, if the amount was required to be paid on or before a particular date. If the amount was not required to be paid on or before a particular date, a refund claim may not be made after four years from the date the amount was collected or received. A person who fails to make a refund claim within the period provided by law, or this provision, shall not be eligible to receive payment of a refund under this provision.

b. Except as provided by subsection (c), as a specific limitation to the amount of refunds paid from funds appropriated in this Act during the 2012-13 biennium, the Comptroller shall not approve claims or issue warrants for refunds in excess of the amount of revenue estimated to be available from the tax, fee, or other revenue source during the biennium according to the Biennial Revenue Estimate of the Comptroller of Public Accounts used for certification of

this Act. Any claim or portion of a claim which is in excess of the limitation established by this subsection "b" shall be presented to the next legislature for a specific appropriation in order for payment to be made. The limitation established by this subsection "b" shall not apply to any taxes or fees paid under protest.

c. Where the Biennial Revenue Estimate referenced in subsection (b) provides that no revenues are estimated to be available from a tax, fee, or other revenue source, and where a special fund or dedicated account has been abolished or the law creating the special fund or dedicated account has been repealed or has expired, any balances which may have been transferred or credited to the General Revenue Fund because of such abolishment, repeal or expiration are appropriated from that fund to pay refunds that are otherwise payable under this section.

d. From amounts collected pursuant to Sec. 47.052, Business & Commerce Code (redesignated as Sec. 102.052, Business & Commerce Code), there are hereby appropriated amounts necessary to pay a refund, settlement or judgment arising from litigation relating to the validity of the fee. Any portion of a settlement or judgment in excess of the amounts collected under Section 47.051, et seq. (redesignated as Sec. 102.051, et seq.), including interest, courts costs, or attorneys fees, shall be presented to the next legislature for a specific appropriation in order for payment to be made.

**13. Appropriation of Hotel/Motel Taxes.** In addition to amounts appropriated above, the Comptroller of Public Accounts is hereby appropriated out of hotel taxes collected under Chapter 156, Tax Code, amounts necessary to pay percentages to eligible coastal municipalities as calculated pursuant to §156.2511 and § 156.2512, Tax Code.

**14. Cash Flow Transfer.** As required by Government Code, Section 403.092, for the state fiscal biennium beginning September 1, 2011, the Comptroller of Public Accounts is appropriated from the General Revenue Fund the amount needed:

a. to return any available cash that was transferred to the General Revenue Fund from a fund outside the state treasury; and

b. to maintain the equity of the fund from which the transfer was made.

**15. Unexpended Balances: Major Events Trust Fund.** In addition to amounts appropriated above, any unexpended and unobligated balances of General Revenue remaining as of August 31, 2011 (estimated to be $0) for the Major Events Trust Fund are hereby appropriated for the 2012-13 biennium to be transferred out of the General Revenue Fund to the Major Events Trust Fund, a fund held outside the state Treasury, for the purpose of attracting and securing eligible events. The appropriation is contingent on:

(a) a written statement confirming the state's interest in the event that is signed by both the Governor and the Comptroller of Public Accounts;

(b) certification by the Comptroller of Public Accounts that sufficient revenues will be generated by eligible events to offset the amounts appropriated;

(c) an agreement with one or more endorsing municipalities or counties entered into pursuant to Article 5190.14, Section 5A(r), Vernon's Texas Civil Statutes; and

(d) the receipt of local funds from the endorsing entity(s) pursuant to Article 5190.14, Section 5A(r), Vernon's Texas Civil Statutes.

**16. Mixed Beverage Tax Reimbursements.** Out of amounts appropriated above in Strategy A.1.4, Reimburse - Beverage Tax, the Comptroller of Public Accounts shall reimburse eligible incorporated municipalities and counties a portion of receipts from the collection of the mixed beverage tax at a rate not to exceed 8.3065 percent in accordance with Tax Code 183.051.

**17. Appropriation to Reimburse the General Revenue Fund for the Cost of Certain Insurance Tax Credits.** In addition to the amounts appropriated above, there is hereby appropriated from the General Revenue-Dedicated Texas Department of Insurance Operating Fund Account No. 036 to the Fiscal Programs - Comptroller of Public Accounts for deposit to the General Revenue Fund

the amounts necessary to reimburse the General Revenue Fund for the cost of insurance premium tax credits for examination fees and overhead assessments, estimated to be $10,000,000 in fiscal year 2012 and $10,000,000 in fiscal year 2013.

**18. Obesity Program.** Contingent upon the Comptroller's certification of available General Revenue of $2 million for the biennium above the Comptroller's January 2011 Biennial Revenue Estimate, the Fiscal Programs - Comptroller of Public Accounts is hereby appropriated $2 million in General Revenue for fiscal year 2012 to influence and control the total economic cost of obesity. It is the intent of the Legislature that the appropriation be used as follows:

(a) The Comptroller may create a GIS-driven obesity data system for the State of Texas to map and identify areas in which children are at risk for obesity. Obesity intervention programs targeting areas identified by this GIS system as having high rates of obesity and overweight students may be given preference in the awarding of grants. The GIS tool may be used further for other purposes of the agency.

(b) The Texas Education Agency may provide to the Comptroller of Public Accounts all data necessary to create GIS maps showing FitnessGram results and to identify areas in which children are at risk for obesity.

(c) The Comptroller may create and maintain an obesity web portal reporting and linking to the economic impacts of obesity, focusing such information on schools, businesses, state agencies and the general public.

(d) The Comptroller may submit a report to the Legislature no later than January 1, 2013. The report may include the results of this rider and other state and federal obesity initiatives in Texas.

(e) Any unexpended balances remaining as of August 31, 2012 are hereby appropriated for the fiscal year beginning on September 1, 2012 for the same purpose.

**19. Appropriation: Gross Weight/Axle Fees Distribution to Counties.** Amounts from State Highway Fund No. 006 equivalent to amounts collected from gross weight and axle weight permit fees for distribution to counties as provided in VTCA, Transportation Code § 621.353 (estimated to be $7,500,000 each fiscal year) are appropriated above in Strategy A.1.13, Gross Weight/Axle Fee Distribution. All remaining amounts out of State Highway Fund No. 006 equivalent to amounts collected from gross weight and axle weight permit fees for distribution to counties as provided in VTCA, Transportation Code § 621.353 during the 2012-13 biennium are appropriated for the same purpose.

## INFORMATIONAL LISTING OF FUNDS APPROPRIATED TO THE COMPTROLLER FOR SOCIAL SECURITY AND BRP

**1. Informational Listing of Appropriated Funds.** The appropriations made in this and other articles of this Act to the Comptroller of Public Accounts - Social Security/Benefit Replacement Pay are subject to the following provisions. The following amounts shall be used for the purposes indicated.

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue, estimated | $ 517,208,009 | $ 523,293,922 |
| General Revenue-Dedicated, estimated | 75,820,497 | 76,704,751 |
| Federal Funds, estimated | 94,649,363 | 93,698,930 |
| Other Funds | | |
| Other Special State Funds, estimated | 15,728,028 | 15,947,575 |

## INFORMATIONAL LISTING OF FUNDS APPROPRIATED TO THE COMPTROLLER FOR SOCIAL SECURITY AND BRP
(Continued)

| | | |
|---|---|---|
| State Highway Fund No. 006, estimated | 79,987,732 | 79,911,701 |
| Subtotal, Other Funds | 95,715,760 | 95,859,276 |
| **Total, Method of Financing** | $ 783,393,629 | $ 789,556,879 |
| **A. Goal:** Social Security/Benefit Replacement | | |
| Comptroller - Social Security | | |
| **A.1.1. Strategy:** State Match - Employer | | |
| State Match - Employer. Estimated. | $ 747,522,865 | $ 756,031,263 |
| **A.1.2. Strategy:** Benefit Replacement Pay | | |
| Benefit Replacement Pay. Estimated. | 35,870,764 | 33,525,616 |
| **Total, Goal A:** Social Security/Benefit Replacement | $ 783,393,629 | $ 789,556,879 |

2. **Transfer of Social Security Contributions and Benefit Replacement Pay.** Appropriations made in this and other articles of this Act for Social Security and Benefit Replacement Pay shall be transferred by each agency from the Comptroller of Public Accounts to the agency based on estimated amounts by funding source for each fiscal year. Transfers should be made no later than September 15th of the year in which the payments are to be made. Adjustments and return of excess appropriation authority to the Comptroller's Office shall be completed by October 30th of the subsequent fiscal year.

## COMMISSION ON STATE EMERGENCY COMMUNICATIONS

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund - Dedicated | | |
| Commission on State Emergency Communications Account No. 5007 | $ 13,760,800 | $ 11,549,851 |
| 911 Service Fees Account No. 5050 | 37,807,255 | 37,131,602 |
| Subtotal, General Revenue Fund - Dedicated | $ 51,568,055 | $ 48,681,453 |
| Federal Funds | 2,556,510 | UB |
| Appropriated Receipts | 240,000 | 240,000 |
| **Total, Method of Financing** | $ 54,364,565 | $ 48,921,453 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 25.0 | 25.0 |
| **Schedule of Exempt Positions:** | | |
| Executive Director, Group 2 | $90,750 | $90,750 |
| **Items of Appropriation:** | | |
| **A. Goal:** STATEWIDE 9-1-1 SERVICES | | |
| Planning & Development, Provision & Enhancement of 9-1-1 Service. | | |
| **A.1.1. Strategy:** 9-1-1 NTWK OPER & EQUIP REPLACEMENT | $ 43,563,697 | $ 40,768,555 |
| 9-1-1 Network Operations and Equipment Replacement. | | |
| **A.1.2. Strategy:** NEXT GEN 9-1-1 IMPLEMENTATION | $ 2,556,510 | $ UB |

| | | |
|---|---|---|
| **A.1.3. Strategy:** CSEC 9-1-1 PROGRAM ADMINISTRATION | $ 717,590 | $ 725,338 |
| **Total, Goal A:** STATEWIDE 9-1-1 SERVICES | $ 46,837,797 | $ 41,493,893 |
| **B. Goal:** POISON CONTROL SERVICES<br>Maintain High Quality Poison Control Services in Texas. | | |
| **B.1.1. Strategy:** POISON CALL CENTER OPERATIONS | $ 5,479,230 | $ 5,367,144 |
| **B.1.2. Strategy:** STATEWIDE POISON NETWORK OPERATIONS | $ 979,110 | $ 983,592 |
| **B.1.3. Strategy:** CSEC POISON PROGRAM MANAGEMENT | $ 193,371 | $ 201,753 |
| **Total, Goal B:** POISON CONTROL SERVICES | $ 6,651,711 | $ 6,552,489 |
| **C. Goal:** INDIRECT ADMINISTRATION | | |
| **C.1.1. Strategy:** INDIRECT ADMINISTRATION | $ 875,057 | $ 875,071 |
| **Grand Total,** COMMISSION ON STATE EMERGENCY COMMUNICATIONS | $ 54,364,565 | $ 48,921,453 |
| **Supplemental Appropriations Made in Riders:** | $ 2,821,188 | $ 8,901,236 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 1,515,456 | $ 1,515,456 |
| Other Personnel Costs | 41,140 | 41,500 |
| Professional Fees and Services | 54,114 | 54,125 |
| Consumable Supplies | 8,062 | 8,060 |
| Utilities | 147,282 | 149,400 |
| Travel | 49,968 | 65,738 |
| Rent - Building | 4,536 | 4,540 |
| Rent - Machine and Other | 5,634 | 5,640 |
| Other Operating Expense | 938,936 | 941,295 |
| Grants | 51,864,115 | 55,036,935 |
| Capital Expenditures | 2,556,510 | 0 |
| **Total, Object-of-Expense Informational Listing** | $ 57,185,753 | $ 57,822,689 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 84,274 | $ 84,695 |
| Group Insurance | 157,764 | 158,705 |
| Social Security | 108,847 | 109,391 |
| Benefits Replacement | 2,964 | 2,772 |
| Subtotal, Employee Benefits | $ 353,849 | $ 355,563 |
| Debt Service | | |
| Lease Payments | $ 8,194 | $ 4,161 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 362,043 | $ 359,724 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Commission on State Emergency Communications. 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 State Emergency Communications. In order to achieve the objectives and service standards established by this Act, the Commission on State Emergency Communications shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** STATEWIDE 9-1-1 SERVICES | | |
| **Outcome (Results/Impact):** | | |
| Percentage of Time Wireline ALI System is Operational | 99.5% | 99.5% |

| | | |
|---|---|---|
| **A.1.1. Strategy:** 9-1-1 NTWK OPER & EQUIP REPLACEMENT | | |
| **Output (Volume):** | | |
| Number of 9-1-1 Calls Received by State Program Public Safety Answering Points (PSAPs) | 7,676,607 | 7,837,816 |
| **B. Goal:** POISON CONTROL SERVICES | | |
| **Outcome (Results/Impact):** | | |
| Percentage of Time the Texas Poison Control Managed Services are Available | 99.5% | 99.5% |
| **B.1.1. Strategy:** POISON CALL CENTER OPERATIONS | | |
| **Output (Volume):** | | |
| Total Number of Poison Control Calls Processed Statewide | 396,201 | 408,872 |
| **Efficiencies:** | | |
| Average Cost per Poison Call Processed | 16.3 | 15.53 |

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.

| | 2012 | 2013 |
|---|---|---|
| a. Acquisition of Information Resource Technologies | | |
| (1) Next Generation 9-1-1 | $ 2,556,510 | $ UB |
| Total, Capital Budget | $ 2,556,510 | $ UB |
| Method of Financing (Capital Budget): | | |
| Federal Funds | $ 2,556,510 | $ UB |
| Total, Method of Financing | $ 2,556,510 | $ UB |

3. **Equipment Replacement.** None of the funds appropriated above to Strategy A.1.1, 9-1-1 Network Operations and Equipment Replacement, may be used to replace or fund a reserve for future replacement of 9-1-1 equipment. The Commission on State Emergency Communications shall develop and submit a 10-year equipment replacement schedule to the Legislative Budget Board and the Governor's Office not later than November 1, 2011. The Commission on State Emergency Communications may modify the schedule as necessary during the biennium, due to changing conditions resulting in equipment failure that affects public safety, and shall notify the Legislative Budget Board and the Governor's Office of such modifications.

4. **Unexpended Balances Within the Biennium.** Any unexpended balances as of August 31, 2012, in the appropriations made herein to the Commission on State Emergency Communications are hereby appropriated for the same purposes for the fiscal year beginning September 1, 2012.

5. **Regional Planning Commissions.** Included in amounts appropriated above in Strategy A.1.1, 9-1-1 Network Operations and Equipment Replacement, is $12,750,000 for the biennium to be distributed to the Regional Planning Commissions for administration of the statewide 9-1-1 program. It is the intent of the Legislature that during the 2012-13 biennium no more than $12,750,000 be allocated to the Regional Planning Commissions for administration of the statewide 9-1-1 program. Each Regional Planning Commission shall submit a Historically Underutilized Business (HUB) plan, pursuant to Chapter 2161 of the Government Code, with its application.

6. **Reimbursement of Advisory Committee Members.** Pursuant to Government Code § 2110.004 and Health and Safety Code § 777.008, reimbursement of expenses for advisory committee members, out of funds appropriated above, not to exceed $10,000 per fiscal year, is limited to the following advisory committee: Poison Control Coordinating Committee.

   To the maximum extent possible, the Commission shall encourage the use of videoconferencing and teleconferencing and shall schedule meetings and locations to facilitate the travel of participants so that they may return the same day and reduce the need to reimburse members for overnight stays.

7. **American Association of Poison Control Center Accreditation.** Amounts appropriated above for grants in Strategy B.1.1, Poison Call Center Operations, shall be expended first on call taker

positions and then on other positions directly affecting the American Association of Poison Control Centers accreditation before being expended on other positions or purposes related to call center operations.

8. **Contingency for the Consolidation of the Texas Regional Poison Control Centers.** Included in amounts appropriated above is $5,479,230 in fiscal year 2012 and $5,367,144 in fiscal year 2013 in General Revenue-Dedicated Commission on State Emergency Communications Account No. 5007 in Strategy B.1.1, Poison Call Center Operations for poison control center operations which leaves in place the existing number of regional poison control centers at six. Alternatively, and contingent on enactment of House Bill 1015 or Senate Bill 435, or similar legislation by the Eighty-second Legislature, Regular Session, 2011, the regional poison control centers are consolidated with no additional fiscal implications. Also contingent on enactment of House Bill 1015 or Senate Bill 435, or similar legislation by the Eighty-second Legislature, Regular Session, 2011, the Commission on State Emergency Communications shall submit a plan for consolidating the six regional poison control centers to the Governor and the Legislative Budget Board by October 1, 2011.

9. **Sunset Contingency.** Funds appropriated above for fiscal year 2013 for the Commission on State Emergency Communications are made contingent on the continuation of the Commission on State Emergency Communications by the Eighty-second Legislature. In the event that the agency is not continued, the funds appropriated for fiscal year 2012 or as much thereof as may be necessary are to be used to provide for the phase out of agency operations.

10. **Contingent Revenue: General Revenue-Dedicated 9-1-1 Service Fees Account No. 5050.** Contingent on the collection of fees in the General Revenue-Dedicated 9-1-1 Services Fees Account No. 5050 in excess of $112,968,000 contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for the 2012-13 biennium, the Commission on State Emergency Communications is hereby appropriated the excess revenue, not to exceed $11,722,424 for the 2012-2013 biennium, in Strategy A.1.1, 9-1-1 Network Operations and Equipment Replacement for 9-1-1 equipment replacement per the established 10 year equipment replacement schedule.

    If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

## EMPLOYEES RETIREMENT SYSTEM

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund, estimated | $ 8,088,040 | $ 8,088,040 |
| **Total, Method of Financing** | $ 8,088,040 | $ 8,088,040 |
| **This bill pattern represents an estimated 9.9% of this agency's estimated total available funds for the biennium.** | | |
| **Items of Appropriation:** | | |
| **A. Goal:** ADMINISTER RETIREMENT PROGRAM<br>To Administer Comprehensive and Actuarially Sound Retirement Programs. | | |
| **A.1.1. Strategy:** RETIREE DEATH BENEFITS<br>Provide Lump-sum Retiree Death Benefits. Estimated. | $ 8,088,040 | $ 8,088,040 |
| **Grand Total,** EMPLOYEES RETIREMENT SYSTEM | $ 8,088,040 | $ 8,088,040 |
| **Object-of-Expense Informational Listing:** | | |
| Client Services | $ 8,088,040 | $ 8,088,040 |
| **Total, Object-of-Expense Informational Listing** | $ 8,088,040 | $ 8,088,040 |

## EMPLOYEES RETIREMENT SYSTEM
(Continued)

1. **Information Listing of Appropriated Funds.** The appropriations made in this and other articles of this Act to the Employees Retirement System are subject to the following provisions. The following amounts shall be used for the purposes indicated.

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund, estimated | $ 1,020,382,278 | $ 1,100,262,788 |
| General Revenue-Dedicated Accounts, estimated | 68,554,468 | 73,132,222 |
| Federal Funds, estimated | 311,590,869 | 337,101,892 |
| Other Funds | | |
| Other Special State Funds, estimated | 12,817,528 | 13,924,248 |
| State Highway Fund No. 006, estimated | 279,712,157 | 305,717,328 |
| Subtotal, Other Funds | 292,529,685 | 319,641,576 |
| **Total, Method of Financing** | $ 1,693,057,300 | $ 1,830,138,478 |
| **Number of Full-Time-Equivalents (FTE):** | 332.0 | 332.0 |
| **Schedule of Exempt Positions:** | | |
| Executive Director | $ 300,000 | $ 300,000 |
| **A. Goal:** ADMINISTER RETIREMENT PROGRAM<br>To Administer Comprehensive and Actuarially Sound Retirement Programs. | | |
| **A.1.1. Strategy:** RETIREMENT CONTRIBUTIONS<br>Retirement Contributions. Estimated. | $ 348,507,998 | $ 374,880,438 |
| **A.1.2. Strategy:** LAW ENFORCEMENT AND CUSTODIAL OFFICER SUPPLEMENTAL RETIREMENT FUND (LECOS)<br>Law Enforcement and Custodial Officer Supplemental Retirement Fund. Estimated. | $ 0 | $ 0 |
| **A.1.3. Strategy:** JUDICIAL RETIREMENT SYSTEM - PLAN 2<br>Judicial Retirement System - Plan 2. Estimated. | $ 4,052,070 | $ 4,389,743 |
| **A.1.4. Strategy:** JUDICIAL RETIREMENT SYSTEM - PLAN 1<br>Judicial Retirement System - Plan 1. Estimated. | $ 27,245,110 | $ 27,245,110 |
| **A.1.5. Strategy**: PUBLIC SAFETY BENEFITS<br>Public Safety Benefits. Estimated. | $ 6,048,207 | $ 6,048,207 |
| **A.1.6. Strategy:** RETIREE DEATH BENEFITS<br>Retiree Death Benefits. Estimated. | $ 8,088,040 | $ 8,088,040 |
| **Total, Goal A:** ADMINISTER RETIREMENT PROGRAM | $ 393,941,425 | $ 420,651,538 |
| **B. Goal:** PROVIDE HEALTH PROGRAM<br>Provide Employees and Retirees with a Quality Health Program. | | |
| **B.1.1. Strategy:** GROUP INSURANCE<br>Group Insurance Contributions. Estimated. | $ 1,299,115,875 | $ 1,409,486,940 |
| **B.1.2. Strategy:** STATE KIDS INSURANCE PROGRAM<br>State Kids Insurance Program (SKIP). Estimated. | $ 0 | $ 0 |
| **Total, Goal B:** PROVIDE HEALTH PROGRAM | $ 1,299,115,875 | $ 1,409,486,940 |
| **Grand Total**, EMPLOYEES RETIREMENT SYSTEM | $ 1,693,057,300 | $ 1,830,138,478 |

| | | | | |
|---|---|---|---|---|
| **Supplemental Appropriations Made in Riders:** | $ | 0 | $ | 7,520,372 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Employees Retirement System. 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 Employees Retirement System. In order to achieve the objectives and service standards established by this Act, the Employees Retirement System shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| **Performance Measure Targets** | 2012 | 2013 |
|---|---|---|
| **A. Goal:** ADMINISTER RETIREMENT PROGRAM | | |
| **Outcome (Results/Impact):** | | |
| Percent of ERS Retirees Expressing Satisfaction with Benefit Services | 97% | 97% |
| **A.1.1. Strategy:** RETIREMENT CONTRIBUTIONS | | |
| **Output (Volume):** | | |
| Number of ERS Accounts Maintained | 236,000 | 243,000 |
| **B. Goal:** PROVIDE HEALTH PROGRAM | | |
| **Outcome (Results/Impact):** | | |
| Percent of HealthSelect Participants Satisfied with Network Services | 80% | 80% |
| **B.1.1. Strategy:** GROUP INSURANCE | | |
| **Efficiencies:** | | |
| Percent of Claims Processed within Thirty Days | 99% | 99% |
| Total Cost Paid per HealthSelect Member for Administration and Claims Processing | $ 18.04 | $ 18.76 |

3. **Updated Actuarial Valuation.** The Employees Retirement System shall contract with an actuary to perform a limited actuarial valuation of the assets and liabilities of the Employees Retirement System as of February 28 in those years when the Legislature meets in regular session. The purpose of the valuation shall be to determine the effect of investment, salary, and payroll experience on the unfunded liability, the amortization period, and the state contribution rate which results in a 30-year amortization period of the Retirement System.

4. **State Contribution to Employees Retirement Program.** The amount specified above in A.1.1, Retirement Contributions, is based on a state contribution of 6.0 percent of payroll in fiscal year 2012 and 6.5 percent of payroll in fiscal year 2013, including annual membership fees of $3 for contributing members for each fiscal year.

5. **State Contribution to Judicial Retirement Program (JRS-2).** The amount specified above in A.1.3, Judicial Retirement System - Plan 2, is based on a state contribution of 6.0 percent of payroll in fiscal year 2012 and 6.5 percent of payroll in fiscal year 2013 for contributing members.

6. **State Contribution to Group Insurance for General State Employees.** Funds identified above for group insurance are intended to fund:

   a. the total cost of the basic life and health coverage for all active and retired employees;

   b. fifty percent of the total cost of health coverage for the spouses and dependent children of all active and retired employees who enroll in coverage categories which include a spouse and/or dependent children; and

   c. the incentive program to waive participation in the Group Benefits Plan (Opt-Out).

   In no event shall the total amount of state contributions allocated to fund coverage in an optional health plan exceed the actuarially determined total amount of state contributions that would be required to fund basic health coverage for those active employees and retirees who have elected to participate in that optional health plan.

During each fiscal year, the state's monthly contribution shall be determined by multiplying (1) the per capita monthly contribution as certified herein by (2) the total number of full-time active and retired employees enrolled for coverage during that month.

For each employee or retiree that waives participation in the Group Benefit Plan and enrolls in allowable optional coverage, the Employees Retirement System shall receive $60 per month in lieu of the "employee-only" state contribution amount, and such amounts are included above in Strategy B.1.1, Group Insurance Contributions. The waived participant may apply up to $60 per month towards the cost of the optional coverage.

Each year, upon adoption of group insurance rates by the Board of Trustees, Employees Retirement System must notify the Comptroller, the Legislative Budget Board, and the Governor of the per capita monthly contribution required in accordance with this rider for each full-time active and retired employee enrolled for coverage during the fiscal year.

It is the intent of the Legislature that the Employees Retirement System control the cost of the group insurance program by not providing rate increases to health care providers participating in HealthSelect during the 2012-13 biennium.

7. **Excess Benefit Arrangement Account.** There is hereby appropriated to the Employees Retirement System all funds transferred or deposited into the Excess Benefit Arrangement Account established in the General Revenue-Dedicated Account No. 5039, for the purpose of paying benefits as authorized by Government Code § 815.5072.

8. **Transfer of Retirement Contributions and Group Insurance.** Appropriations made in this and other articles of this Act for Retirement and Group Insurance contributions shall be transferred by each agency from the Employees Retirement System to the agency based on estimated amounts by funding source for each fiscal year. Transfers should be made no later than September 15 of the year in which the payments are to be made. Adjustments and return of excess appropriation authority to the Employees Retirement System shall be completed by October 30 of the subsequent fiscal year.

9. **Federal Funds for Medicare Part D Prescription Drug Program.** The Employees Retirement System (ERS) is hereby authorized to receive employer reimbursements of all federal funds applicable to Medicare Part D prescription drug reimbursement relating to benefits administered by ERS. Any federal funds received by ERS shall be deposited to the Employees Life, Accident and Health Insurance and Benefits Fund No. 973, or to such fund as established by the Legislature or the State Comptroller of Public Accounts to pay health claims for retired employees.

10. **Appropriations for the Deferred Compensation Trust Fund and the TexaSaver Trust Fund.** All money deposited into the Deferred Compensation Trust Fund, Employees Retirement System No. 0945 and the TexaSaver Trust Fund No. 0946 pursuant to § 609.512 Government Code are hereby appropriated to the system for the 2012-13 biennium for the purposes authorized by law.

11. **Tobacco User Monthly Premium Fee.** Contingent upon enactment of House Bill 1166 or similar legislation relating to the creation of a tobacco user monthly premium fee, by the Eighty-Second Legislature, Regular Session, 2011 the Employees Retirement System shall apply a $30 monthly tobacco user fee to any tobacco user covered under the state health plan. Also contingent upon the enactment of this legislation, the Comptroller of Public Accounts shall deposit revenue from the fee (estimated to be $16,720,343 in fiscal year 2012 and $25,080,514 in fiscal year 2013) into the Employees Life, Accident, Health Insurance and Benefits Trust Account.

12. **Implement Changes for Medicare-Eligible Retirees.** It is the intent of the Legislature that the Employees Retirement System shall either implement a Medicare Advantage program for Medicare-eligible retirees, or shall change their policy for coordination of benefits with Medicare for Medicare-eligible retirees in the HealthSelect group insurance plan as described in the 2010 Government Effectiveness and Efficiency Report, *Implement a Tiered Coinsurance Plan for State Employees*. In order to share costs of and reduce utilization of medical procedures, this would have Medicare-eligible retirees pay 30 percent of the remaining costs after Medicare determines and makes payment for covered medical services. ERS should limit the coinsurance maximum to $1,500 for Medicare-eligible retirees whose household income levels fall below 200 percent of the Federal Poverty Level. Implementing the change in coordination of benefits with Medicare will produce estimated savings of $34,043,401 in All Funds, which consists of $19,520,687 in General Revenue Funds, $1,225,339 in General Revenue-dedicated Funds, $6,749,850 in Federal Funds, and $6,547,525 in Other Funds during the 2012-13 biennium.

13. **Group Insurance Program Study.** Out of amounts appropriated elsewhere in this Act for the Group Insurance Program, the Employees Retirement System shall conduct a study of the current group insurance program that includes, but is not limited to, the current plan design and funding of the group insurance program. The study shall include potential plan design and other changes that would improve the long-term sustainability of the group insurance program. A report of the study shall be submitted by the Employees Retirement System to the Legislative Budget Board and the Governor no later than September 1, 2012.

14. **Contingency for Senate Bill 1811.** Contingent on enactment of Senate Bill 1811, or similar legislation relating to state contributions to the Law Enforcement and Custodial Officer Supplemental Retirement Fund from Operators and Chauffeurs License Account No. 99, by the Eighty-second Legislature, Regular Session, in addition to amounts appropriated above in Strategy A.1.2, Law Enforcement and Custodial Officer Supplemental Retirement Fund, the Employees Retirement System is hereby appropriated an estimated $7,520,372 out of Operators and Chauffeurs License Account No. 99 in fiscal year 2013 for a state contribution of 0.5 percent to the Law Enforcement and Custodial Officer Supplemental Retirement Program in fiscal year 2013.

## TEXAS ETHICS COMMISSION

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 1,737,032 | $ 1,737,032 |
| Appropriated Receipts | 8,190 | 8,190 |
| **Total, Method of Financing** | $ 1,745,222 | $ 1,745,222 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 36.0 | 36.0 |
| **Schedule of Exempt Positions:** | | |
| Executive Director, Group 4 | $115,000 | $115,000 |
| General Counsel | 105,000 | 105,000 |
| **Items of Appropriation:** | | |
| **A. Goal:** INFORMATION ON GOVERNMENT | | |
| Increase Information to Public about Government/Ethics Laws. | | |
| **A.1.1. Strategy:** INFORMATION FILING | $ 197,535 | $ 197,535 |
| Serve as the Repository for Statutorily Required Information. | | |
| **A.1.2. Strategy:** ADVISORY OPINIONS | $ 165,118 | $ 165,118 |
| Provide Advisory Opinions. | | |
| **A.1.3. Strategy:** ENFORCEMENT | $ 561,255 | $ 561,255 |
| Respond to Complaints and Enforce Applicable Statutes. | | |
| **A.2.1. Strategy:** ETHICS EDUCATION PROGRAM | $ 0 | $ 0 |
| Provide Ethics Education. | | |
| **Total, Goal A:** INFORMATION ON GOVERNMENT | $ 923,908 | $ 923,908 |
| **B. Goal:** INDIRECT ADMINISTRATION | | |
| **B.1.1. Strategy:** INDIRECT ADMINISTRATION | $ 821,314 | $ 821,314 |
| **Grand Total,** TEXAS ETHICS COMMISSION | $ 1,745,222 | $ 1,745,222 |
| **Supplemental Appropriations Made in Riders:** | $ 187,500 | $ 187,500 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 1,731,084 | $ 1,731,084 |

| | | |
|---|---|---|
| Other Personnel Costs | 40,020 | 40,020 |
| Professional Fees and Services | 7,633 | 7,633 |
| Consumable Supplies | 12,000 | 12,000 |
| Utilities | 1,560 | 1,560 |
| Travel | 12,000 | 12,000 |
| Rent - Building | 2,900 | 2,900 |
| Rent - Machine and Other | 12,250 | 12,250 |
| Other Operating Expense | 113,275 | 113,275 |
| **Total, Object-of-Expense Informational Listing** | $ 1,932,722 | $ 1,932,722 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 101,134 | $ 101,640 |
| Group Insurance | 232,301 | 234,170 |
| Social Security | 137,691 | 138,380 |
| Benefits Replacement | 9,197 | 8,599 |
| Subtotal, Employee Benefits | $ 480,323 | $ 482,789 |
| Debt Service | | |
| Lease Payments | $ 114,895 | $ 66,087 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 595,218 | $ 548,876 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas Ethics 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 Texas Ethics Commission. In order to achieve the objectives and service standards established by this Act, the Texas Ethics Commission shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** INFORMATION ON GOVERNMENT | | |
| **Outcome (Results/Impact):** | | |
| Percent of Advisory Opinion Requests Answered by Commission within 60 Working Days of Receipt | 75% | 75% |
| **A.1.1. Strategy:** INFORMATION FILING | | |
| **Output (Volume):** | | |
| Number of Reports Logged within Two Working Days of Receipt | 31,535 | 32,796 |
| **A.1.2. Strategy:** ADVISORY OPINIONS | | |
| **Efficiencies:** | | |
| Average Time (Working Days) to Answer Advisory Opinion Requests | 40 | 40 |
| **A.1.3. Strategy:** ENFORCEMENT | | |
| **Output (Volume):** | | |
| Number of Sworn Complaints Processed | 400 | 325 |
| **Efficiencies:** | | |
| Average Time (Working Days) to Respond to Sworn Complaints | 4 | 4 |

2. **Judgments and Settlements.** Notwithstanding Article IX, Section 16.02 of this Act, payment of judgments or settlements, including attorney's fees, resulting from actions brought under Title 42 United States Code § 1983 that arise from claims challenging the validity or constitutionality of a state law and prosecuted or defended by the Office of the Attorney General that are obtained against the Texas Ethics Commission, or any individual(s) acting in their official capacity on behalf of the Texas Ethics Commission, shall be paid out by the Comptroller and not from funds appropriated herein to the Texas Ethics Commission.

3. **Contingent Revenue.** In addition to amounts appropriated above to the Texas Ethics Commission, the amounts of $187,500 in fiscal year 2012 and $187,500 in fiscal year 2013 in General Revenue are contingent upon the Eighty-second Legislature increasing fees provided in Government Code, Section 305.005, sufficient to generate, during the 2012-13 biennium, $375,000 in excess of the amount contained in Object Code 3175 in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2012 and 2013.

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 the Comptroller of Public Accounts to reduce the appropriation authority provided above to be within the amount of revenue expected to be available.

## FACILITIES COMMISSION

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 27,932,691 | $ 27,872,691 |
| General Revenue Fund - Dedicated | | |
| Texas Department of Insurance Operating Fund Account No. 036 | 1,030,083 | 1,030,083 |
| Federal Surplus Property Service Charge Fund Account No. 570 | 3,407,838 | 1,022,384 |
| Subtotal, General Revenue Fund - Dedicated | $ 4,437,921 | $ 2,052,467 |
| Other Funds | | |
| Appropriated Receipts | 1,463,154 | 1,463,154 |
| Interagency Contracts | 18,016,167 | 18,016,166 |
| Subtotal, Other Funds | $ 19,479,321 | $ 19,479,320 |
| **Total, Method of Financing** | $ 51,849,933 | $ 49,404,478 |
| **Other Direct and Indirect Costs Appropriated Elsewhere in this Act** | $ 238,968 | $ 249,329 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 430.6 | 430.6 |
| **Number of FTEs in Riders:** | 1.0 | 1.0 |
| **Schedule of Exempt Positions:** | | |
| Executive Director, Group 5 | $126,500 | $126,500 |
| **Items of Appropriation:** | | |
| **A. Goal:** FACILITIES CONSTRUCTION AND LEASING<br>Provide Office Space for State Agencies through Constr/Leasing Svcs. | | |
| **A.1.1. Strategy:** LEASING<br>Provide Quality Leased Space for State Agencies at the Best Value. | $ 532,549 | $ 532,549 |
| **A.1.2. Strategy:** FACILITIES PLANNING<br>Ensure State Optimizes Use of Leased/Purchased/Constructed Off Space. | $ 204,186 | $ 204,186 |
| **A.2.1. Strategy:** BUILDING DESIGN AND CONSTRUCTION<br>Ensure Facilities Are Designed & Built Timely/Cost Eff/Highest Quality. | $ 4,496,751 | $ 4,496,751 |
| **Total, Goal A:** FACILITIES CONSTRUCTION AND LEASING | $ 5,233,486 | $ 5,233,486 |
| **B. Goal:** PROPERTY MANAGEMENT<br>To Protect & Cost Effectively Manage & Maintain State-owned Facilities. | | |
| **B.1.1. Strategy:** CUSTODIAL<br>Provide Cost-effective/Efficient Custodial Svcs for State Facilities. | $ 4,531,695 | $ 4,531,694 |
| **B.2.1. Strategy:** FACILITIES OPERATION<br>Provide a Comprehensive Pgm to Protect State's Invstmnt in Facilities. | $ 34,074,039 | $ 34,074,039 |

| | | |
|---|---|---|
| **B.2.2. Strategy:** LEASE PAYMENTS<br>Make Lease Payments on Facilities Financed by the Public Finance Auth. | $ | $ |
| **B.2.3. Strategy:** STATE CEMETERY<br>Operate and Maintain State Cemetery and Grounds. | $ 604,435 | $ 544,435 |
| **Total, Goal B:** PROPERTY MANAGEMENT | $ 39,210,169 | $ 39,150,168 |
| **C. Goal:** SURPLUS PROPERTY<br>Provide Support Services to State Agencies for Surplus Property. | | |
| **C.1.1. Strategy:** SURPLUS PROPERTY MANAGEMENT<br>Provide Timely/Appropriate/Cost-effective Disposal of Surplus Property. | $ 4,198,164 | $ 1,812,710 |
| **D. Goal:** INDIRECT ADMINISTRATION | | |
| **D.1.1. Strategy:** CENTRAL ADMINISTRATION | $ 1,737,662 | $ 1,737,662 |
| **D.1.2. Strategy:** INFORMATION RESOURCES | $ 807,944 | $ 807,944 |
| **D.1.3. Strategy:** OTHER SUPPORT SERVICES | $ 662,508 | $ 662,508 |
| **Total, Goal D:** INDIRECT ADMINISTRATION | $ 3,208,114 | $ 3,208,114 |
| **Grand Total,** FACILITIES COMMISSION | $ 51,849,933 | $ 49,404,478 |
| **Supplemental Appropriations Made in Riders:** | $ 246,163 | $ 127,011 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 13,565,773 | $ 13,565,773 |
| Other Personnel Costs | 271,959 | 271,959 |
| Professional Fees and Services | 338,281 | 338,281 |
| Fuels and Lubricants | 145,141 | 145,141 |
| Consumable Supplies | 299,705 | 299,705 |
| Utilities | 18,806,705 | 18,806,705 |
| Travel | 67,828 | 67,828 |
| Rent - Building | 2,061 | 2,061 |
| Rent - Machine and Other | 49,120 | 49,120 |
| Other Operating Expense | 16,327,523 | 13,876,916 |
| Capital Expenditures | 2,222,000 | 2,108,000 |
| **Total, Object-of-Expense Informational Listing** | $ 52,096,096 | $ 49,531,489 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 933,723 | $ 938,392 |
| Group Insurance | 3,933,504 | 4,038,637 |
| Social Security | 1,200,407 | 1,206,409 |
| Benefits Replacement | 57,946 | 54,180 |
| Subtotal, Employee Benefits | $ 6,125,580 | $ 6,237,618 |
| Debt Service | | |
| TPFA GO Bond Debt Service | $ 9,621,992 | $ 10,506,363 |
| Lease Payments | 735,985 | 682,486 |
| Subtotal, Debt Service | $ 10,357,977 | $ 11,188,849 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 16,483,557 | $ 17,426,467 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Facilities 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 Facilities Commission. In order to achieve the objectives and service standards established by this Act, the Facilities Commission shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** FACILITIES CONSTRUCTION AND LEASING | | |
| **Outcome (Results/Impact):** | | |
| Percentage of Completed Construction Projects on Schedule within Budget | 90% | 90% |
| **A.1.1. Strategy:** LEASING | | |
| **Output (Volume):** | | |
| Total Number of Leases Awarded, Negotiated, or Renewed | 215 | 213 |
| **Efficiencies:** | | |
| Percent Reduction of Leased Square Footage of Office & Warehouse Space | (4)% | (4)% |
| **Explanatory:** | | |
| Total Square Footage of Office and Warehouse Space Leased | 11,179,098 | 11,067,307 |
| **B. Goal:** PROPERTY MANAGEMENT | | |
| **B.1.1. Strategy:** CUSTODIAL | | |
| **Efficiencies:** | | |
| Cost Per Square Foot of Privatized Custodial Services | 0.05 | 0.05 |
| **B.2.1. Strategy:** FACILITIES OPERATION | | |
| **Efficiencies:** | | |
| Average Cost Per Square Foot of All Building Maintenance | 1.31 | 1.31 |

2. **Information Listing of Appropriated Funds.** The appropriations made in this and other Articles of this Act to the Texas Facilities Commission for lease payments to the Texas Public Finance Authority are subject to the following provision. The following amounts shall be used for the purpose indicated.

| | For the Fiscal Year Ending August 31, 2012 | August 31, 2013 |
|---|---|---|
| Method of Financing: | | |
| General Revenue Fund | $ 38,893,682 | $ 36,679,135 |
| General Revenue-Dedicated | | |
| Texas Department of Insurance Operating Fund Account No. 036 | 503,597 | 255,406 |
| Total, Method of Financing, Lease Payments | $ 39,397,279 | $ 36,934,541 |
| Strategy B.2.2, Lease Payments | $ 39,397,279 | $ 36,934,541 & UB |

3. **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.

| | 2012 | 2013 |
|---|---|---|
| a. Construction of Buildings and Facilities | | |
| (1) Construction of Buildings | $ 2,000,000 | $ 2,000,000 |
| b. Repair or Rehabilitation of Buildings and Facilities | | |
| (1) Deferred Maintenance for Facilities | UB | UB |
| c. Acquisition of Information Resource Technologies | | |
| (1) Data Center Consolidation | 289,718 | 289,718 |
| (2) Network Security Upgrade and Maintenance | 140,000 | 26,000 |
| (3) Accounting System Maintenance | 55,000 | 55,000 |
| Total, Acquisition of Information Resource Technologies | $ 484,718 | $ 370,718 |

| | | |
|---|---|---|
| d. Other Lease Payments to the Master Lease Purchase Program (MLPP) | | |
| (1) Recycling Collection Vehicle | 27,000 | 27,000 |
| Total, Capital Budget | $ 2,511,718 | $ 2,397,718 |
| Method of Financing (Capital Budget): | | |
| General Revenue Fund | $ 381,213 | $ 266,526 |
| Other Funds | | |
| Appropriated Receipts | 59,406 | 60,355 |
| Interagency Contracts | 2,071,099 | 2,070,837 |
| Subtotal, Other Funds | $ 2,130,505 | $ 2,131,192 |
| Total, Method of Financing | $ 2,511,718 | $ 2,397,718 |

**4. Unexpended Balances of Bond Proceeds for Deferred Maintenance.** Included in the amounts appropriated above are unexpended and unobligated balances of general obligation bond proceeds that have been approved under the provisions of Article IX, Section 17.11 of Senate Bill 1, Eighty-first Legislature, Regular Session, 2009, remaining as of August 31, 2011, (estimated to be $0), for deferred maintenance for the 2012-13 biennium to Strategy B.2.1, Facilities Operation.

Any unexpended balances in general obligation bond proceeds described herein and remaining as of August 31, 2012, are hereby appropriated for the same purposes for the fiscal year beginning September 1, 2012.

**5. Transfer Authority - Utilities.** In order to provide for unanticipated cost increases in purchased utilities during fiscal year 2012, the Texas Facilities Commission may transfer such amounts as may be necessary to cover such increases from appropriations made in fiscal year 2013 for utilities in B.2.1, Facilities Operation, to amounts appropriated in fiscal year 2012 for utilities. Prior to transferring fiscal year 2013 funds into the 2012 fiscal year, notification shall be given to the Comptroller of Public Accounts of the amounts to be transferred and quarterly reports shall be filed with the Legislative Budget Board and the Governor detailing the necessity for such transfers.

**6. Employee Testing.** Out of the funds appropriated herein, the Texas Facilities Commission is authorized to pay for medical testing for employees or prospective employees that work in high risk environment areas (e.g., asbestos removal, sewage). Funds appropriated above may also be expended for immunizations which are required of employees at risk in the performance of these duties. Testing deemed necessary under this provision must be approved by the Executive Director and obtained for the safety of the employee or the general public.

**7. Cost Recovery, Reimbursement of General Revenue Funds.** In the event that the Leasing Services Program or any other function funded with general revenue in the above strategies recovers operational costs through reimbursements from other agencies or entities, the Texas Facilities Commission shall reimburse the General Revenue Fund for the amounts expended. Upon reimbursement, the Comptroller shall transfer these funds to unappropriated general revenue balances.

**8. Texas Facilities Commission's Revolving Account.** The Comptroller of Public Accounts shall maintain the "Texas Facilities Commission's Revolving Account" to account for the expenditures, revenues, and balances of its full cost-recovery operations of Minor Construction and Project Management. The expenditures, revenues, and balances for each operation shall be maintained separately by the Texas Facilities Commission within its accounting system. Included in funds appropriated above are unexpended and unobligated balances for these operations as of August 31, 2011 (not to exceed $973,470 in Interagency Contracts), for use during the 2012-13 biennium, along with any revenues received during the biennium. Any unobligated balances as of August 31, 2012, are appropriated for the same use during fiscal year 2013.

**9. Standby Pay.** It is expressly provided that the Texas Facilities Commission, to the extent permitted by law, may pay compensation for on-call time at the following rates: credit for one hour worked for each day on-call during the normal work week, and two hours worked for each day on-call during weekends and on holidays. This credit shall be in addition to actual hours worked during normal duty hours and actual hours worked during on-call status. For employees

subject to the Fair Labor Standards Act (FLSA), an hour of on-call service shall be considered to be an hour worked during the week for purposes of the FLSA only to the extent required by federal law.

**10. Capitol Complex - Utilities.** Notwithstanding any other provision in this Act, the Texas Facilities Commission shall be responsible for the payment of all utility costs out of appropriated funds in Strategy B.2.1, Facilities Operation, for the Capitol, the Capitol Extension, the Historic Capitol Grounds, the 1857 General Land Office Building, and the State History Museum.

Notwithstanding Article IX Sec. 14.01, Appropriation Transfers or similar provisions of this Act, from funds appropriated above in Strategy B.2.1, Facilities Operation ($18,696,731 in fiscal year 2012 and $18,696,731 in fiscal year 2013), without prior written approval provided by the Legislative Budget Board, no funds may be transferred by the agency to another appropriation item or be used by the agency for a purpose other than payment of utility expenses or for the repayment of loans obtained through the State Energy Conservation Office and/or the Texas Public Finance Authority for implementation of energy efficiency programs and projects.

Additionally, the Texas Facilities Commission shall provide quarterly reports to the Legislative Budget Board detailing monthly utility expenditures.

**11. Night Shift Differential.** It is expressly provided that the Texas Facilities Commission, to the extent provided by law, is hereby authorized to pay an additional night shift differential to Facilities Management Division employees.

**12. Contingency Appropriation and FTE Increase for Leased Parking Operations.** Contingent on enactment of Senate Bill 1068 or House Bill 1607, or similar legislation relating to the use of state parking facilities, by the Eighty-second Legislature, Regular Session, 2011, in addition to amounts appropriated above, the Texas Facilities Commission is appropriated from money received from a lease under Section 2165.204 or Section 2165.2045, Government Code, the following amounts:

a. an amount not to exceed $51,163 for fiscal year 2012 and $46,011 for fiscal year 2013 in Strategy A.1.2, Facilities Planning, to implement the provisions of the legislation. To meet the administrative needs of a parking facility leasing program, the Full-Time Equivalent (FTE) cap for the Texas Facilities Commission is hereby increased by 1.0 in fiscal year 2012 and 1.0 in fiscal year 2013 to administer the legislated duties of the referenced programs.

b. $140,000 in fiscal year 2012 and $26,000 in fiscal year 2013 in Strategy D.1.2, Information Resources, for a network security upgrade and on-going maintenance of the network.

c. $55,000 each fiscal year in D.1.1, Central Administration, for on-going maintenance of accounting system software and server.

**13. State Owned Housing.** A State Cemetery employee is authorized to live in the State Cemetery Caretaker's residence as set forth in Article IX, Section 11.04, State Owned Housing - Recover Housing Costs, of this Act. Funds recovered for employee housing are hereby appropriated to the Texas Facilities Commission to maintain the State Cemetery Caretaker's residence.

**14. Federal Surplus Property Program.** Out of amounts appropriated above, $1,009,838 in fiscal year 2012 and $1,022,384 in fiscal year 2013 in Strategy C.1.1, Surplus Property Management, are appropriated out of the General Revenue-Dedicated Federal Surplus Property Service Charge Fund Account No. 570, including 13.5 full-time equivalent (FTE) positions in each fiscal year.

Any unexpended balances as of August 31, 2011 (estimated to be $2,398,000), in the General Revenue-Dedicated Federal Surplus Property Service Charge Fund Account No. 570 are included in amounts appropriated above to the Texas Facilities Commission for costs associated with the operations of the Federal Surplus Property Program during the 2012-13 biennium. Any balances remaining on August 31, 2012, are appropriated for the same use during fiscal year 2013. Fees, fines and other miscellaneous revenues as authorized and generated by the operation of the Federal Surplus Property Program shall cover, at a minimum, the cost of the appropriations made for the Federal Surplus Property Program above in Strategy C.1.1, Surplus Property Management, as well as the "other direct and indirect costs" associated with this program, appropriated elsewhere in this Act. "Other direct and indirect costs" for the Federal Surplus Property Program above for Strategy C.1.1, Surplus Property Management, are estimated to be $238,968 for fiscal year 2012 and $249,329 for fiscal year 2013. In the event that the actual and/or projected revenue collections are

insufficient to offset the costs identified by this provision, the Legislative Budget Board may direct the Comptroller of Public Accounts to reduce the appropriation authority provided herein to be within the amount of fee revenue expected to be available.

**15. State Surplus Property Program.** Out of amounts appropriated above in Strategy C.1.1, Surplus Property Management, $790,326 in each fiscal year out of Appropriated Receipts are appropriated for the State Surplus Property Program, including 11.0 full-time equivalent (FTE) positions in each fiscal year.

Notwithstanding Article IX Sec. 8.03, Reimbursements and Payments or similar provisions of this Act, appropriations for the State Surplus Property Program are not to exceed $1,580,652 from receipts collected by the State Surplus Property Program for the biennium beginning September 1, 2011 to be collected pursuant to Chapter 2175, Government Code.

a. Out of funds appropriated above, the Texas Facilities Commission shall maintain a surplus property inventory information system to efficiently process and manage the State Surplus Property Program inventory and facilitate the tracking of property sales conducted by the Texas Facilities Commission.

b. Based on an annual risk assessment, the Texas Facilities Commission shall target the education and outreach efforts of the State Surplus Property Program to select state agencies to ensure appropriate and timely identification of disposition of eligible surplus property.

c. The Texas Facilities Commission shall develop and track performance benchmarks and targets necessary to evaluate the efficiency and effectiveness of the State Surplus Property Program, specifically evaluating the timeliness, cost, and profitability of program operations. The Texas Facilities Commission shall report to the Legislative Budget Board and the Governor, no later than October 15 in each year of the biennium, on the following:

i. Surplus property sales proceeds for the previous fiscal year by method of sale. In addition, the report submitted for fiscal year 2011 operations shall contain a five-year history of sales proceeds by method of sale.

ii. Distribution of surplus property sales proceeds for the previous fiscal year, including, at a minimum, remittances to state agencies, expenditures by the State Surplus Property Program, and amounts returned to General Revenue. In addition, the report submitted for fiscal year 2011 operations shall contain a five-year history of the distribution of sales proceeds.

iii. Breakout of the direct and indirect operational costs incurred by the State Surplus Property Program during the previous fiscal year. In addition, the report submitted for fiscal year 2011 operations shall contain a five-year history of program costs.

iv. Percent of the estimated inventory value of surplus property items recovered through disposal, by sales method, for the previous fiscal year. Inventory value is defined as the estimated value assigned to an item upon receipt by the program.

v. Timeliness of surplus property disposal for the previous fiscal year by method of sale. Timeliness is defined as the time, in days, between receipt of the property by the program and final disposition of the property through sale, salvage, donation, or other means of disposal.

vi. Description of the risk assessment process used in item (b) of this rider, and the resulting agencies targeted by education and outreach efforts. Briefly describe the education and outreach efforts used in targeting these agencies and how they differ from standard program efforts.

# PUBLIC FINANCE AUTHORITY

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 259,793 | $ 259,793 |
| GR Dedicated - State Lease Account No. 507 | 1,587,235 | 1,470,441 |
| Appropriated Receipts | 665,285 | 665,285 |
| **Total, Method of Financing** | $ 2,512,313 | $ 2,395,519 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 14.0 | 14.0 |
| **Schedule of Exempt Positions:** | | |
| Executive Director, Group 4 | $120,000 | $120,000 |
| **Items of Appropriation:** | | |
| **A. Goal:** FINANCE CAPITAL PROJECTS | | |
| Finance Capital Projects Cost Effectively and Monitor Debt Efficiently. | | |
| **A.1.1. Strategy:** ANALYZE FINANCINGS AND ISSUE DEBT | $ 460,689 | $ 460,689 & UB |
| Analyze Agency Financing Applications and Issue Debt Cost Effectively. | | |
| **A.2.1. Strategy:** MANAGE BOND PROCEEDS | $ 2,051,624 | $ 1,934,830 & UB |
| Manage Bond Proceeds and Monitor Covenants to Ensure Compliance. | | |
| **A.2.2. Strategy:** BOND DEBT SERVICE PAYMENTS | $ | $ |
| Make GO Bond Debt Service Payments. | | |
| **Total, Goal A:** FINANCE CAPITAL PROJECTS | $ 2,512,313 | $ 2,395,519 |
| **Grand Total,** PUBLIC FINANCE AUTHORITY | $ 2,512,313 | $ 2,395,519 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 820,502 | $ 820,502 |
| Other Personnel Costs | 27,980 | 30,040 |
| Professional Fees and Services | 26,495 | 28,666 |
| Consumable Supplies | 3,500 | 3,500 |
| Utilities | 2,400 | 2,400 |
| Travel | 29,996 | 29,343 |
| Rent - Building | 390 | 390 |
| Rent - Machine and Other | 4,725 | 4,725 |
| Other Operating Expense | 1,596,325 | 1,475,953 |
| **Total, Object-of-Expense Informational Listing** | $ 2,512,313 | $ 2,395,519 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 51,312 | $ 51,568 |
| Group Insurance | 90,276 | 90,803 |
| Social Security | 62,160 | 62,471 |
| Benefits Replacement | 7,297 | 6,823 |
| Subtotal, Employee Benefits | $ 211,045 | $ 211,665 |
| Debt Service | | |
| Lease Payments | $ 55,057 | $ 55,194 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 266,102 | $ 266,859 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Public Finance Authority. 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 Public Finance Authority. In order to achieve the objectives and service standards established by this Act, the Public Finance Authority shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** FINANCE CAPITAL PROJECTS | | |
| **A.1.1. Strategy:** ANALYZE FINANCINGS AND ISSUE DEBT | | |
| **Output (Volume):** | | |
| Number of Requests for Financings Approved | 10 | 5 |
| **A.2.1. Strategy:** MANAGE BOND PROCEEDS | | |
| **Output (Volume):** | | |
| Number of Financial Transactions Including Debt Service Payments | 5,200 | 5,200 |

2. **Information Listing of Appropriated Funds.** The appropriations made in this and other Articles of this Act to the Texas Public Finance Authority for General Obligation Bond Debt Service are subject to the following provision. The following amounts shall be used for the purpose indicated. In addition, appropriations out of the Permanent Fund for Health & Tobacco Education & Enforcement Account No. 5044; Permanent Fund for Children & Public Health Account No. 5045; and Permanent Fund for EMS & Trauma Care Account No. 5046, identified below, are contingent on the enactment of Senate Bill 1579, or similar legislation related to the use of certain Tobacco Settlement Funds for debt service on Cancer Prevention and Research Institute debt, by the Eighty-second Legislature, Regular Session, 2011.

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | | |
| General Revenue | $ 245,480,074 | $ 245,544,763 |
| GR - Sporting Goods Sales Tax - Transfer to State Parks Acct. No. 64 | 2,658,687 | 3,676,406 |
| Subtotal, General Revenue Fund | $ 248,138,761 | $ 249,221,169 |
| General Revenue-Dedicated | | |
| Permanent Fund for Health & Tobacco Education & Enforcement No. 5044 | $ 10,562,519 | $ 28,481,408 |
| Permanent Fund for Children & Public Health No. 5045 | 5,281,258 | 14,240,704 |
| Permanent Fund for EMS & Trauma Care No. 5046 | 5,281,258 | 14,240,704 |
| Texas Military Revolving Loan No. 5114 | 2,941,763 | 3,718,473 |
| Subtotal, General Revenue- Dedicated | $ 24,066,798 | $ 60,681,289 |
| Federal Funds | 6,019,980 | 6,019,980 |
| Other Funds | | |
| Current Fund Balance No. 766 | $ 731,625 | $ 738,000 |
| MH Collections for Patient Support and Maintenance No. 8031 | 112,122 | 112,122 |
| MH Appropriated Receipts No. 8033 | 15,828 | 15,828 |
| MR Collections for Patient Support and Maintenance No. 8095 | 120,063 | 120,063 |

| | | |
|---|---|---|
| MR Appropriated Receipts No. 8096 | 16,949 | 16,949 |
| Subtotal, Other Funds | $ 996,587 | $ 1,002,962 |
| **Total, Method of Financing** | | |
| Bond Debt Service | $ 279,222,126 | $ 316,925,400 & UB |
| Strategy A.2.2, Bond Debt Service | $ 279,222,126 | $ 316,925,400 & UB |

3. **Appropriation and Transfer Authority of Interest and Sinking Funds for General Obligation Bond Debt Service Payments.** Prior to the expenditure of funds appropriated out of the General Revenue Fund to pay debt service on general obligation bonds, the Public Finance Authority shall utilize any balances available in interest and sinking funds for said purpose. The Authority is hereby appropriated all amounts available in interest and sinking funds, including any unexpended balances in these funds for the purpose of paying debt service on general obligation bonds.

   In compliance with the bond resolutions and funds management agreements between the Texas Public Finance Authority and the Comptroller of Public Accounts, the Texas Public Finance Authority is hereby authorized to transfer funds, appropriated for bond debt service, into the appropriate interest and sinking funds in amounts as necessary for the payment of principal and interest due on general obligation bonds. Such transfers shall be made no sooner than the day that bond debt service is required to be delivered in accordance with the bond resolutions and funds management agreements. The Texas Public Finance Authority is also authorized to transfer funds appropriated for general obligation bond debt service to the interest and sinking fund(s) to pay ongoing costs associated with the General Obligation Commercial Paper Program.

4. **Appropriation and Transfer Authority for Revenue Bond Lease Payments.** Included in amounts appropriated above in Strategy A.2.1, Manage Bond Proceeds, are revenues (interest and earnings) accruing to the General Revenue - Dedicated State Lease Fund Account No. 0507 estimated to be $189,913 in fiscal year 2012 and $178,065 in fiscal year 2013 and balances in and revenues accruing to the Texas Public Finance Authority revenue bond interest and sinking fund(s) to the Texas Public Finance Authority for bond servicing costs on revenue bonds. Bond servicing costs shall include such costs as debt service payments, insurance premiums, paying agent fees, and other costs associated with the outstanding bonds.

   The Texas Public Finance Authority is hereby authorized to transfer such amounts as necessary for the payment of bond servicing costs from the General Revenue - Dedicated State Lease Fund Account No. 0507 to the Texas Public Finance Authority interest and sinking fund(s) or other debt service funds.

5. **Appropriation and Transfer Authority for Master Lease Purchase Program Payments and Administrative Fees.** Included in amounts appropriated above in Strategy A.2.1, Manage Bond Proceeds, are revenues (interest and earnings) accruing to the General Revenue - Dedicated State Lease Fund Account No. 0507 estimated to be $1,397,322 in fiscal year 2012 and $1,292,376 in fiscal year 2013 and balances held in and revenues accruing to the Texas Public Finance Authority Master Lease Purchase Program interest and sinking fund(s) to the Texas Public Finance Authority for the purpose of making debt service and other payments in accordance with applicable laws, rules, and covenants pertaining to the Master Lease Purchase Program. Unexpended balances in and revenues accruing to the Texas Public Finance Authority Master Lease Purchase Program funds and cost of issuance fund(s) in excess of those appropriated in the Method of Financing are hereby appropriated to the Texas Public Finance Authority for administrative costs in operating the Master Lease Purchase Program.

   The Texas Public Finance Authority is hereby authorized to transfer each agency's share of administrative fees and lease payments pursuant to the Master Lease Purchase Program from each agency's appropriations made elsewhere in this Act to the Texas Public Finance Authority Master Lease Purchase Program cost of issuance fund(s) and the General Revenue - Dedicated State Lease Fund Account No. 0507, respectively. Transfers for administrative fees and lease payments shall not be made earlier than fifteen days prior to the date that the debt service payment is required. The Texas Public Finance Authority may transfer funds necessary for Master Lease

Purchase Program debt service payments from the General Revenue - Dedicated State Lease Fund Account No. 0507 to the Texas Public Finance Authority Master Lease Purchase Program interest and sinking fund(s).

6. **Appropriation and Transfer Authority for Unexpended Balances in Bond Related Funds.** The Texas Public Finance Authority is hereby authorized to transfer all unexpended bond fund balances forward to the following fiscal year. Balances in and revenues accruing in these bond related funds are hereby appropriated to the Texas Public Finance Authority and may be transferred to the current fiscal year or prior fiscal years in order to make bond related payments and transfers in accordance with bond resolutions. Bond funds include but are not limited to: construction (project) funds; acquisition funds; cost of issuance funds; rebate funds; capitalized interest funds; and restoration funds.

7. **Appropriation and Transfer Authority.** Appropriations to all agencies on whose behalf the Texas Public Finance Authority has, or will issue bonds, notes, or other obligations are hereby authorized to be transferred to the Texas Public Finance Authority to the funds prescribed by the bond documents for payment of debt service. The monies so transferred are hereby appropriated to the Texas Public Finance Authority for payment of principal and interest on the bonds, notes, or other obligations.

8. **Contingency Funding for Agency Operations: Additional Bond Issues.** In the event that the performance measure set forth above, Number of Requests for Financing Approved, is exceeded by 30 percent in either fiscal year 2012 or 2013, the Texas Public Finance Authority is hereby appropriated an additional amount not to exceed 20 percent of that year's appropriation made above to recover costs related to bond issuance for each fiscal year. Any additional appropriations made herein shall be applied equally to Strategy A.1.1, Analyze Financings and Issue Debt, and Strategy A.2.1, Manage Bond Proceeds. All appropriations made herein shall be out of the administrative fees collected from the participants in the Master Lease Purchase Program or reimbursements from state agencies; comply with the provisions of Chapters 1232 and 1401 of the Texas Government Code and any applicable bond covenants; and comply with any restrictions on reimbursements or expenditures contained in Article IX of this Act.

9. **Travel Cap Exemption for Bond Sale Travel.** Travel expenses incurred by the staff and board members related to the issuance of debt and paid from bond proceeds are exempt from the requirements of Article IX, relating to Limitation on Travel Expenditures, and the limitations on such expenditures set forth therein.

10. **Reimbursement of Expenses Related to Bond Issuances.** In addition to the amounts appropriated above, in Strategies A.1.1, Analyze Financings and Issue Debt, and A.2.1, Manage Bond Proceeds, is an amount estimated to be $0 for the reimbursement of costs related to the Texas Public Finance Authority Charter School Finance Corporation (CSFC) for bond issues for charter schools, issued pursuant to Texas Education Code, Section 53.351, for payment, on behalf of the CSFC, of its required issuance and administration costs and reimbursement of the Texas Public Finance Authority's additional costs in providing staff support for such bond issues and administering the Texas Charter School Credit Enhancement Program.

11. **General Obligation Bond Debt Service for the Texas Military Value Revolving Loan Bond Program.** Included in amounts appropriated elsewhere in this Act for debt service on general obligation bonds for the Texas Military Value Revolving Loan program is an amount estimated to be $2,941,763 for fiscal year 2012 and $3,718,473 for fiscal year 2013 out of General Revenue - Dedicated Texas Military Revolving Loan Account No. 5114 to pay debt service on general obligation bonds issued to provide loans to local defense communities.

12. **Sunset Contingency.** Funds appropriated above for fiscal year 2013 for the Texas Public Finance Authority are made contingent on the continuation of the Texas Public Finance Authority by the Eighty-second Legislature. In the event that the agency is not continued, the funds appropriated for fiscal year 2012 or as much thereof as may be necessary are to be used to provide for the phase out of agency operations.

# FIRE FIGHTERS' PENSION COMMISSIONER

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 788,669 | $ 788,670 |
| Appropriated Receipts | 38,500 | 38,500 |
| **Total, Method of Financing** | $ 827,169 | $ 827,170 |
| **This bill pattern represents an estimated 2.3% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 8.5 | 8.5 |
| **Schedule of Exempt Positions:** | | |
| Commissioner, Group 1 | $77,000 | $77,000 |
| **Items of Appropriation:** | | |
| **A. Goal:** SOUND PENSION FUNDS<br>Ensure Actuarially Sound Pension Funds for Emergency Servs Personnel. | | |
| **A.1.1. Strategy:** ADMINISTER PENSION FUND<br>Administer a Pension Fund for Emergency Services Personnel. | $ 572,287 | $ 572,288 |
| **A.2.1. Strategy:** ASSISTANCE & EDUCATION<br>Assist and Educate Local Firefighter Pension Fund Boards. | $ 254,882 | $ 254,882 |
| **Total, Goal A:** SOUND PENSION FUNDS | $ 827,169 | $ 827,170 |
| **Grand Total,** FIRE FIGHTERS' PENSION COMMISSIONER | $ 827,169 | $ 827,170 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 425,269 | $ 425,269 |
| Other Personnel Costs | 5,000 | 5,000 |
| Professional Fees and Services | 214,893 | 214,894 |
| Consumable Supplies | 11,219 | 11,219 |
| Travel | 23,603 | 23,603 |
| Rent - Building | 1,500 | 1,500 |
| Rent - Machine and Other | 24,185 | 24,185 |
| Other Operating Expense | 121,500 | 121,500 |
| **Total, Object-of-Expense Informational Listing** | $ 827,169 | $ 827,170 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 23,232 | $ 23,348 |
| Group Insurance | 72,255 | 73,308 |
| Social Security | 31,119 | 31,275 |
| Subtotal, Employee Benefits | $ 126,606 | $ 127,931 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 126,606 | $ 127,931 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Fire Fighters' Pension Commissioner. 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 Fire Fighters' Pension Commissioner. In order to achieve the objectives and service standards established by this Act, the Fire Fighters' Pension Commissioner shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** SOUND PENSION FUNDS | | |
| **A.1.1. Strategy:** ADMINISTER PENSION FUND | | |
| **Output (Volume):** | | |
| Number of Retirement Payments Distributed | 31,400 | 31,500 |
| **Efficiencies:** | | |
| Average Annual Administrative Cost Per Pension Plan Member | 71 | 71 |
| **A.2.1. Strategy:** ASSISTANCE & EDUCATION | | |
| **Output (Volume):** | | |
| Number of Benefit Determinations for Local Funds | 120 | 120 |
| Number of Attendees Completing Continuing Education Conference | 300 | 300 |

**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 purpose shown and are not available for expenditure for other purposes.

| | 2012 | 2013 |
|---|---|---|
| a. Acquisition of Information Resource Technologies | | |
| (1) Web Accessibility Project | $ 87,500 | $ 87,500 |
| Total, Capital Budget | $ 87,500 | $ 87,500 |
| Method of Financing (Capital Budget): | | |
| General Revenue Fund | $ 87,500 | $ 87,500 |
| Total, Method of Financing | $ 87,500 | $ 87,500 |

# OFFICE OF THE GOVERNOR

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 9,904,980 | $ 9,104,980 |
| Other Funds | | |
| Appropriated Receipts | 20,000 | 20,000 |
| Interagency Contracts | 250,000 | 250,000 |
| Subtotal, Other Funds | $ 270,000 | $ 270,000 |
| **Total, Method of Financing** | $ 10,174,980 | $ 9,374,980 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 131.5 | 131.5 |
| **Schedule of Exempt Positions:** | | |
| Governor, Group 6 | $150,000 | $150,000 |
| **Items of Appropriation:** | | |
| **A. Goal:** GOVERN THE STATE | | |
| Formulation of Balanced State Policies. | | |
| **A.1.1. Strategy:** SUPPORT GOVERNOR & STATE | $ 6,688,628 | $ 5,888,628 |
| Provide Support to Governor and State Agencies. | | |
| **A.1.2. Strategy:** APPOINTMENTS | $ 852,066 | $ 852,066 |
| Develop and Maintain System of Recruiting, Screening, and Training. | | |
| **A.1.3. Strategy:** COMMUNICATIONS | $ 2,263,962 | $ 2,263,962 |
| Maintain Open, Active, and Comprehensive Functions. | | |
| **A.1.4. Strategy:** GOVERNOR'S MANSION | $ 370,324 | $ 370,324 |
| Maintain and Preserve Governor's Mansion. | | |
| **Total, Goal A:** GOVERN THE STATE | $ 10,174,980 | $ 9,374,980 |
| **Grand Total,** OFFICE OF THE GOVERNOR | $ 10,174,980 | $ 9,374,980 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 8,318,439 | $ 8,318,439 |
| Other Personnel Costs | 150,092 | 150,092 |
| Professional Fees and Services | 260,830 | 218,910 |
| Consumable Supplies | 52,706 | 42,706 |
| Utilities | 35,888 | 25,888 |
| Travel | 84,686 | 64,686 |
| Rent - Building | 19,863 | 19,863 |
| Rent - Machine and Other | 56,346 | 46,346 |
| Other Operating Expense | 1,196,130 | 488,050 |
| **Total, Object-of-Expense Informational Listing** | $ 10,174,980 | $ 9,374,980 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 493,553 | $ 496,021 |
| Group Insurance | 1,272,670 | 1,298,644 |
| Social Security | 653,716 | 656,984 |
| Benefits Replacement | 20,185 | 18,873 |
| Subtotal, Employee Benefits | $ 2,440,124 | $ 2,470,522 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 2,440,124 | $ 2,470,522 |

## OFFICE OF THE GOVERNOR
(Continued)

1. **Unexpended Balances Within the Biennium.** Any unexpended balances, as of August 31, 2012, in the appropriations made to the Office of the Governor are hereby appropriated for the same purposes for the fiscal year beginning September 1, 2012.

2. **Designation of Exempt Positions.** Pursuant to the provisions of this Act and other state and federal legislation, and notwithstanding restrictions in this Act relative to the authority of the Governor to exempt positions from the Position Classification Act of 1961, the Governor may designate the title and compensation rate of exempt positions to be used by the Office of the Governor.

3. **Governor's Salary.** The salary provided by this Act for the Governor is an annual salary and is not reduced during the Governor's absence from the state.

4. **Unexpended Balances Between Biennia.** Included in amounts appropriated above are unexpended balances as of August 31, 2011, in appropriations made to the Office of the Governor (estimated to be $0) for the same purpose for the biennium beginning September 1, 2011.

5. **Capital Expenditures Authorized.** Notwithstanding the limitations placed on the expenditure of funds for capital budget items contained in this Act, the Office of the Governor is hereby authorized to expend funds appropriated to the Office of the Governor, and the Trusteed Programs within the Office of the Governor, for the acquisition of capital budget items.

6. **Governor's Salary Authorization.** The Governor is hereby authorized, notwithstanding the rate listed for the Governor in the "Schedule of Exempt Positions," to establish the rate of compensation for the Governor at any amount below the listed authorization.

7. **Transfer of Full-Time Equivalents (FTEs) Between Agencies.** Notwithstanding other provisions of this Act, the Office of the Governor may transfer FTEs to the Trusteed Programs within the Office of the Governor.

## TRUSTEED PROGRAMS WITHIN THE OFFICE OF THE GOVERNOR

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | | |
| General Revenue Fund | $ 22,909,842 | $ 22,931,366 |
| Hotel Occupancy Tax Deposits Account No. 5003 | 1,570,460 | 1,570,460 |
| Subtotal, General Revenue Fund | $ 24,480,302 | $ 24,501,826 |
| General Revenue Fund - Dedicated | | |
| Operators and Chauffeurs License Account No. 099 | 2,000,000 | 2,000,000 |
| Criminal Justice Planning Account No. 421 | 9,881,754 | 9,881,753 |
| Crime Stoppers Assistance Account No. 5012 | 573,696 | 573,696 |
| Economic Development Bank Account No. 5106 | 1,878,765 | 2,036,765 |
| Texas Enterprise Fund Account No. 5107 | 148,498,000 | 1,500,000 |
| Emerging Technology Fund Account No. 5124 | 139,510,000 | 1,000,000 |
| Subtotal, General Revenue Fund - Dedicated | $ 302,342,215 | $ 16,992,214 |
| Federal Funds | 57,743,406 | 57,743,406 |
| Other Funds | | |
| Small Business Incubator Fund Account No. 588 | 7,813,000 | 320,000 |
| Texas Product Development Fund Account No. 589 | 13,228,000 | 435,000 |
| Appropriated Receipts | 600,000 | 600,000 |
| Interagency Contracts | 168,407 | 168,407 |
| Subtotal, Other Funds | $ 21,809,407 | $ 1,523,407 |
| **Total, Method of Financing** | $ 406,375,330 | $ 100,760,853 |

## TRUSTEED PROGRAMS WITHIN THE OFFICE OF THE GOVERNOR
(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):** | | 140.9 | | 140.9 |
| **Schedule of Exempt Positions:** | | | | |
| Executive Director (OSFR), Group 3 | | $106,260 | | $106,260 |
| **Items of Appropriation:** | | | | |
| **A. Goal:** PROGRAMS ASSIGNED | | | | |
| Administer Programs Assigned to the Governor. | | | | |
| **A.1.1. Strategy:** AGENCY GRANT ASSISTANCE | $ | 0 | $ | 0 |
| Provide Emergency and Deficiency Grants to State Agencies. | | | | |
| **A.1.2. Strategy:** DISASTER FUNDS | $ | 0 | $ | 0 |
| Provide Disaster Funding. | | | | |
| **A.1.3. Strategy:** CRIMINAL JUSTICE | $ | 70,426,890 | $ | 70,426,889 |
| Provide Money and Research and Promote Programs for Criminal Justice. | | | | |
| **A.1.4. Strategy:** FILM AND MUSIC MARKETING | $ | 16,000,000 | $ | 16,000,000 |
| Market Texas as a Film Location and Promote the Texas Music Industry. | | | | |
| **A.1.5. Strategy:** DISABILITY ISSUES | $ | 560,016 | $ | 560,016 |
| Inform Organizations and the General Public of Disability Issues. | | | | |
| **A.1.6. Strategy:** WOMEN'S GROUPS | $ | 148,686 | $ | 148,686 |
| Network Statewide Women's Groups in Texas. | | | | |
| **A.1.7. Strategy:** COUNTY ESSENTIAL SERVICE GRANTS | $ | 0 | $ | 0 |
| Provide Financial Assistance to Counties for Essential Public Services. | | | | |
| **A.1.8. Strategy:** TEXAS ENTERPRISE FUND | $ | 148,498,000 | $ | 1,500,000 |
| Provide Financial Incentives to Entities for Economic Development. | | | | |
| **A.1.9. Strategy:** ECONOMIC DEVELOPMENT AND TOURISM | $ | 28,052,281 | $ | 7,945,806 |
| Enhance the Economic Growth of Texas. | | | | |
| **A.1.10. Strategy:** MILITARY PREPAREDNESS | $ | 397,075 | $ | 397,074 |
| Advise the Governor and Legislature on Military Issues. | | | | |
| **A.1.11. Strategy:** HOMELAND SECURITY | $ | 2,100,000 | $ | 2,100,000 |
| Direct and Coordinate Homeland Security Activities in Texas. | | | | |
| **A.1.12. Strategy:** TEXAS EMERGING TECHNOLOGY FUND | $ | 139,510,000 | $ | 1,000,000 |
| Provide Incentives to Entities for Emerging Technology Development. | | | | |
| **A.1.13. Strategy:** STATE-FEDERAL RELATIONS | $ | 682,382 | $ | 682,382 |
| **Total, Goal A:** PROGRAMS ASSIGNED | $ | 406,375,330 | $ | 100,760,853 |
| **Grand Total,** TRUSTEED PROGRAMS WITHIN THE OFFICE OF THE GOVERNOR | $ | 406,375,330 | $ | 100,760,853 |
| **Object-of-Expense Informational Listing:** | | | | |
| Salaries and Wages | $ | 9,200,821 | $ | 9,200,821 |
| Other Personnel Costs | | 264,342 | | 264,395 |
| Professional Fees and Services | | 8,015,570 | | 5,552,712 |
| Consumable Supplies | | 37,614 | | 37,114 |
| Utilities | | 64,931 | | 59,431 |
| Travel | | 275,433 | | 260,433 |
| Rent - Building | | 238,036 | | 234,286 |
| Rent - Machine and Other | | 14,009,095 | | 96,702 |
| Debt Service | | 4,500,000 | | 1,500,000 |
| Other Operating Expense | | 128,218,519 | | 5,287,991 |
| Grants | | 241,550,969 | | 78,266,968 |
| **Total, Object-of-Expense Informational Listing** | $ | 406,375,330 | $ | 100,760,853 |

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

| | | |
|---|---|---|
| Employee Benefits | | |
| Retirement | $ 418,571 | $ 420,665 |
| Group Insurance | 834,324 | 841,848 |
| Social Security | 546,198 | 548,929 |
| Benefits Replacement | 18,187 | 17,005 |
| Subtotal, Employee Benefits | $ 1,817,280 | $ 1,828,447 |
| Debt Service | | |
| TPFA GO Bond Debt Service | $ 2,941,763 | $ 3,718,473 |
| Lease Payments | 119,279 | 109,634 |
| Subtotal, Debt Service | $ 3,061,042 | $ 3,828,107 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 4,878,322 | $ 5,656,554 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Trusteed Programs Within the Office of the Governor. 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 Trusteed Programs Within the Office of the Governor. In order to achieve the objectives and service standards established by this Act, the Trusteed Programs Within the Office of the Governor shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** PROGRAMS ASSIGNED | | |
| **Outcome (Results/Impact):** | | |
| Percentage of CJD Grants Complying with CJD Guidelines | 98% | 98% |
| Number of Unduplicated Jobs Announced by Companies Receiving Grants from the Texas Enterprise Fund | 1,500 | 1,500 |
| Number of New Jobs Announced by Businesses Receiving Recruitment and Expansion Assistance | 6,000 | 6,000 |
| Texas' Prior Year Proportionate Share of Federal Funding | 6.71% | 6.71% |
| Percent of Customers Satisfied with OSFR Services | 98% | 98% |
| **A.1.3. Strategy:** CRIMINAL JUSTICE | | |
| **Output (Volume):** | | |
| Number of Grants Currently Operating | 520 | 520 |
| **A.1.5. Strategy:** DISABILITY ISSUES | | |
| **Output (Volume):** | | |
| Number of Local Volunteer Committees on People with Disabilities and Communities Supported | 44 | 47 |
| **A.1.9. Strategy:** ECONOMIC DEVELOPMENT AND TOURISM | | |
| **Output (Volume):** | | |
| Number of Businesses Developed as Recruitment Prospects | 60 | 60 |
| **A.1.12. Strategy:** TEXAS EMERGING TECHNOLOGY FUND | | |
| **Output (Volume):** | | |
| Number of Early-stage Companies Fostered by Emerging Technology Fund Investments and Guidance | 20 | 20 |
| **A.1.13. Strategy:** STATE-FEDERAL RELATIONS | | |
| **Efficiencies:** | | |
| Percentage of Responses within Two Business Days | 98% | 98% |

2. **Emergency and Deficiency and Disaster Grants.** Contingent on transfer of appropriations for payments of claims arising prior to the convening of the next legislature by the Governor in accordance with § 403.075, Government Code, for emergency use in accordance with § 401.061-401.065, Government Code, grants-in-aid in case of disasters, and for other purposes needed in the operations of state departments and agencies, including legal defense of officials and employees. Upon certification by the Governor that an emergency exists within the scope of the above-cited provisions in an agency funded out of special funds, there are hereby appropriated amounts necessary from special funds to meet the deficiency, emergency or disaster. The Comptroller of Public Accounts shall transfer from the special fund to the necessary appropriation account the amount certified as necessary to meet the deficiency, emergency, or disaster. Transfers made under this provision shall be made only when sufficient balances over appropriated amounts exist in the special fund. The Governor may, according to the terms of the deficiency, emergency, or

disaster award, require the agency to repay all or part of the award. The repayment may be accomplished by purchase voucher, journal entry, or other procedures established by the Governor's Office with the concurrence of the Comptroller of Public Accounts.

3. **Unexpended Balances Within the Biennium.** Any unexpended balances as of August 31, 2012, in appropriations made to the Trusteed Programs Within the Office of the Governor are hereby appropriated for the same purposes for the fiscal year beginning September 1, 2012.

4. **Federal Grants.** Funds received from the federal government for grants to the Trusteed Programs Within the Office of the Governor that are directed to earn interest for the 2012-13 biennium will be deposited to General Revenue-Dedicated Account No. 224, Governor's Office Federal Projects, and are to be expended as directed by the grant.

5. **Reporting Requirements: Criminal Justice Division.** To ensure that Criminal Justice Planning funds are spent in accordance with state and federal requirements, the Criminal Justice Division (CJD) shall require grant recipients to report data and documentation, not later than October 1 of each fiscal year, demonstrating compliance with contractual agreements for Criminal Justice Planning grants. At a minimum, reports submitted by grant recipients shall provide data to support all expenditures made with Criminal Justice Planning funds; provide an inventory of all equipment and capital items purchased with such funds; and provide all information necessary for scheduled and periodic reviews by the CJD.

   In addition, the CJD shall establish and consistently adhere to internal guidelines for reviewing and evaluating grant requests, as well as requests for payments and reimbursements submitted by grantees. Not later than December 15 of each year, the CJD shall submit to the Legislative Budget Board and the State Auditor's Office a report detailing its findings regarding compliance by grantees.

6. **Appropriation: Texas Small Business Industrial Development Corporation.** The Office of the Governor, Economic Development and Tourism, shall review the financial statements of the Texas Small Business Industrial Development Corporation to determine the net earnings of the Corporation, and shall make such determination no later than January 1, 2012, and January 1, 2013. The Office of the Governor, Economic Development and Tourism, shall ensure that the net earnings, of an amount not to exceed $75,000, shall be transferred to the Economic Development Bank Account No. 5106 during each fiscal year of the 2012-13 biennium to be used to finance activities of Strategy A.1.9, Economic Development and Tourism. Seventy-five percent of any net earnings in excess of $150,000 for the 2012-13 biennium shall be deposited into the General Revenue Fund and 25 percent of any net earnings over $150,000 is appropriated to Strategy A.1.9, Economic Development and Tourism, for administration of small and minority business finance programs.

7. **Administration: Foreign Offices.**

   a. In accordance with Government Code § 481.027, foreign offices may be operated in Mexico and in other foreign markets including Canada, Europe, the Pacific Rim, and Latin America coinciding with market opportunities for Texas business. Foreign office trade investment and tourism development efforts, as well as location of the offices, shall be based on analysis of the current world market opportunities. The Office of the Governor shall expend funds for the Mexico offices out of any funds available, but shall not expend any funds appropriated under this Act for any office or staff at any other foreign offices established by the Office of the Governor. The Office of the Governor may seek and use alternative funding sources other than funds appropriated under this Act for offices in locations other than Mexico City.

   b. The Office of the Governor shall maintain a tracking system that documents the direct benefits that result from the operation of each foreign office. The Office of the Governor shall utilize the tracking system to file a quarterly report with the Legislative Budget Board regarding the activities of each office. The report shall contain, at a minimum, information detailing the number of contacts with foreign and domestic businesses, the name of each business, the nature of the contact, the results of each contact, and expenditures by each office. The report shall also contain the name of each Texas community assisted and information regarding the nature and results of the assistance. Each report shall be submitted within 60 days of the end of each quarter and must be accompanied by supporting documentation as specified by the Legislative Budget Board.

**8. Cash Flow Contingency.** Contingent upon the receipt of Hotel Occupancy Tax collections by the Comptroller of Public Accounts, the Office of the Governor, Economic Development and Tourism, may temporarily utilize additional Hotel Occupancy Tax allocations from the General Revenue Fund into the General Revenue Hotel Occupancy Tax for Economic Development Account No. 5003 in an amount not to exceed $2 million per fiscal year. These funds shall be utilized only for the purpose of temporary cash flow needs when expenditures for tourism marketing exceed monthly Hotel Occupancy Tax revenue received. The transfer and reimbursement of funds shall be made under procedures established by the Comptroller of Public Accounts to ensure all borrowed funds are reimbursed by the Office of the Governor, Economic Development and Tourism, to the General Revenue Fund from Hotel Occupancy Tax revenues collected on or before August 31 of each fiscal year and deposited before September 30 of the following fiscal year.

**9. Limitation on Expenditures: General Revenue Hotel Occupancy Tax for Economic Development Account No. 5003.** Of the amounts appropriated above out of the General Revenue Hotel Occupancy Tax for Economic Development Account No. 5003, the Office of the Governor, Economic Development and Tourism, shall use not more than $1,570,460 in fiscal year 2012 and $1,570,460 in fiscal year 2013 for expenditures other than Advertising Services (Object Code 7281) and Other Professional Services (Object Code 7253).

**10. Texas Military Value Revolving Loan Program.** Appropriated elsewhere in this Act to the Texas Public Finance Authority is an amount estimated to be $2,941,763 for fiscal year 2012 and $3,718,473 for fiscal year 2013 to pay debt service on general obligation bonds or other obligations issued pursuant to the Texas Constitution, Article III, § 49-n, and Government Code, Chapter 436, Subchapter D, provided that anticipated loan payments and interest earnings on loan payments deposited to the Texas Military Value Revolving Loan Account No. 5114 are sufficient to repay the General Revenue Fund by August 31, 2013.

**11. Appropriation of Unexpended Balances, Revenue, and Interest Earnings.**

Part I, Unexpended Balances

Included in amounts appropriated above in fiscal year 2012, are all estimated unexpended and unobligated account balances remaining as of August 31,2011 out of the following accounts:

a. Texas Enterprise Fund Account No. 5107 (estimated to be $146,448,000) in Strategy A.1.8, Texas Enterprise Fund.

b. Texas Emerging Technology Fund Account No. 5124 (estimated to be $138,260,000) in Strategy A.1.12, Texas Emerging Technology Fund.

c. Small Business Incubator Fund Account No. 588 (estimated to be $7,493,000) in Strategy A.1.9, Economic Development and Tourism.

d. Texas Product Development Fund Account No. 589 (estimated to be $12,793,000) in Strategy A.1.9, Economic Development and Tourism.

e. Appropriated Receipts (estimated to be $0) in Strategies A.1.2, Disaster Fund; A.1.4, Film and Music Marketing; A.1.9, Economic Development and Tourism; and A.1.10, Military Preparedness.

Part II, Revenue and Interest Earnings

Included in amounts appropriated above for the biennium beginning September 1, 2011 are all estimated revenue and interest earnings accruing during the 2012-13 biennium, to the Trusteed Programs Within the Office of the Governor out of the following accounts:

a. General Revenue-Dedicated Texas Enterprise Fund Account No. 5107 in Strategy A.1.8, Texas Enterprise Fund, $2,050,000 in fiscal year 2012 and $1,500,000 in fiscal year 2013;

b. General Revenue-Dedicated Texas Emerging Technology Fund Account No. 5124 in Strategy A.1.12, Texas Emerging Technology Fund, $1,250,000 in fiscal year 2012 and $1,000,000 in fiscal year 2013;

c. Small Business Incubator Fund Account No. 588 in Strategy A.1.9, Economic Development and Tourism, $320,000 in fiscal year 2012 and $320,000 in fiscal year 2013;

d. Texas Product Development Fund Account No. 589 in Strategy A.1.9, Economic Development and Tourism, $435,000 in fiscal year 2012 and $435,000 in fiscal year 2013.

**12. Drug Court Grants.** Included in amounts appropriated above in Strategy A.1.3, Criminal Justice is $750,000 in fiscal year 2012 and $750,000 in fiscal year 2013 out of the General Revenue Fund from revenue collected on or after September 1, 2011 and deposited to Revenue Object Code 3704, Court Costs, for the purpose of making grants to counties for drug courts in accordance with Subchapter A, Chapter 102, Code of Criminal Procedure, Article 102.0178(g).

**13. Cost of Living Salary Supplement.** The Trusteed Programs within the Office of the Governor is hereby authorized to pay a salary supplement, not to exceed $1,200 per month, to each Office of State-Federal Relations employee whose duty station is located in Washington, DC. This salary supplement shall be in addition to the salary rate authorized for that position by this Act.

Any state agency or any institution which assigns an employee to work in the Washington, DC, office of the OSFR on a permanent basis and which also designates that employee's duty station as Washington, DC, is hereby authorized to pay such an employee a salary supplement not to exceed $1,200 per month. This salary supplement shall be in addition to the salary rate authorized by this Act.

In the event that an employee so assigned works on a less than full-time basis, the maximum salary supplement shall be set on a proportionate basis.

**14. Information and Assistance Requirements.** It is the intent of the Legislature that funds appropriated above in Strategy A.1.13, State-Federal Relations be expended in a manner which provides information and assistance to both the legislative and executive branches of Texas State Government and that the funds be used to operate the office in a manner which is politically non-partisan.

**15. Texas Economic Development Bank.** Included in amounts appropriated above in Strategy A.1.9, Economic Development and Tourism to the Trusteed Programs within the Office of the Governor are fees, and investment earnings totaling an amount not to exceed $1,156,265 in fiscal year 2012 and $1,314,265 in fiscal year 2013 that the Texas Economic Development Bank is authorized to collect for the implementation and administration of the Texas Economic Development Bank to be spent in accordance with Government Code, Chapter 489 and shall be used only for debt service payments on existing loans to local communities.

**16. Reports on Increasing Federal Funds.** It is the intent of the Legislature that the Office of State-Federal Relations work with state agencies to identify and report to the Legislature on possible changes in state laws which could increase the amount of federal funds received by the state, and on changes to federal laws which could impact state funding of federal programs or the state's receipt of federal funds.

**17. Interagency Contracts.** Consistent with the method of financing for the Office of State-Federal Relations (OSFR), state agencies and institutions of higher education that are represented by their employees in the Washington, DC, office of the OSFR shall be charged for their portion of operating expenses, rent, and administrative staff costs, not to exceed $2,000 per month, per legislative liaison.

**18. Transfer Prohibition.** Notwithstanding other provisions of this Act, without the written permission of the Legislative Budget Board, the Trusteed Programs within the Office of the Governor may not transfer amounts appropriated to the Emerging Technology Fund Account No. 5124 or appropriated to the Texas Enterprise Fund Account 5107.

**19. Transfer of Full-Time Equivalents (FTEs) Between Agencies.** Notwithstanding other provisions of this Act, FTEs for the Trusteed Programs within the Office of the Governor may be assigned or transferred to other agencies without the written permission of the Legislative Budget Board.

**20. Border Security Operations.** Included in amounts appropriated above out of the General Revenue-Dedicated Operators and Chauffeurs License Account No. 099 in Strategy A.1.11, Homeland Security, is $2,000,000 in fiscal year 2012 and $2,000,000 in fiscal year 2013, and shall be used for border prosecutions.

**21. Contingency Appropriation for the Moving Image Industry Grant Program.** Included in amounts appropriated above to Strategy A.1.4, Film and Music Marketing, is an amount not to exceed $11,000,000 each fiscal year of the biennium out of the General Revenue Fund to the Office of the Governor, Trusteed Programs for purposes of funding the moving image industry grant program authorized under Chapter 485, Government Code. Appropriations are contingent upon the following factor:

a. Sufficient revenue - Certification by the Comptroller of Public Accounts that sufficient revenue is generated from the moving image industry in Texas to offset the cost of the appropriation, including but not limited to tax revenues generated from wages paid to industry employees, new jobs created in the state, and other non-tax exempt taxes paid by the industry to the state's general revenue fund and other funds, as appropriate;

By November 15, 2012, the Texas Film Commission shall report to the Legislative Budget Board and the Governor on a 10 year strategic plan for how the moving image industry can grow beyond its traditional incentive funding. Information provided shall include but not be limited to: 1) how to leverage local financial participation in the state incentive program; 2) development phase funding; 3) how and which institutions of higher education might engage in long-term curricular development or workforce training to stimulate the moving image economy in Texas; and 4) how to bolster the viability of Texas-based film and commercial crews.

Administration, Archives and Training - It is the intent of the Legislature that an amount not to exceed $1 million in fiscal year 2012 and $1 million in fiscal year 2013 from funds appropriated above be expended on costs associated with administration of the moving image incentive program, moving image archives, and film crew training as authorized by Government Code Sections 485.027 and 485.028.

Amounts expended in each segment of the moving image industry grant program which includes 1) television; 2) motion picture; 3) video games; and 4) commercial, industrial and other non-broadcast media, shall not exceed 40 percent of the biennial amount appropriated for the moving image incentive program.

## HISTORICAL COMMISSION

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | | |
| General Revenue Fund | $ 5,268,478 | $ 3,738,447 |
| Sporting Goods Sales Tax | 5,089,121 | 4,908,283 |
| Fees from Historic Sites | 686,261 | 686,261 |
| Subtotal, General Revenue Fund | $ 11,043,860 | $ 9,332,991 |
| Federal Funds | 865,351 | 865,351 |
| Other Funds | | |
| Appropriated Receipts | 969,770 | 469,770 |
| Interagency Contracts | 72,500 | 72,500 |
| Bond Proceeds - General Obligation Bonds | UB | UB |
| Subtotal, Other Funds | $ 1,042,270 | $ 542,270 |
| **Total, Method of Financing** | $ 12,951,481 | $ 10,740,612 |

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

## HISTORICAL COMMISSION
(Continued)

| | | | | |
|---|---|---|---|---|
| **Number of Full-Time-Equivalents (FTE):** | | 148.7 | | 146.2 |
| **Number of FTEs in Riders:** | | 27.5 | | 27.5 |
| **Schedule of Exempt Positions:** | | | | |
| Executive Director, Group 4 | | $125,000 | | $125,000 |
| **Items of Appropriation:** | | | | |
| **A. Goal:** HISTORICAL PRESERVATION | | | | |
| Preserve the State's Historic Landmarks and Artifacts. | | | | |
| **A.1.1. Strategy:** ARCHITECTURAL ASSISTANCE | $ | 551,201 | $ | 551,201 |
| Property Rehabilitation/Preservation Technical Assistance. | | | | |
| **A.1.2. Strategy:** PRESERVATION TRUST FUND | $ | 0 | $ | 0 |
| Provide Financial Assistance through the Preservation Trust Fund. | | | | |
| **A.1.3. Strategy:** ARCHEOLOGICAL HERITAGE PROTECTION | $ | 1,080,637 | $ | 830,637 |
| Archeological Protection through Reviews, Outreach & Other Programs. | | | | |
| **A.1.4. Strategy:** EVALUATE/INTERPRET RESOURCES | $ | 1,990,684 | $ | 735,322 |
| Programs & Services for Historic Resources Evaluation & Interpretation. | | | | |
| **A.1.5. Strategy:** COURTHOUSE PRESERVATION | $ | 213,276 | $ | 213,276 |
| Courthouse Preservation Assistance. | | | | |
| **A.1.6. Strategy:** HISTORIC SITES | $ | 7,612,389 | $ | 7,046,054 |
| Operation and Maintenance of Historic Sites. | | | | |
| **A.2.1. Strategy:** DEVELOPMENT ASSISTANCE | $ | 771,416 | $ | 632,245 |
| Technical Assistance for Heritage Development/Economic Revitalization. | | | | |
| **Total, Goal A:** HISTORICAL PRESERVATION | $ | 12,219,603 | $ | 10,008,735 |
| **B. Goal:** INDIRECT ADMINISTRATION | | | | |
| **B.1.1. Strategy:** CENTRAL ADMINISTRATION | $ | 731,878 | $ | 731,877 |
| **Grand Total,** HISTORICAL COMMISSION | $ | 12,951,481 | $ | 10,740,612 |
| **Supplemental Appropriations Made in Riders:** | $ | 4,332,832 | $ | 4,332,832 |
| **Object-of-Expense Informational Listing:** | | | | |
| Salaries and Wages | $ | 7,446,603 | $ | 7,293,827 |
| Other Personnel Costs | | 211,832 | | 211,587 |
| Professional Fees and Services | | 594,637 | | 646,072 |
| Fuels and Lubricants | | 94,033 | | 93,963 |
| Consumable Supplies | | 141,471 | | 141,245 |
| Utilities | | 325,320 | | 325,161 |
| Travel | | 335,050 | | 337,436 |
| Rent - Building | | 223,464 | | 223,485 |
| Rent - Machine and Other | | 115,563 | | 115,223 |
| Debt Service | | 880,564 | | 855,513 |
| Other Operating Expense | | 5,585,538 | | 4,001,628 |
| Grants | | 830,238 | | 828,304 |
| Capital Expenditures | | 500,000 | | 0 |
| **Total, Object-of-Expense Informational Listing** | $ | 17,284,313 | $ | 15,073,444 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | | | |
| Employee Benefits | | | | |
| Retirement | $ | 419,387 | $ | 408,353 |
| Group Insurance | | 1,072,810 | | 1,054,465 |
| Social Security | | 540,704 | | 526,479 |
| Benefits Replacement | | 27,400 | | 25,619 |
| Subtotal, Employee Benefits | $ | 2,060,301 | $ | 2,014,916 |

| | | |
|---|---|---|
| Debt Service | | |
| TPFA GO Bond Debt Service | $ 10,805,855 | $ 13,467,839 |
| Lease Payments | 10,674 | 8,978 |
| Subtotal, Debt Service | $ 10,816,529 | $ 13,476,817 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 12,876,830 | $ 15,491,733 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Historical 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 Historical Commission. In order to achieve the objectives and service standards established by this Act, the Historical Commission shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** HISTORICAL PRESERVATION | | |
| **Outcome (Results/Impact):** | | |
| Number of Properties Designated Annually | 3,015 | 3,015 |
| Number of Individuals Provided Training and Assistance in Historic and Archeological Preservation | 13,715 | 13,715 |
| **A.1.1. Strategy:** ARCHITECTURAL ASSISTANCE | | |
| **Output (Volume):** | | |
| Number of Historic Properties Provided Technical Assistance, Monitoring, and Mandated State and/or Federal Architectural Reviews in Order to Encourage Preservation | 1,174 | 1,141 |
| **A.1.2. Strategy:** PRESERVATION TRUST FUND | | |
| **Output (Volume):** | | |
| Number of Preservation Trust Fund Grants Awarded | 0 | 0 |
| **A.1.3. Strategy:** ARCHEOLOGICAL HERITAGE PROTECTION | | |
| **Output (Volume):** | | |
| Number of Construction Projects Reviewed for Archeological Impact | 5,000 | 5,000 |
| Number of Outreach and Technical Materials Distributed Through Print or Electronic Media | 63,040 | 63,040 |
| **A.1.4. Strategy:** EVALUATE/INTERPRET RESOURCES | | |
| **Output (Volume):** | | |
| Number of Sites, Properties, and Other Historical Resources Evaluated | 4,930 | 4,930 |
| **A.2.1. Strategy:** DEVELOPMENT ASSISTANCE | | |
| **Output (Volume):** | | |
| Number of Properties and Sites Assisted | 345 | 345 |

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.

| | 2012 | 2013 |
|---|---|---|
| a. Construction of Buildings and Facilities | | |
| (1) Debt Service - National Museum of the Pacific War | $ 825,710 | $ 801,790 |
| Total, Construction of Buildings and Facilities | $ 825,710 | $ 801,790 |
| b. Repair or Rehabilitation of Buildings and Facilities | | |
| (1) Debt Service for Historic Sites (HB12, 80th Legis.) | 54,854 | 53,723 |
| (2) Courthouse Grants - Unexpended Balances (Proposition 4 G.O. Bond Proceeds, 81st Legis.) | UB | UB |
| (3) Courthouse Grants - Unexpended Balances (Proposition 4 and Proposition 8 G.O. Bond Proceeds, 80th Legis.) | UB | UB |

| | | |
|---|---|---|
| (4) Historic Sites - Unexpended Balances (Proposition 4 and Proposition 8 G.O. Bond Proceeds, 80th Legis.) | UB | UB |
| Total, Repair or Rehabilitation of Buildings and Facilities | $ 54,854 | $ 53,723 |
| c. Acquisition of Capital Equipment and Items | | |
| (1) La Belle Conservation Equipment and Items | 250,000 | UB |
| (2) National Museum of the Pacific War Archival Storage and Digitization of Collections | 500,000 | UB |
| Total, Acquisition of Capital Equipment and Items | $ 750,000 | $ UB |
| Total, Capital Budget | $ 1,630,564 | $ 855,513 |
| Method of Financing (Capital Budget): | | |
| General Revenue Fund | | |
| General Revenue Fund | $ 1,630,564 | $ 855,513 |
| Subtotal, General Revenue Fund | $ 1,630,564 | $ 855,513 |
| Bond Proceeds - General Obligation Bonds | UB | UB |
| Total, Method of Financing | $ 1,630,564 | $ 855,513 |

3. **Cost Recovery of Historical Markers.** It is the intent of the Legislature that the Historical Commission recover the full costs of historical markers, estimated to be $293,194 in Appropriated Receipts for each fiscal year of the biennium and included above in Strategy A.1.4, Evaluate/Interpret Resources.

4. **Promotional Materials.** The Texas Historical Commission is hereby authorized to purchase promotional educational materials for resale or donation purposes during the biennium beginning September 1, 2011. All receipts received from the sale of these materials are hereby appropriated to the Commission for the administration and operation of agency programs. Any unexpended balances on hand as of August 31, 2012, from the sale of these materials are appropriated for the fiscal year beginning September 1, 2012.

5. **Registration of Historic Cemeteries.** The Texas Historical Commission is hereby authorized to collect funds for the registration of historic cemeteries. All fees collected pursuant to registration of historic cemeteries (estimated at $3,800 in Appropriated Receipts in each fiscal year and included above in Strategy A.1.4, Evaluate/Interpret Resources) are appropriated to the Texas Historical Commission for the purpose of administering the Historic Cemetery Program for the biennium beginning September 1, 2011. In addition to amounts identified herein and included above, all receipts collected on or after September 1, 2011, are hereby appropriated for the same purpose.

6. **Cultural Diversity Scholarships.** Gifts and donations received by the Historical Commission, not to exceed $5,000 in each fiscal year of the biennium, may be expended for scholarships of up to $500 per recipient for travel expenses, including meals and lodging, in order to encourage diversity among participants at agency sponsored conferences, seminars, and workshops.

7. **La Salle Artifacts.**

   a. Included in amounts appropriated above in Strategy A.1.3, Archeological Heritage Protection, is $250,000 in General Revenue funds for the biennium for the conservation, analysis, interpretation, and display of artifacts from the Belle Shipwreck, Fort St. Louis archeological site, and other La Salle sites. Of this amount, $125,000 is contingent upon receipt of additional matching funds by the Historical Commission in private contributions, gifts, and donations, for the same purpose. In the event that private contributions, gifts, and donations received by the Historical Commission total less than $125,000 over the biennium, the matching General Revenue appropriation is reduced to an amount which equals the total private contributions, gifts, and donations received.

b. Any unexpended balances of these funds remaining as of August 31, 2012, are hereby appropriated to the Historical Commission for the fiscal year beginning September 1, 2012, for the same purpose.

c. In the event any additional Federal Funds are available for the purposes of this rider, the Commission is hereby appropriated the amounts necessary of the $125,000 contingency appropriation identified in Subsection (a) to obtain the additional Federal Funds. Any reference to additional Federal Funds in this subsection means Federal Funds received by the Commission that are not anticipated at the time of passage of this Act and are not appropriated above.

d. In the event that the agency receives funding not identified in this rider to be used for the same purpose, the Commission may expend these funds for that purpose only with the approval of the Governor and the Legislative Budget Board.

**8. Appropriation of Receipts.** All fees that the Texas Historical Commission is authorized by statute to collect are hereby appropriated for the specific purpose named in the statute for the biennium beginning September 1, 2011.

In accordance with this provision and included in amounts appropriated above in Strategy A.1.6, Historic Sites is an amount estimated to be $686,261 each fiscal year out of the General Revenue Fund — Fees from Historic Sites, generated from entrance fees at historic sites established in accordance with Government Code § 442.0051 and deposited to Revenue Object Code 3461 State Park Fees in the General Revenue Fund. Any unexpended balances as of August 31, 2012 out of the appropriations made herein are appropriated to the Commission for the fiscal year beginning September 1, 2012.

In the event that actual and/or projected revenue collections are below estimates provided herein, the Legislative Budget Board may direct the Comptroller of Public Accounts to reduce the appropriation authority provided above to be within the amount of revenue expected to be available.

**9. Acquisition of Historical Artifacts.** The Historical Commission shall use funds appropriated above to develop a plan and process for the purchase and acquisition of documents, records, and/or other historical artifacts relating to Texas history prior to the purchase or acquisition of any such items, and shall coordinate with the State Preservation Board and the Texas State Library and Archives Commission. In addition, the Commission shall coordinate the purchase or acquisition of the historical artifacts with institutions involved in historic preservation programs reflective of racial, ethnic, and cultural diversity throughout the state. The Historical Commission must also report on the status of acquisitions to the Governor and the Legislative Budget Board within 30 days after such acquisition.

**10. Unexpended Balances: Texas Emancipation Juneteenth Cultural and Historical Commission Memorial Monument.** Included in amounts appropriated above in Strategy A.1.4, Evaluate/Interpret Resources is an amount estimated to be $112,938 in General Revenue in fiscal year 2012 for the Juneteenth Memorial Monument for the 2012-13 biennium out of unexpended and unobligated balances as of August 31, 2011. Appropriations made herein for the Juneteenth Memorial Monument are for the sole purpose of perpetual care for the Juneteenth Memorial Monument.

**11. Unexpended Balances: Tejano Monument.** Included in amounts appropriated above in Strategy A.1.4, Evaluate/Interpret Resources is an amount estimated to be $142,425 in General Revenue in fiscal year 2012 for the Tejano Monument for the 2012-13 biennium out of unexpended and unobligated balances as of August 31, 2011. Appropriations made herein for the Tejano Monument are for the sole purpose of perpetual care for the Tejano Monument.

**12. Appropriation Authority: Debt Service for the National Museum of the Pacific War.** Included in the amounts appropriated above out of the General Revenue Fund for Strategy A.1.6, Historic Sites, the amounts of $825,710 for fiscal year 2012 and $801,790 for fiscal year 2013 are to be used for lease payments to the Texas Public Finance Authority for debt service payments on the revenue bonds or other revenue obligations issued for the National Museum of the Pacific War.

**13. Unexpended Balances of Bond Proceeds for the Repair and Renovation of Courthouses and Historic Sites.** Included in amounts appropriated above are unexpended and unobligated balances

of General Obligation Bond Proceeds that have been approved under the provisions of Article IX, Sections 19.70 and 19.71 of House Bill 1, Eightieth Legislature, Regular Session, 2007, remaining as of August 31, 2011, (estimated to be $0) for the repair and renovation of Courthouses and Historic Sites, for the 2012-13 biennium in Strategy A.1.5, Courthouse Preservation, and Strategy A.1.6, Historic Sites.

Any unexpended balances in General Obligation Bond Proceeds described herein and remaining as of August 31, 2012, are hereby appropriated for the same purposes for the fiscal year beginning September 1, 2012.

**14. Appropriation: State-owned Housing Authorized.** Notwithstanding the provisions of Article IX, Section 11.04, of this Act, the Texas Historical Commission (THC) shall recover at least 20 percent of the established fair market rental value of housing from persons residing in state-owned housing first employed before September 1, 2005 and 100 percent of the established fair market rental value of housing from persons residing in state-owned housing employed on or after September 1, 2005. If the THC requires an employee to live on-site in state-owned housing as a condition of employment, then the THC shall recover at least 20 percent of the established fair market rental value of housing regardless of the date of employment.

Included in the amounts appropriated above is rental income collected from employee housing (estimated to be $13,663 in each fiscal year of the biennium) in Appropriated Receipts in Strategy A.1.6, Historic Sites. The recovered funds are appropriated to THC for maintenance and replacement of employee housing.

Additionally, notwithstanding the provisions of Article IX, Section 11.04, of this Act, the THC is authorized to expend amounts in excess of $25,000 per residence for the biennium as necessary to repair or replace state-owned housing, provided that the agency submits advanced notification to the Legislative Budget Board and the Governor.

**15. Unexpended Balances of Bond Proceeds for Courthouse Preservation.** Included in the amounts appropriated above are unexpended and unobligated balances of general obligation bond proceeds that have been approved under the provisions of Article IX, Section 17.11 of Senate Bill 1, Eighty-first Legislature, Regular Session, 2009, remaining as of August 31, 2011, (estimated to be $0), for Courthouse Preservation grants, for the 2012-13 biennium in Strategy A.1.5, Courthouse Preservation.

Any unexpended balances in General Obligation Bond Proceeds described herein and remaining as of August 31, 2012, are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2012.

**16. Unexpended Balances: La Belle Conservation.** Included in amounts appropriated above in Strategy A.1.3, Archeological Heritage Protection, is an amount estimated to be $250,000 in General Revenue in fiscal year 2012 for the conservation of the La Belle shipwreck for the 2012-13 biennium out of unexpended and unobligated balances as of August 31, 2011. Appropriations made herein are for the completion of the conservation of the La Belle shipwreck.

**17. Appropriation Authority: Revenue Bond Debt Service for Historic Sites.** Included in the amounts appropriated above out of the General Revenue Fund for Strategy A.1.6, Historic Sites, the amounts of $54,854 for fiscal year 2012 and $53,723 for fiscal year 2013 are to be used for lease payments to the Texas Public Finance Authority for debt service payments on the revenue bonds or other revenue obligations issued for Historic Sites.

**18. Texas Holocaust and Genocide Commission.** Included in amounts appropriated above out of the General Revenue Fund in Strategy A.1.4, Evaluate/Interpret Resources, is $154,702 each fiscal year of the biennium for the Texas Historical Commission to provide support for the Texas Holocaust and Genocide Commission. Any unexpended balances of these funds remaining as of August 31, 2012 are appropriated for the fiscal year beginning September 1, 2012 for the same purpose.

**19. Contingency Appropriations: Texas Preservation Trust Fund Account No. 664.** Contingent upon passage of legislation relating to the modification of Government Code 442.015 to transfer agency funds from outside the State Treasury to the General Revenue-Dedicated Texas Preservation Trust Fund Account No. 664 (an amount estimated to be $10,089,461 and in excess of the Comptroller's Biennial Revenue Estimate for the 2012-13 biennium) and to modify the purpose of the General Revenue-Dedicated Texas Preservation Trust Fund Account No. 664 to

fund agency operations, and in addition to the amounts appropriated above, there is hereby appropriated to the Texas Historical Commission from the General Revenue-Dedicated Texas Preservation Trust Fund Account No. 664 the amounts below:

| | FY 2012 | FY 2013 |
|---|---|---|
| Strategy A.1.1 Architectural Assistance | $ 80,000 | $ 80,000 |
| Strategy A.1.3 Archeological Heritage Protection | $160,000 | $160,000 |
| Strategy A.1.4 Evaluate/Interpret Resources | $810,000 | $810,000 |
| Strategy A.1.5 Courthouse Preservation | $250,000 | $250,000 |
| Strategy A.2.1 Development Assistance | $762,832 | $762,832 |
| Strategy B.1.1 Central Administration | $490,000 | $490,000 |

In addition to amounts appropriated above and contingent upon passage of legislation described herein, the Texas Historical Commission is hereby appropriated $1,780,000 each fiscal year of the biennium out of Interagency Contracts from federal Transportation Enhancement funds transferred from the Texas Department of Transportation for the Heritage Trails program in Strategy A.2.1, Development Assistance.

In addition, contingent upon passage of legislation described herein, the Texas Historical Commission's Number of Full-Time Equivalents (FTEs) is hereby increased by 27.5 in each fiscal year, and the following performance measure targets are adjusted by the following amounts:

| | FY 2012 | FY 2013 |
|---|---|---|
| Number of Properties Designated Annually | 370 | 370 |
| Number of Individuals Provided Training and Assistance in Historic and Archeological Preservation | 3,760 | 3,760 |
| Number of Historic Properties Provided Technical Assistance, Monitoring, and Mandated State and/or Federal Architectural Reviews in Order to Encourage Preservation | 170 | 170 |
| Number of Outreach and Technical Materials Distributed Through Print or Electronic Media | 12,140 | 12,140 |
| Number of Sites, Properties, and Other Historical Resources Evaluated | 2,400 | 2,400 |
| Number of Properties and Sites Assisted | 1,280 | 1,280 |

**20. Military Sites Program.** Included in amounts appropriated above in Strategy A.1.4, Evaluate/Interpret Resources, is $22,500 in General Revenue funds in each fiscal year of the biennium for the purpose of continuing and further developing a military sites program and restoring Texas military monuments in and outside the state. Appropriation of these amounts is contingent upon receipt by the Historical Commission, or by the Friends of the Texas Historical Commission, of private contributions, gifts, and donations, for the same purpose, in the amount of $45,000 over the biennium. In the event that private contributions, gifts, and donations received total less than $45,000 over the biennium, the appropriation is reduced to an amount which equals the total contributions, gifts, and donations received. Any unexpended balances of these funds remaining as of August 31, 2012, are hereby appropriated to the Historical Commission for the fiscal year beginning September 1, 2012, for the same purpose.

**21. Vietnam Veterans Memorial Monument.** Included in amounts appropriated above in Strategy A.1.4, Evaluate/Interpret Resources, is $500,000 in General Revenue funds in fiscal year 2012 for the purpose of construction and placement of a Vietnam veterans memorial monument on the Capitol lawn. Appropriation of this amount is contingent upon receipt by the Historical Commission of private contributions, gifts, and donations, included above in Strategy A.1.4, Evaluate/Interpret Resources, for the same purpose, in the amount of $500,000 over the biennium. In the event that private contributions, gifts, and donations received total less than $500,000 over the biennium, the General Revenue appropriation is reduced to an amount which equals the total contributions, gifts, and donations received. Any unexpended balances of these funds remaining as of August 31, 2012, are hereby appropriated to the Historical Commission for the fiscal year beginning September 1, 2012, for the same purpose.

# DEPARTMENT OF INFORMATION RESOURCES

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 677,739 | $ 677,739 |
| Other Funds | | |
| DIR Clearing Fund Account - AR | 6,093,673 | 5,705,969 |
| DIR Clearing Fund Account - IAC | 2,611,575 | 2,445,415 |
| Telecommunications Revolving Account - AR | 12,986,504 | 12,755,603 |
| Telecommunications Revolving Account - IAC | 79,540,932 | 78,337,056 |
| Statewide Technology Account - IAC | 186,443,178 | 170,532,318 |
| Statewide Technology Account - Appropriated Receipts | 1,892,286 | 1,892,286 |
| Subtotal, Other Funds | $ 289,568,148 | $ 271,668,647 |
| **Total, Method of Financing** | $ 290,245,887 | $ 272,346,386 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 209.8 | 210.6 |
| **Number of FTEs in Riders:** | 17.3 | 17.3 |
| **Schedule of Exempt Positions:** | | |
| Executive Director, Group 6 | $175,000 | $175,000 |
| **Items of Appropriation:** | | |
| **A. Goal:** PROMOTE EFFIC. IR POLICIES/SYSTEMS | | |
| Promote Statewide IR Policies & Innovative, Productive, & Eff Info Sys. | | |
| **A.1.1. Strategy:** STATEWIDE PLANNING | $ 0 | $ 0 |
| Produce Statewide IR Strategic Plan/Conduct Collaborative Workshops. | | |
| **A.1.2. Strategy:** RULE AND GUIDELINE DEVELOPMENT | $ 0 | $ 0 |
| Develop Rules & Guidelines to Establish Statewide Technology Standards. | | |
| **A.1.3. Strategy:** STATEWIDE SECURITY | $ 0 | $ 0 |
| Plan Statewide Security for IR Assets. | | |
| **Total, Goal A:** PROMOTE EFFIC. IR POLICIES/SYSTEMS | $ 0 | $ 0 |
| **B. Goal:** MANAGE COST-EFF SVC DEL OF IT | | |
| Assist Agys & Govt Entities in Cost-Eff Acqu/Svc Del of IT Comm & Svcs. | | |
| **B.1.1. Strategy:** CONTRACT ADMIN OF IT COMM & SVCS | $ 6,494,075 | $ 5,901,380 |
| Manage Procurement Infrastructure for IT Commodities and Services. | | |
| **B.2.1. Strategy:** DATA CENTER SERVICES | $ 186,231,304 | $ 170,283,879 |
| **B.2.2. Strategy:** TEXASONLINE | $ 502,856 | $ 508,233 |
| **B.2.3. Strategy:** SHARED SVCS AND/OR TECHNOLOGY CTRS | $ 0 | $ 0 |
| Implement and Maintain Shared Services and/or Technology Centers. | | |
| **Total, Goal B:** MANAGE COST-EFF SVC DEL OF IT | $ 193,228,235 | $ 176,693,492 |
| **C. Goal:** TELECOMMUNICATIONS | | |
| **C.1.1. Strategy:** CAPITOL COMPLEX TELEPHONE | $ 4,447,638 | $ 4,524,304 |
| Maintain and Increase the Capabilities of the CCTS. | | |
| **C.2.1. Strategy:** NETWORK SERVICES | $ 83,495,760 | $ 81,903,247 |
| Maintain Legacy TEX-AN and Provide Enhanced TEX-AN Network Services. | | |
| **C.2.2. Strategy:** NETWORK & TELECOM SECURITY SERVICES | $ 0 | $ 0 |
| Provide Network and Telecommunications Security Services. | | |
| **Total, Goal C:** TELECOMMUNICATIONS | $ 87,943,398 | $ 86,427,551 |

| | | |
|---|---|---|
| **D. Goal:** INDIRECT ADMINISTRATION | | |
| **D.1.1. Strategy:** CENTRAL ADMINISTRATION | $ 3,836,567 | $ 3,841,706 |
| **D.1.2. Strategy:** INFORMATION RESOURCES | $ 4,278,478 | $ 4,406,801 |
| **D.1.3. Strategy:** OTHER SUPPORT SERVICES | $ 959,209 | $ 976,836 |
| **Total, Goal D:** INDIRECT ADMINISTRATION | $ 9,074,254 | $ 9,225,343 |
| **Grand Total,** DEPARTMENT OF INFORMATION RESOURCES | $ 290,245,887 | $ 272,346,386 |
| **Supplemental Appropriations Made in Riders:** | $ 2,531,784 | $ 2,439,901 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 16,563,596 | $ 16,786,826 |
| Other Personnel Costs | 515,780 | 356,760 |
| Professional Fees and Services | 193,215,816 | 176,424,768 |
| Fuels and Lubricants | 5,000 | 5,000 |
| Consumable Supplies | 40,000 | 40,000 |
| Utilities | 7,004,718 | 5,641,812 |
| Travel | 134,001 | 134,001 |
| Rent - Building | 36,440 | 36,440 |
| Rent - Machine and Other | 4,820 | 4,820 |
| Other Operating Expense | 75,125,500 | 75,223,860 |
| Capital Expenditures | 132,000 | 132,000 |
| **Total, Object-of-Expense Informational Listing** | $ 292,777,671 | $ 274,786,287 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 951,361 | $ 956,118 |
| Group Insurance | 1,647,034 | 1,662,602 |
| Social Security | 1,226,809 | 1,232,943 |
| Benefits Replacement | 66,723 | 62,386 |
| Subtotal, Employee Benefits | $ 3,891,927 | $ 3,914,049 |
| Debt Service | | |
| Lease Payments | $ 510,573 | $ 444,976 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 4,402,500 | $ 4,359,025 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Department of Information Resources. 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 Information Resources. In order to achieve the objectives and service standards established by this Act, the Department of Information Resources shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** PROMOTE EFFIC. IR POLICIES/SYSTEMS | | |
| **A.1.2. Strategy:** RULE AND GUIDELINE DEVELOPMENT | | |
| **Efficiencies:** | | |
| Average Cost Per Rule, Guideline, and Standard Reviewed and Produced | 0 | 0 |
| **B. Goal:** MANAGE COST-EFF SVC DEL OF IT | | |
| **Outcome (Results/Impact):** | | |
| Percent of Monthly Minimum Service Level Targets Achieved for Data Center Services | 92 | 92 |
| Percentage of Customers Satisfied with Data Center Services Contract Management | 95% | 95% |
| **B.1.1. Strategy:** CONTRACT ADMIN OF IT COMM & SVCS | | |
| **Output (Volume):** | | |
| Total Contract Savings and Cost Avoidance Provided through DIR Contracts | 225,000,000 | 225,000,000 |

| | | |
|---|---|---|
| **C. Goal:** TELECOMMUNICATIONS | | |
| **Outcome (Results/Impact):** | | |
| Percent of Customers Satisfied with CCTS | 99% | 99% |
| Percent of Customers Satisfied with TEX-AN | 96% | 96% |
| **C.2.1. Strategy:** NETWORK SERVICES | | |
| **Efficiencies:** | | |
| Average Price Per Intrastate Minute on TEX-AN | 0.04 | 0.04 |
| Average Price Per Toll-free Minute on TEX-AN | 0.04 | 0.04 |

**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.

The appropriation transfer provision in Article IX, Section 14.03, subsection (i)(1)(C) does not apply to the Department of Information Resources and therefore it is the intent of the Legislature that DIR may not add a new capital budget item to those shown below during the 2012-13 biennium.

| | 2012 | 2013 |
|---|---|---|
| a. Acquisition of Information Resource Technologies | | |
| (1) Daily Operations | $ 50,000 | $ 50,000 |
| (2) Data Center Consolidation | $ 1,425,000 | $ 1,449,994 |
| Total, Acquisition of Information Resource Technologies | $ 1,475,000 | $ 1,499,994 |
| Total, Capital Budget | $ 1,475,000 | $ 1,499,994 |
| Method of Financing (Capital Budget): | | |
| Other Funds | | |
| DIR Clearing Fund Account - AR | $ 258,125 | $ 262,500 |
| DIR Clearing Fund Account - IAC | 110,625 | 112,500 |
| Telecommunications Revolving Account - AR | 76,332 | 77,626 |
| Telecommunications Revolving Account - IAC | 683,293 | 694,874 |
| Statewide Technology Account - IAC | 346,625 | 352,494 |
| Subtotal, Other Funds | $ 1,475,000 | $ 1,499,994 |
| Total, Method of Financing | $ 1,475,000 | $ 1,499,994 |

**3. DIR Clearing Fund Account.** The Comptroller shall establish in the state treasury the Department of Information Resources Clearing Fund Account for the administration of cost recovery activities pursuant to authority granted under Chapters 771, 791, and 2157, Government Code. The account shall be used:

a. As a depository for funds received as payments from state agencies and units of local government for services provided;

b. As a source of funds for the department to purchase, lease, or acquire in any other manner services, supplies, software products, and equipment necessary for carrying out the department's duties relating to services provided to state agencies and units of local government for which the department receives payment from state agencies and local governmental units; and

c. To pay salaries, wages, and other costs directly attributable to the services provided to state agencies and units of local government for which the department receives payment from those agencies and governmental units. However, the maximum amount for all administrative costs to be applied to state agency receipts and local government receipts shall not exceed 2.0 percent per receipt. The Department of Information Resources shall report the amount of all administrative costs allocated to each agency and unit of local government annually to the Legislative Budget Board.

The balance of the account at the end of the fiscal year shall not exceed more than 10 percent of the total revenue processed through the account in the prior fiscal year. Included in the amounts appropriated above in Strategies B.1.1, Contract Administration of IT Commodities and Services; D.1.1, Central Administration; D.1.2, Information Resources; and D.1.3, Other Support services

are unexpended and unobligated balances as of August 31, 2011 (not to exceed $3,726,524), and revenues accruing during the 2012-13 biennium not to exceed $4,978,724 in fiscal year 2012 and $8,151,384 in fiscal year 2013 in revenue collected on or after September 1, 2011 appropriated from the sale of information technology commodity items out of Interagency Contracts and Appropriated Receipts to the Department of Information Resources Clearing Fund Account.

Any unexpended and unobligated balances as of August 31, 2012, out of appropriations made herein are hereby appropriated for the same purposes to the Department of Information Resources for the fiscal year beginning September 1, 2012.

Without the written approval of the Legislative Budget Board, the Department of Information Resources may not expend funds appropriated to the Department that exceed the total in Appropriated Receipts and Interagency Contracts indentified above for each fiscal year of the 2012-13 biennium.

As part of its Comprehensive Annual Financial Report showing the use of appropriated funds, the Department of Information Resources shall include information showing the costs avoided and/or savings obtained through its cooperative activities and a list of the agencies or units of local government for which the clearing fund account was used.

4. **Capital Purchases on Behalf of Other Government Entities.** Any capital items related to information resources and telecommunications technologies purchased by the Department of Information Resources for use by other state agencies and governmental entities for which the department is reimbursed do not apply to the department for the purpose of the capital budget rider limitations specified in Article IX, Limitation on Expenditures - Capital Budget, of the General Provisions of this Act.

5. **Cash Flow Contingency.** Contingent upon receipt of reimbursements from state agencies, other governmental entities, and vendors for direct services provided and procurements of goods or services, the department may temporarily utilize additional general revenue funds in an amount not to exceed 10 percent of projected non-Go DIRect Cooperative Contract annual sales or $4.0 million, whichever is greater. These funds shall be utilized only for the purpose of temporary cash flow needs. The transfer and reimbursement of funds shall be made under procedures established by the Comptroller of Public Accounts to ensure all borrowed funds are reimbursed to the Treasury on or before August 31, 2013.

6. **TexasOnline Project.** Included in the amounts appropriated above in Strategies B.2.2, Texas Online; D.1.1, Central Administration; D.1.2, Information Resources; and D.1.3, Other Support Services are amounts not to exceed $677,739 for fiscal year 2012 and $677,739 for fiscal year 2013 out of General Revenue generated by the TexasOnline Project for the 2012-13 biennium for the continued operation, expansion, and administration of the TexasOnline Project.

   Any unexpended balances as of August 31, 2012, out of the appropriations made herein are hereby appropriated to the Department of Information Resources for the fiscal year beginning September 1, 2012.

   The Department of Information Resources shall provide the Legislative Budget Board monthly financial reports and expenditures on the TexasOnline project within 60 days of the close of each month.

7. **Telecommunications Capital Budget Purchases.** Notwithstanding Article IX, §14.03, Limitations on Expenditures - Capital Budget, of this Act, the Department of Information Resources is hereby authorized to expend funds out of the Telecommunications Revolving Account to acquire equipment, software, and maintenance that may be necessary to facilitate cost savings or technical advancements associated with the Capitol Complex Telephone System (CCTS) or TEX-AN Statewide Telecommunications System. The Department of Information Resources shall notify the Legislative Budget Board and the Governor prior to such acquisition.

8. **Telecommunications Revolving Account.** Included in amounts appropriated above in Strategies C.1.1, Capitol Complex Telephone; C.2.1, Network Services; D.1.1, Central Administration; D.1.2, Information Resources; and D.1.3, Other Support Services, are unexpended and unobligated balances as of August 31, 2011, (not to exceed $667,595) and revenues accruing during the 2012-13 biennium not to exceed $91,859,841 in fiscal year 2012 and $91,092,659 in fiscal year 2013 in revenue collected on or after September 1, 2011 appropriated from telecommunications services as provided by Government Code, Chapter 2170 out of Appropriated

Receipts and Interagency Contracts to the Telecommunications Revolving Account. The Telecommunications Revolving Account may maintain a two month operating reserve and may be utilized as provided by Government Code, Chapter 2170.

Any unexpended and unobligated balances remaining as of August 31, 2012 in the appropriation made herein are hereby appropriated for the fiscal year beginning September 1, 2012 for the same purposes.

Without the written approval of the Legislative Budget Board, the Department of Information Resources may not expend funds appropriated to the Department that exceed the total in Appropriated Receipts and Interagency Contracts indentified above for each fiscal year of the 2012-13 biennium.

**9. Statewide Technology Account.** In accordance with Government Code, Chapter 403.011, the Comptroller of Public Accounts shall establish within the state treasury an operational account, called the Statewide Technology Center Account for all transactions relating to the operation and management of statewide technology centers. The Statewide Technology Center Account may maintain a two month operating reserve and may also be utilized to perform operations authorized by Government Code, Chapter 2054, Subchapter L.

Included in amounts appropriated above in Strategies B.2.1, Data Center Services; D.1.1, Central Administration; D.1.2, Information Resources; and D.1.3, Other Support Services, are unexpended and unobligated balances as of August 31, 2011 (estimated to be $0), and revenues accruing during the 2012-13 biennium not to exceed $188,335,464 in fiscal year 2012 and $172,424,604 in fiscal year 2013 in revenue collected on or after September 1, 2011 appropriated from the operation and management of Statewide Technology Centers as provided by Government Code, Chapter 2054, Subchapter L out of Interagency Contracts and Appropriated Receipts to the Statewide Technology Account.

Without the written approval of the Legislative Budget Board, the Department of Information Resources may not expend funds appropriated to the Department that exceed the total in Appropriated Receipts and Interagency Contracts indentified above for each fiscal year of the 2012-13 biennium.

In addition, amounts remaining in the account as of August 31, 2012 are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2012.

The Department of Information Resources shall report all administrative costs collected and the administrative cost percentage charged to each state agency and other users of statewide technology centers as defined in Government Code, Chapter 2054, Section 2054.380 to the Governor and Legislative Budget Board no later than April 1 for the first six month period of the fiscal year and by October 1 for the second six month period of the fiscal year. By the same deadlines, the Department of Information Resources shall submit the proposed administrative costs collected and the proposed administrative cost percentage for the next six month period. The Legislative Budget Board and Governor's Office shall consider the incremental change to administrative percentages submitted. Without the written approval of the Governor and the Legislative Budget Board, the Department of Information Resources may not expend funds appropriated to the Department if those appropriated funds are associated with the statewide technology center account.

**10. Contingency Appropriation for Clearing Fund Account: Information Technology Commodity Administration Fee.** Contingent upon passage of legislation to allow the administrative fee established by Texas Government Code Chapter 2157 to be used for promoting statewide information resources policies and planning as provided for in Government Code Chapters 2054 and 2055, in addition to the amounts appropriated above, there is appropriated to DIR revenues derived from the fees assessed and deposited to the DIR Clearing Fund Account for 2012-13 biennium, an amount not to exceed $389,073 in fiscal year 2012 and $366,532 in fiscal year 2013 out of Interagency Contracts and Appropriated Receipts. These funds shall be used to operate programs in strategies A.1.1, Statewide Planning; A.1.2, Rule and Guideline Development; A.1.3, Statewide Security; and B.2.3, Shared Services and/or Technology Centers.

These appropriations are contingent upon the Department of Information Resources assessing fees sufficient to generate, during the 2012-13 biennium, revenue to cover, at a minimum, the programs in Strategies A.1.1, Statewide Planning; A.1.2, Rule and Guideline Development; A.1.3, Statewide Security; and B.2.3, Shared Services and/or Technology Centers, as well as "Other Direct and

Indirect Costs" for the programs, appropriated elsewhere in this Act, estimated to be $68,567 each fiscal year of the 2012-13 biennium. 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 the Comptroller of Public Accounts to reduce the appropriation authority provided above to be within the amount of revenue expected to be available.

In addition, contingent upon the passage of legislation allowing the administrative fee to be used for promoting statewide information resources policies and planning, DIR's Number of Full-Time Equivalents (FTEs) is hereby increased by 2.9 each fiscal year of the 2012-13 biennium, and the following performance measure targets are adjusted by the following incremental amounts:

| | FY 2012 | FY 2013 |
|---|---|---|
| Average Cost Per Rule, Guideline, and Standard Reviewed and Produced | 110.97 | 110.97 |

**11. Contingency Appropriation for Telecommunications Revolving Account: Telecommunications Services Charge.** Contingent upon passage of legislation to allow the charges for telecommunications services established by Texas Government Code Chapter 2170 to be used for promoting statewide information resources policies and planning as provided for in Government Code Chapters 2054 and 2055, and providing network security services as provided in Government Code Chapter 2059, in addition to the amounts appropriated above, there is hereby appropriated to DIR revenues derived from the charges assessed and deposited to the Telecommunications Revolving Account for 2012-13 biennium, an amount not to exceed $1,776,982 in fiscal year 2012 and $1,728,828 in fiscal year 2013 out of Interagency Contracts and Appropriated Receipts. These funds shall be used to operate programs in strategies A.1.1, Statewide Planning; A.1.2, Rule and Guideline Development; A.1.3, Statewide Security; B.2.3, Shared Services and/or Technology Centers; and C.2.2, Network & Telecom Security.

These appropriations are contingent upon the Department of Information Resources assessing fees sufficient to generate, during the 2012-13 biennium, revenue to cover, at a minimum, the programs in Strategies A.1.1, Statewide Planning; A.1.2, Rule and Guideline Development; A.1.3, Statewide Security; B.2.3, Shared Services and/or Technology Centers; and C.2.2, Network & Telecom Security, as well as "Other Direct and Indirect Costs" for the programs, appropriated elsewhere in this Act estimated to be $273,222 each fiscal year of the 2012-13 biennium. 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 the Comptroller of Public Accounts to reduce the appropriation authority provided above to be within the amount of revenue expected to be available.

In addition, contingent upon the passage of legislation allowing the charges for telecommunications services to be used for promoting statewide information resources policies and planning, and providing network security services, DIR's Number of Full-Time Equivalents (FTEs) is hereby increased by 11.8 each fiscal year of the 2012-13 biennium, and the following performance measure targets are adjusted by the following incremental amounts:

| | FY 2012 | FY 2013 |
|---|---|---|
| Average Cost Per Rule, Guideline, and Standard Reviewed and Produced | 110.97 | 110.97 |

**12. Contingency Appropriation for Statewide Technology Account: Statewide Technology Administrative Fee.** Contingent upon passage of legislation to allow the administrative fee established by Texas Government Code Chapter 2054 to be used for promoting statewide information resources policies and planning as provided for in Government Code Chapters 2054 and 2055, in addition to the amounts appropriated above, there is appropriated to DIR revenues derived from the fees assessed and deposited to the Statewide Technology Account for 2012-13 biennium, an amount not to exceed $365,729 in fiscal year 2012 and $344,541 in fiscal year 2013 out of Interagency Contracts and Appropriated Receipts. These funds shall be used to operate programs in strategies A.1.1, Statewide Planning; A.1.2, Rule and Guideline Development; A.1.3, Statewide Security; and B.2.3, Shared Services and/or Technology Centers.

These appropriations are contingent upon the Department of Information Resources assessing fees sufficient to generate, during the 2012-13 biennium, revenue to cover, at a minimum, the programs in Strategies A.1.1, Statewide Planning; A.1.2, Rule and Guideline Development; A.1.3, Statewide Security; and B.2.3, Shared Services and/or Technology Centers, as well as "Other Direct and Indirect Costs" for the programs, appropriated elsewhere in this Act estimated to be $64,454 each

fiscal year of the 2012-13 biennium. 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 the Comptroller of Public Accounts to reduce the appropriation authority provided above to be within the amount of revenue expected to be available.

In addition, contingent upon the passage of legislation allowing the administrative fee for promoting statewide information resources policies and planning, DIR's Number of Full-Time Equivalents (FTEs) is hereby increased by 2.6 each fiscal year of the 2012-13 biennium, and the following performance measure targets are adjusted by the following incremental amounts:

| | FY 2012 | FY 2013 |
|---|---|---|
| Average Cost Per Rule, Guideline, and Standard Reviewed and Produced | 110.97 | 110.97 |

**13. Data Center Efficiencies.** It is the intent of the Legislature that out of funds appropriated above for Strategy B.2.1, Data Center Services, the Department of Information Resources shall utilize energy efficient multi-core servers wherever possible.

**14. Sunset Contingency.** Funds appropriated above for fiscal year 2013 for the Department of Information Resources are made contingent on the continuation of the Department of Information Resources by the Eighty-second Legislature. In the event that the agency is not continued, the funds appropriated for fiscal year 2012 or as much thereof as may be necessary are to be used to provide for the phase out of agency operations.

**15. Reporting Requirements for Cost Recovery Activities.** In the event that House Bill 2499 or Senate Bill 664 or similar legislation relating to the reporting of administrative fees set by the Department of Information Resources is not enacted by the Eighty-second Legislature, Regular Session, 2011, out of funds appropriated above, the Department of Information Resources (DIR) shall submit a report detailing all revenues and expenditures out of the DIR Clearing Fund, Telecommunications Revolving, and the Statewide Technology accounts, respectively; estimated unexpended and unobligated balances remaining at the end of each fiscal year out of these accounts; and any expenditures that would exceed the amounts appropriated in DIR's bill pattern out of these accounts. The report shall include the fees charged to state agencies and other users of DIR's cooperative contracts, telecommunications, and data center services, and the methodology DIR used to evaluate and set the respective fees.

The report shall be submitted to the Governor and the Legislative Budget Board no later than November 1 each fiscal year.

## LIBRARY & ARCHIVES COMMISSION

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 7,352,276 | $ 7,014,931 |
| Federal Funds | | |
| Federal Funds | 314,226 | 314,125 |
| Federal Public Library Service Fund No. 118 | 11,462,042 | 4,134,332 |
| Federal American Recovery and Reinvestment Fund | 1,732,169 | 25,512 |
| Subtotal, Federal Funds | $ 13,508,437 | $ 4,473,969 |
| Other Funds | | |
| Appropriated Receipts | 1,648,628 | 1,436,260 |
| Interagency Contracts | 2,775,851 | 2,781,538 |
| Subtotal, Other Funds | $ 4,424,479 | $ 4,217,798 |
| **Total, Method of Financing** | $ 25,285,192 | $ 15,706,698 |

**This bill pattern represents an estimated 95.1% of this agency's estimated total available funds for the biennium.**

| | | |
|---|---|---|
| **Number of Full-Time-Equivalents (FTE):** | 169.4 | 169.4 |
| **Number of FTEs in Riders:** | 1.5 | 1.5 |
| **Schedule of Exempt Positions:** | | |
| Director-Librarian, Group 3 | $104,500 | $104,500 |
| **Items of Appropriation:** | | |
| **A. Goal:** DELIVERY OF SERVICES | | |
| Improve the Availability of Library and Information Services. | | |
| **A.1.1. Strategy:** LIBRARY RESOURCE SHARING SERVICES | $ 8,710,989 | $ 5,823,915 |
| Share Library Resources Among Libraries Statewide. | | |
| **A.1.2. Strategy:** AID TO LOCAL LIBRARIES | $ 7,937,497 | $ 1,782,600 |
| Aid in the Development of Local Libraries. | | |
| **A.2.1. Strategy:** DISABLED SERVICES | $ 2,099,676 | $ 1,921,861 |
| Provide Direct Library Services by Mail to Texans with Disabilities. | | |
| **Total, Goal A:** DELIVERY OF SERVICES | $ 18,748,162 | $ 9,528,376 |
| **B. Goal:** PUBLIC ACCESS TO GOV'T INFORMATION | | |
| Public Access to Government Information. | | |
| **B.1.1. Strategy:** PROVIDE ACCESS TO INFO & ARCHIVES | $ 2,120,526 | $ 1,855,542 |
| Provide Access to Information and Archives. | | |
| **C. Goal:** MANAGE STATE/LOCAL RECORDS | | |
| Cost-effective State/Local Records Management. | | |
| **C.1.1. Strategy:** MANAGE STATE/LOCAL RECORDS | $ 2,325,000 | $ 2,330,000 |
| Records Management Services for State/Local Government Officials. | | |
| **D. Goal:** INDIRECT ADMINISTRATION | | |
| **D.1.1. Strategy:** INDIRECT ADMINISTRATION | $ 2,091,504 | $ 1,992,780 |
| **Grand Total,** LIBRARY & ARCHIVES COMMISSION | $ 25,285,192 | $ 15,706,698 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 6,460,372 | $ 5,920,181 |
| Other Personnel Costs | 237,572 | 236,454 |
| Professional Fees and Services | 1,008,478 | 706,033 |
| Fuels and Lubricants | 10,361 | 10,546 |
| Consumable Supplies | 133,974 | 129,214 |
| Utilities | 77,441 | 76,091 |
| Travel | 85,475 | 56,314 |
| Rent - Building | 10,188 | 9,312 |
| Rent - Machine and Other | 79,107 | 77,787 |
| Other Operating Expense | 7,434,078 | 5,671,185 |
| Grants | 9,555,146 | 2,623,708 |
| Capital Expenditures | 193,000 | 189,873 |
| **Total, Object-of-Expense Informational Listing** | $ 25,285,192 | $ 15,706,698 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 371,361 | $ 373,218 |
| Group Insurance | 1,301,921 | 1,322,517 |
| Social Security | 513,718 | 516,287 |
| Benefits Replacement | 44,886 | 41,968 |
| Subtotal, Employee Benefits | $ 2,231,886 | $ 2,253,990 |

| | | |
|---|---|---|
| Debt Service | | |
| Lease Payments | $ 620,485 | $ 622,074 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 2,852,371 | $ 2,876,064 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Library & Archives 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 Library & Archives Commission. In order to achieve the objectives and service standards established by this Act, the Library & Archives Commission shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** DELIVERY OF SERVICES | | |
| **Outcome (Results/Impact):** | | |
| Percent of Eligible Population Registered for Talking Book Program Services | 5.3% | 5.4% |
| **A.1.1. Strategy:** LIBRARY RESOURCE SHARING SERVICES | | |
| **Output (Volume):** | | |
| Number of Persons Provided Project-sponsored Services by Shared Resources | 25,000,000 | 25,000,000 |
| **A.1.2. Strategy:** AID TO LOCAL LIBRARIES | | |
| **Output (Volume):** | | |
| Number of Persons Provided Library Project-sponsored Services | 1,777,000 | 403,000 |
| **A.2.1. Strategy:** DISABLED SERVICES | | |
| **Output (Volume):** | | |
| Number of Persons Served | 16,750 | 17,000 |
| **B. Goal:** PUBLIC ACCESS TO GOV'T INFORMATION | | |
| **Outcome (Results/Impact):** | | |
| Percent of Customers Satisfied with State Library Reference and Information Services | 96% | 96% |
| **B.1.1. Strategy:** PROVIDE ACCESS TO INFO & ARCHIVES | | |
| **Output (Volume):** | | |
| Number of Assists with Information Resources | 65,000 | 65,000 |

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.

| | 2012 | 2013 |
|---|---|---|
| a. Acquisition of Information Resource Technologies | | |
| (1) Acquisition of New or Replacement Computer Resources for Desktop Workstations and Network Equipment | $ 81,000 | $ 81,000 |
| (2) Data Center Consolidation | $ 627,250 | $ 616,626 |
| Total, Acquisition of Information Resource Technologies | $ 708,250 | $ 697,626 |
| b. Acquisition of Capital Equipment and Items | | |
| (1) Library Collection Materials and Public Access Information Resources | 74,000 | 74,000 |
| (2) TexShare Database Subscriptions | $ 4,661,000 | $ 4,374,523 |
| Total, Acquisition of Capital Equipment and Items | $ 4,735,000 | $ 4,448,523 |
| Total, Capital Budget | $ 5,443,250 | $ 5,146,149 |
| Method of Financing (Capital Budget): | | |
| General Revenue Fund | $ 1,670,450 | $ 1,659,826 |
| Federal Public Library Service Fund No. 118 | 1,722,000 | 1,435,523 |

| | | |
|---|---|---|
| Other Funds | | |
| Appropriated Receipts | 1,239,260 | 1,239,260 |
| Interagency Contracts | 811,540 | 811,540 |
| Subtotal, Other Funds | $ 2,050,800 | $ 2,050,800 |
| Total, Method of Financing | $ 5,443,250 | $ 5,146,149 |

3. **Unexpended Balances: Imaging and Storage Fees.** Any unexpended balances on hand as of August 31, 2012, from fees collected by the Texas State Library and Archives Commission for the purpose of cost recovery of imaging state and local government records on film and/or electronic storage media, and from state agencies for the storage of state records, as authorized by Government Code § 441.182, are hereby appropriated to the Texas State Library and Archives Commission for the fiscal year beginning September 1, 2012.

4. **Cash Flow Contingency.** Contingent upon reimbursements from state agencies and other governmental and private entities for imaging and records storage services, the agency may temporarily utilize General Revenue funds, not to exceed $200,000. These funds shall be utilized only for the purpose of temporary cash flow needs. The transfer and reimbursements of funds shall be made under procedures established by the Comptroller of Public Accounts to ensure all borrowed funds are reimbursed to the Treasury on or before August 31, 2013.

5. **Report of Reports.** By January 1, 2013, the Texas State Library and Archives Commission, with the assistance of all agencies, shall prepare a complete and detailed written report indexing all statutorily required reports prepared by and submitted to a state agency as defined by Government Code 441.180 (9) and providing detail about the preparing agency, title of report, legal authority, due date, recipient, and a brief description. The report shall provide indexes by (1) preparing agency, (2) title of report, and (3) report recipient, and the detail section shall be arranged by preparing agency. This report shall include an assessment from each receiving agency for each statutorily required report affirming or denying its continued usefulness to that agency. This report shall be provided to the Governor and the Legislative Budget Board and be made available to the public.

6. **Appropriation of Receipts and Unexpended Balances of TexShare Membership Fees and Reimbursements.** The Library and Archives Commission is hereby authorized to collect fees from the members of the TexShare Library Resource Sharing consortium (estimated to be $1,209,260 each fiscal year in Appropriated Receipts and $790,740 each fiscal year in Interagency Contracts and included above in Strategy A.1.1, Library Resource Sharing Services) from revenue generated during the biennium beginning September 1, 2011, as authorized by Government Code § 441.224 for costs associated with the TexShare program.

   Any unexpended balances as of August 31, 2011 (estimated to be $0), in amounts collected from TexShare members for TexShare services or programs are hereby appropriated for the same purpose for the biennium beginning September 1, 2011. Any unexpended balances as of August 31, 2012, are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2012.

7. **Contingency for K-12 TexShare Database Program.** Contingent on appropriations made to the Texas Education Agency (TEA) for the purpose of contracting with the Library and Archives Commission to acquire online research and information resources for libraries in public schools, and for administrative expenses related to this service, in addition to amounts appropriated above to the Library and Archives Commission there is hereby appropriated all Interagency Contract amounts transferred from TEA for the purposes stated herein. In addition, the "Number of Full-Time-Equivalents (FTE)" figure for the Library and Archives Commission is increased by 1.5 each fiscal year.

## PENSION REVIEW BOARD

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 694,002 | $ 694,001 |

| | | |
|---|---|---|
| Appropriated Receipts | 10,000 | 10,000 |
| **Total, Method of Financing** | $ 704,002 | $ 704,001 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 13.0 | 13.0 |
| **Schedule of Exempt Positions:** | | |
| Executive Director, Group 1 | $80,000 | $80,000 |
| **Items of Appropriation:** | | |
| **A. Goal:** SOUND RETIREMENT SYSTEMS | | |
| Ensure Actuarially Sound Retirement Systems. | | |
| **A.1.1. Strategy:** RETIREMENT SYSTEM REVIEWS | $ 347,002 | $ 347,001 |
| Conduct Reviews of Texas Public Retirement Systems. | | |
| **A.2.1. Strategy:** TECHNICAL ASSISTANCE AND EDUCATION | $ 357,000 | $ 357,000 |
| Provide Technical Assistance; Issue Impact Statements; Educate. | | |
| **Total, Goal A:** SOUND RETIREMENT SYSTEMS | $ 704,002 | $ 704,001 |
| **Grand Total,** PENSION REVIEW BOARD | $ 704,002 | $ 704,001 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 618,836 | $ 618,835 |
| Other Personnel Costs | 15,200 | 15,200 |
| Professional Fees and Services | 12,500 | 12,500 |
| Consumable Supplies | 3,000 | 3,000 |
| Travel | 15,000 | 15,000 |
| Rent - Building | 500 | 500 |
| Rent - Machine and Other | 5,000 | 5,000 |
| Other Operating Expense | 33,966 | 33,966 |
| **Total, Object-of-Expense Informational Listing** | $ 704,002 | $ 704,001 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 26,936 | $ 27,071 |
| Group Insurance | 86,372 | 87,668 |
| Social Security | 41,828 | 42,037 |
| Benefits Replacement | 1,769 | 1,654 |
| Subtotal, Employee Benefits | $ 156,905 | $ 158,430 |
| Debt Service | | |
| Lease Payments | $ 42,392 | $ 42,498 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 199,297 | $ 200,928 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Pension Review Board. 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 Pension Review Board. In order to achieve the objectives and service standards established by this Act, the Pension Review Board shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** SOUND RETIREMENT SYSTEMS | | |
| **Outcome (Results/Impact):** | | |
| Percent of Actuarially Funded Defined Benefit Texas Public Retirement Systems That Are Actuarially Sound | 98% | 98% |

## PENSION REVIEW BOARD
(Continued)

| | | |
|---|---|---|
| Percent of Plan Administrators Satisfied with PRB Educational Services | 98% | 98% |
| **A.1.1. Strategy:** RETIREMENT SYSTEM REVIEWS | | |
| **Output (Volume):** | | |
| Number of Reviews Completed | 600 | 600 |
| **A.2.1. Strategy:** TECHNICAL ASSISTANCE AND EDUCATION | | |
| **Output (Volume):** | | |
| Number of Technical Assistance Reports Provided by Staff | 150 | 150 |

## PRESERVATION BOARD

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 18,646,973 | $ 9,466,611 |
| Other Funds | | |
| Appropriated Receipts | 15,000 | 15,000 |
| Interagency Contracts | 6,745 | 6,745 |
| Subtotal, Other Funds | $ 21,745 | $ 21,745 |
| **Total, Method of Financing** | $ 18,668,718 | $ 9,488,356 |
| **This bill pattern represents an estimated 40.8% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 63.0 | 63.0 |
| **Schedule of Exempt Positions:** | | |
| Executive Director, Group 4 | $160,000 | $160,000 |
| **Items of Appropriation:** | | |
| **A. Goal:** MANAGE CAPITOL AND OTHER BUILDINGS | | |
| Manage Capitol and Other Buildings/Grounds and Promote Texas History. | | |
| **A.1.1. Strategy:** PRESERVE BUILDINGS AND CONTENTS | $ 198,364 | $ 198,864 |
| Preserve State Capitol and Other Designated Buildings and Grounds. | | |
| **A.1.2. Strategy:** BUILDING MAINTENANCE | $ 10,478,800 | $ 1,392,963 |
| Maintain State Capitol and Other Designated Buildings and Grounds. | | |
| **A.2.1. Strategy:** MANAGE EDUCATIONAL PROGRAM | $ 436,790 | $ 438,760 |
| Manage Educational Program for State Capitol and Visitors Center. | | |
| **A.2.2. Strategy:** MANAGE STATE HISTORY MUSEUM | $ 6,503,075 | $ 6,403,700 |
| Manage and Operate the Bob Bullock Texas State History Museum. | | |
| **A.3.1. Strategy:** MANAGE ENTERPRISES | $ 50,100 | $ 50,140 |
| Manage Events, Exhibits, Activities & Operate Profitable Enterprises. | | |
| **Total, Goal A:** MANAGE CAPITOL AND OTHER BUILDINGS | $ 17,667,129 | $ 8,484,427 |
| **B. Goal:** INDIRECT ADMINISTRATION | | |
| **B.1.1. Strategy:** INDIRECT ADMINISTRATION | $ 1,001,589 | $ 1,003,929 |
| **Grand Total,** PRESERVATION BOARD | $ 18,668,718 | $ 9,488,356 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 2,216,644 | $ 2,216,644 |
| Other Personnel Costs | 108,410 | 116,600 |
| Professional Fees and Services | 7,200 | 7,200 |
| Fuels and Lubricants | 2,866 | 5,981 |
| Consumable Supplies | 94,545 | 124,044 |

| | | |
|---|---|---|
| Utilities | 29,830 | 36,015 |
| Travel | 4,350 | 4,350 |
| Rent - Building | 850 | 850 |
| Rent - Machine and Other | 31,500 | 31,500 |
| Debt Service | 5,953,075 | 5,843,700 |
| Other Operating Expense | 1,114,198 | 1,101,222 |
| Capital Expenditures | 9,105,250 | 250 |
| **Total, Object-of-Expense Informational Listing** | $ 18,668,718 | $ 9,488,356 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 372,347 | $ 374,209 |
| Group Insurance | 970,266 | 974,998 |
| Social Security | 488,063 | 490,503 |
| Benefits Replacement | 23,016 | 21,520 |
| Subtotal, Employee Benefits | $ 1,853,692 | $ 1,861,230 |
| Debt Service | | |
| TPFA GO Bond Debt Service | $ 2,992 | $ 2,918 |
| Lease Payments | 1,558,690 | 1,272,168 |
| Subtotal, Debt Service | $ 1,561,682 | $ 1,275,086 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 3,415,374 | $ 3,136,316 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Preservation Board. 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 Preservation Board. In order to achieve the objectives and service standards established by this Act, the Preservation Board shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** MANAGE CAPITOL AND OTHER BUILDINGS | | |
| **Outcome (Results/Impact):** | | |
| Percent of Maintenance Tasks Completed Correctly | 97% | 96% |
| **A.1.1. Strategy:** PRESERVE BUILDINGS AND CONTENTS | | |
| **Output (Volume):** | | |
| Number of Repairs and Restorations of Historical Items Completed | 155 | 325 |
| **A.1.2. Strategy:** BUILDING MAINTENANCE | | |
| **Efficiencies:** | | |
| Cost Per Building Square Foot of Custodial Care | 1.85 | 1.85 |
| **A.2.1. Strategy:** MANAGE EDUCATIONAL PROGRAM | | |
| **Output (Volume):** | | |
| Number of School-age Tours Conducted at the Visitors Center | 1,500 | 1,500 |
| **A.2.2. Strategy:** MANAGE STATE HISTORY MUSEUM | | |
| **Explanatory:** | | |
| Number of Visitors to the Museum | 475,000 | 475,000 |
| **A.3.1. Strategy:** MANAGE ENTERPRISES | | |
| **Explanatory:** | | |
| Income from Parking Meters | 525,000 | 600,000 |

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.

| | 2012 | 2013 |
|---|---|---|
| a. Repair or Rehabilitation of Buildings and Facilities | | |
| (1) Restoration of the Governor's Mansion | $ 8,900,000 | $ UB |
| (2) Infrastructure Repair and Replacement | 125,000 | UB |
| Total, Capital Budget | $ 9,025,000 | $ UB |

| | | |
|---|---|---|
| Method of Financing (Capital Budget): | | |
| General Revenue Fund | $ 9,025,000 | $ UB |
| Total, Method of Financing | $ 9,025,000 | $ UB |

3. **Appropriation: Debt Service for Construction of State History Museum.** Included in the amounts appropriated above out of the General Revenue Fund for Strategy A.2.2, Manage State History Museum, the amounts of $5,953,075 for fiscal year 2012 and $5,843,700 for fiscal year 2013 are to be used for lease payments to the Texas Public Finance Authority for debt service payments on the revenue bonds or other revenue obligations issued to construct the State History Museum, and the amounts of $50,000 for fiscal year 2012 and $60,000 for fiscal year 2013 are to be used for insurance payments as required by the Texas Public Finance Authority.

4. **Unexpended Balances: Between Fiscal Years.** Any unexpended balances as of August 31, 2012, from the appropriations made above are hereby appropriated to the State Preservation Board for the same purpose for the fiscal year beginning September 1, 2012.

5. **Unexpended Balances: Restoration of the Governor's Mansion.** Included in the amounts appropriated above in Strategy A.1.2, Building Maintenance, are unexpended and unobligated balances remaining as of August 31, 2011, (estimated to be $8,900,000 in General Revenue funds) for the restoration of the Governor's Mansion, during the 2012-13 biennium.

   Any unencumbered and unobligated balances remaining as of August 31, 2012, are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2012.

6. **Unexpended Balances: Infrastructure and Replacement.** Included in amounts appropriated above are unexpended and unobligated balances remaining as of August 31, 2011, (estimated to be $125,000 in General Revenue Funds) for the repair and replacement of infrastructure of buildings and structures managed by the State Preservation Board as authorized by Government Code, Chapters 443, 445, and 2165, for the 2012-13 biennium to Strategy A.1.2, Building Maintenance.

7. **Unexpended Balances: Capitol Security.** Included in amounts appropriated above are unexpended and unobligated balances remaining as of August 31, 2011, (estimated to be $80,000 in General Revenue Funds) for repair and maintenance of security equipment at the Capitol, for the 2012-13 biennium to Strategy A.1.2, Building Maintenance.

8. **Bob Bullock State History Museum.** Contingent upon the Comptroller's certification of $1,000,000 in available General Revenue for the biennium above the Comptroller's January 2011 Biennial Revenue Estimate, included in amounts appropriated above in Strategy A.2.2, Manage State History Museum, is $500,000 in General Revenue each fiscal year for the operation of the Bob Bullock Texas State History Museum.

## STATE OFFICE OF RISK MANAGEMENT

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| Interagency Contracts | $ 9,053,077 | $ 9,053,078 |
| **Total, Method of Financing** | $ 9,053,077 | $ 9,053,078 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 117.6 | 117.6 |
| **Schedule of Exempt Positions:** | | |
| Executive Director, Group 3 | $104,500 | $104,500 |

## STATE OFFICE OF RISK MANAGEMENT
(Continued)

| | | |
|---|---|---|
| **Items of Appropriation:** | | |
| **A. Goal:** MANAGE RISK AND ADMINISTER CLAIMS | | |
| Manage Workers' Compensation Costs. | | |
| **A.1.1. Strategy:** RISK MANAGEMENT PROGRAM Assist/Review/Monitor Agencies' Risk Management Programs. | $ 3,077,646 | $ 3,077,646 |
| **A.2.1. Strategy:** PAY WORKERS' COMPENSATION Review Claims, Determine Liability and Pay Eligible Claims. | $ 5,975,431 | $ 5,975,432 |
| **Total, Goal A:** MANAGE RISK AND ADMINISTER CLAIMS | $ 9,053,077 | $ 9,053,078 |
| **Grand Total,** STATE OFFICE OF RISK MANAGEMENT | $ 9,053,077 | $ 9,053,078 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 5,504,415 | $ 5,504,415 |
| Other Personnel Costs | 141,885 | 141,885 |
| Professional Fees and Services | 1,804,260 | 1,804,261 |
| Consumable Supplies | 38,803 | 38,803 |
| Utilities | 2,094 | 2,094 |
| Travel | 124,922 | 124,922 |
| Rent - Building | 648 | 648 |
| Rent - Machine and Other | 21,139 | 21,139 |
| Other Operating Expense | 1,414,911 | 1,414,911 |
| **Total, Object-of-Expense Informational Listing** | $ 9,053,077 | $ 9,053,078 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 299,516 | $ 301,014 |
| Group Insurance | 792,474 | 798,333 |
| Social Security | 396,132 | 398,113 |
| Benefits Replacement | 15,092 | 14,111 |
| Subtotal, Employee Benefits | $ 1,503,214 | $ 1,511,571 |
| Debt Service | | |
| Lease Payments | $ 263,413 | $ 264,070 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 1,766,627 | $ 1,775,641 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the State Office of Risk Management. 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 State Office of Risk Management. In order to achieve the objectives and service standards established by this Act, the State Office of Risk Management shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** MANAGE RISK AND ADMINISTER CLAIMS | | |
| **Outcome (Results/Impact):** | | |
| Incident Rate of Injuries and Illnesses Per 100 Covered Full-time State Employees | 4% | 4% |
| Cost of Workers' Compensation Per Covered State Employee | 295 | 298 |
| Cost of Workers' Compensation Coverage per $100 State Payroll | 0.96 | 0.97 |
| **A.1.1. Strategy:** RISK MANAGEMENT PROGRAM | | |
| **Output (Volume):** | | |
| Number of Written Risk Management Program Reviews Conducted | 29 | 29 |
| Number of On-site Consultations Conducted | 229 | 229 |
| **A.2.1. Strategy:** PAY WORKERS' COMPENSATION | | |
| **Output (Volume):** | | |
| Number of Medical Bills Processed | 118,500 | 118,500 |
| Number of Indemnity Bills Paid | 36,500 | 36,500 |
| **Efficiencies:** | | |
| Average Cost to Administer Claim | 620 | 620 |

2. **Appropriation of Unexpended Balances.** Any unexpended balances remaining as of August 31, 2012, out of appropriations made to Strategy A.1.1, Risk Management Program and to Strategy A.2.1, Pay Workers' Compensation, are hereby appropriated to the State Office of Risk Management for the fiscal year beginning September 1, 2012, to be applied toward assessments charged to state agencies for the administration of the workers' compensation and risk management programs including, the medical cost containment vendor and workers' compensation network contracts for fiscal year 2013.

   Included in amounts appropriated above in Strategy A.1.1, Risk Management Program and Strategy A.2.1, Pay Workers' Compensation are unobligated balances remaining as of August 31, 2011, estimated to be $250,000 in Interagency Contracts, for the same purposes to Strategy A.1.1, Risk Management Program and Strategy A.2.1, Pay Workers' Compensation for the fiscal year beginning September 1, 2011.

3. **Insurable State Asset Study.** By January 1, 2013, the State Office of Risk Management with the assistance of all agencies, shall prepare a proposal recommending a statewide strategy for ensuring that state assets are adequately insured. The proposal shall comment on the advisability of various insurance options, including self-insurance, privately placed insurance, and stop-loss insurance. This report shall be provided to the Legislative Budget Board and be made available to the public.

4. **Administrative Support for the State Office of Risk Management.** Out of funds appropriated above in Strategy A.1.1, Risk Management Program, the State Office of Risk Management shall enter into an interagency contract with the Attorney General for administrative support services which shall consist of the same levels of service and approximate costs as were provided to the State Office of Risk Management during the 2010-11 biennium.

## WORKERS' COMPENSATION PAYMENTS

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| Other Funds | | |
| Interagency Contracts | $ 47,303,411 | $ 47,803,411 |
| Subrogation Receipts | 567,750 | 567,750 |
| Subtotal, Other Funds | $ 47,871,161 | $ 48,371,161 |
| **Total, Method of Financing** | $ 47,871,161 | $ 48,371,161 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Items of Appropriation:** | | |
| **A. Goal:** WORKERS' COMPENSATION PAYMENTS | | |
| **A.1.1. Strategy:** WORKERS' COMPENSATION PAYMENTS | $ 47,871,161 | $ 48,371,161 & UB |
| **Grand Total,** WORKERS' COMPENSATION PAYMENTS | $ 47,871,161 | $ 48,371,161 |
| **Object-of-Expense Informational Listing:** | | |
| Other Operating Expense | $ 47,871,161 | $ 48,371,161 |
| **Total, Object-of-Expense Informational Listing** | $ 47,871,161 | $ 48,371,161 |

1. **Appropriation - Subrogation Receipts.** All sums of money recovered by the State Office of Risk Management from third parties by way of subrogation are hereby appropriated to the State Office of Risk Management during the biennium of receipt to be used for the payment of workers' compensation benefits to state employees.

## WORKERS' COMPENSATION PAYMENTS
(Continued)

2. **Cost Containment.** The State Office of Risk Management shall submit a report detailing the effectiveness of various cost containment measures undertaken and proposing additional measures to reduce workers' compensation costs. This report shall be submitted to the legislative and executive budget offices, in the form those offices require, within 45 days after the close of each fiscal year.

3. **Reporting of Workers' Compensation Claims.** For the purpose of reporting expenditures to the Uniform Statewide Accounting System (USAS), the State Office of Risk Management (SORM) shall account for payments of workers' compensation claims based on the date on which the bill for services is presented for payment to SORM.

   In addition, not later than November 1 of each year, the State Office of Risk Management shall submit a report to the Comptroller of Public Accounts, the Governor's Office, and the Legislative Budget Board which accounts for workers' compensation expenditures for the preceding appropriation year based on the date on which the injury occurred and the medical or related service was performed.

## SECRETARY OF STATE

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 22,796,193 | $ 9,086,881 |
| GR Dedicated - Election Improvement Fund No. 5095 | 838,005 | 996,435 |
| Federal Funds | 33,522,923 | 8,377,364 |
| Appropriated Receipts | 6,948,232 | 6,982,714 |
| **Total, Method of Financing** | $ 64,105,353 | $ 25,443,394 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 222.2 | 222.2 |
| **Schedule of Exempt Positions:** | | |
| Secretary of State, Group 5 | $125,880 | $125,880 |
| **Items of Appropriation:** | | |
| **A. Goal:** INFORMATION MANAGEMENT | | |
| Provide and Process Information Efficiently; Enforce Laws/Rules. | | |
| **A.1.1. Strategy:** DOCUMENT FILING | $ 6,668,059 | $ 6,629,932 |
| File/Reject Statutory Filings. | | |
| **A.2.1. Strategy:** DOCUMENT PUBLISHING | $ 391,669 | $ 402,171 & UB |
| Publish the Texas Register, Texas Administrative Code and Session Laws. | | |
| **Total, Goal A:** INFORMATION MANAGEMENT | $ 7,059,728 | $ 7,032,103 |
| **B. Goal:** ADMINISTER ELECTION LAWS | | |
| Maintain Uniformity & Integrity of Elections; Oversee Election Process. | | |
| **B.1.1. Strategy:** ELECTIONS ADMINISTRATION | $ 2,202,170 | $ 2,212,344 |
| Provide Statewide Elections Administration. | | |
| **B.1.2. Strategy:** ELECTION/VOTER REGISTRATION FUNDS | $ 13,000,547 | $ 63,761 & UB |
| Manage Primary Election Funds; Reimburse Voter Registration Postage. | | |

| | | |
|---|---|---|
| **B.1.3. Strategy:** CONSTITUTIONAL AMENDMENTS<br>Publish and Interpret Constitutional Amendments. | $ 822,240 | $ UB |
| **B.1.4. Strategy:** ELECTIONS IMPROVEMENT<br>Administer the Federal Help America Vote Act (HAVA). | $ 34,007,652 | $ 9,020,523 |
| **Total, Goal B:** ADMINISTER ELECTION LAWS | $ 50,032,609 | $ 11,296,628 |
| **C. Goal:** INTERNATIONAL PROTOCOL | | |
| **C.1.1. Strategy:** PROTOCOL/BORDER AFFAIRS<br>Provide Protocol Services and Representation on Border Issues. | $ 175,364 | $ 175,364 |
| **C.1.2. Strategy:** COLONIAS INITIATIVES<br>Improve Physical Living Conditions in Colonias. | $ 447,597 | $ 447,025 |
| **Total, Goal C:** INTERNATIONAL PROTOCOL | $ 622,961 | $ 622,389 |
| **D. Goal:** INDIRECT ADMINISTRATION | | |
| **D.1.1. Strategy:** INDIRECT ADMINISTRATION | $ 6,390,055 | $ 6,492,274 |
| **Grand Total,** SECRETARY OF STATE | $ 64,105,353 | $ 25,443,394 |
| **Supplemental Appropriations Made in Riders:** | $ 364,643 | $ 61,730 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 10,717,775 | $ 10,717,775 |
| Other Personnel Costs | 979,484 | 978,411 |
| Professional Fees and Services | 3,044,084 | 2,617,598 |
| Fuels and Lubricants | 351 | 351 |
| Consumable Supplies | 134,750 | 134,750 |
| Utilities | 146,631 | 146,630 |
| Travel | 218,126 | 218,125 |
| Rent - Building | 33,999 | 33,999 |
| Rent - Machine and Other | 73,199 | 73,199 |
| Other Operating Expense | 5,233,642 | 3,845,069 |
| Grants | 41,904,887 | 4,756,149 |
| Capital Expenditures | 1,983,068 | 1,983,068 |
| **Total, Object-of-Expense Informational Listing** | $ 64,469,996 | $ 25,505,124 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 600,656 | $ 603,659 |
| Group Insurance | 1,685,698 | 1,706,736 |
| Social Security | 826,204 | 830,335 |
| Benefits Replacement | 83,581 | 78,149 |
| Subtotal, Employee Benefits | $ 3,196,139 | $ 3,218,879 |
| Debt Service | | |
| Lease Payments | $ 645,662 | $ 634,948 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 3,841,801 | $ 3,853,827 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Secretary of State. 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 Secretary of State. In order to achieve the objectives and service standards established by this Act, the Secretary of State shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** INFORMATION MANAGEMENT | | |
| **Outcome (Results/Impact):** | | |
| Percent of Business, Commercial, and Public Filings and Information Requests Completed in Three Days | 99% | 99% |

| | | |
|---|---|---|
| **A.1.1. Strategy:** DOCUMENT FILING | | |
| **Output (Volume):** | | |
| Number of Business, Commercial, and Public Filings Transactions Processed | 1,852,340 | 1,852,340 |
| Number of Processed Requests for Information on Business, Commercial, and Public Filings | 7,540,593 | 7,540,593 |
| **Efficiencies:** | | |
| Average Cost Per Business, Commercial, and Public Filings Transaction and Public Information Request | 0.71 | 0.71 |
| **B. Goal:** ADMINISTER ELECTION LAWS | | |
| **B.1.1. Strategy:** ELECTIONS ADMINISTRATION | | |
| **Output (Volume):** | | |
| Number of Election Officials Assisted or Advised | 90,126 | 50,565 |
| **Efficiencies:** | | |
| Average Cost per Election Authority Assisted or Advised | 14.66 | 26.25 |
| **B.1.3. Strategy:** CONSTITUTIONAL AMENDMENTS | | |
| **Output (Volume):** | | |
| Number of Constitutional Amendment Translations Mailed | 1,724,575 | 0 |

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.

| | 2012 | 2013 |
|---|---|---|
| a. Acquisition of Information Resource Technologies | | |
| (1) Acquisition of Information Resource Technologies | $ 150,000 | $ 150,000 |
| (2) Data Center Consolidation | $ 2,374,719 | $ 2,151,526 |
| Total, Acquisition of Information Resource Technologies | $ 2,524,719 | $ 2,301,526 |
| Total, Capital Budget | $ 2,524,719 | $ 2,301,526 |
| Method of Financing (Capital Budget): | | |
| General Revenue Fund | $ 2,010,076 | $ 2,112,296 |
| Appropriated Receipts | 514,643 | 189,230 |
| Total, Method of Financing | $ 2,524,719 | $ 2,301,526 |

3. **Contingency Appropriation for Constitutional Amendments.** The amounts appropriated above in Strategy B.1.3, Constitutional Amendments, are intended to cover the costs of fulfilling the requirements of Election Code, Chapter 274, Subchapter B, and Article 17 § 1 of the Texas Constitution for 11 proposed constitutional amendments or referendum items. In the event that the number of proposed constitutional amendments or referendum items exceeds 11, or if the actual costs exceed the amounts appropriated herein, the Secretary of State is hereby appropriated from General Revenue the additional funds necessary to fulfill the aforementioned requirements.

4. **Travel Expenditures.** The Secretary of State is hereby authorized to expend funds from the above appropriations to reimburse state inspectors for travel expenses pursuant to Election Code, § 34.003.

5. **Limitation, Primary Finance.** Of the funds appropriated in Strategy B.1.2, Election/Voter Registration Funds, not more than $250,000 may be distributed to the executive committees of the state parties for the operation of the primary and runoff elections. Funds distributed to the executive committees shall be distributed to the respective parties in the ratio of the total number of primary and runoff voters in the 2012 elections.

6. **Use of Excess Registration Fees Authorization.** Any registration fee collected by the Office of the Secretary of State to pay the expenses of a conference, seminar, or meeting in excess of the actual costs of such conference, seminar, or meeting may be used to pay the expenses of any other conference, seminar, or meeting for which no registration fees were collected or for which registration fees collected were insufficient to cover the total expenses.

7. **General Revenue-Dedicated Election Improvement Fund No. 5095.** Included in amounts appropriated above are all balances remaining in the General Revenue-Dedicated Election Improvement Account No. 5095 as of August 31, 2011 for the biennium beginning September 1, 2011, to carry out provisions of the Help America Vote Act (HAVA) as codified in Election Code § 31.011 in the following strategies and accounts:

   Strategy B.1.4, Elections Improvement: any unexpended balances out of Federal Funds (estimated to be $33,169,647 in fiscal year 2012 and $8,024,088 in fiscal year 2013) and any interest earnings out of General Revenue-Dedicated Election Improvement Account No. 5095 (estimated to be $838,005 in fiscal year 2012 and $996,435 in fiscal year 2013); and

   Strategy D.1.1, Indirect Administration: any unexpended balances out of Federal Funds (estimated to be $353,276 in fiscal year 2012 and $353,276 in fiscal year 2013).

8. **Travel Cap Exemption for the Secretary of State and the Secretary of State's Staff.** Travel expenses incurred by the Secretary of State or the Secretary of State's staff to carry out the duties of the Secretary of State are exempt from the requirements of Article IX, Sec. 5.08, Limitation on Travel Expenditures, and the limitations on such expenditures as set forth therein.

9. **Limitation of Reimbursement for Non-Joint Primary Elections.** Funds appropriated above in Strategy B.1.2, Election/Voter Registration Funds may not be used to reimburse counties for amounts that exceed the costs to conduct a joint primary election.

10. **Contingency Appropriation Requiring Statutory Changes.** Appropriations made above to Secretary of State in Strategy A.2.1, Document Publishing are contingent on the enactment of legislation by the Eighty-second Legislature, Regular Session relating to the modification of Government Code, Chapter 2158, Subchapter B related to awarding a contract for printing session laws.

11. **Contingency Appropriation for Senate Bill 14: Voter Identification.** Contingent on the passage of Senate Bill 14 by the Eighty-second Legislature, Regular Session, or similar legislation relating to requiring a voter to present certain proof of identification and contingent upon the availability of Help America Vote Act (HAVA) Federal Funds and approval by the federal government that HAVA Federal Funds may be used for voter identification purposes as provided in this Act, it is the intent of the Legislature that the Secretary of State shall allocate $2,024,000 in fiscal year 2012 out of General Revenue-Dedicated Election Improvement Fund No. 5095 in Strategy B.1.4, Elections Improvement, for allowable costs associated with implementing the legislation.

12. **Contingent Revenue for Data Center Services.** In addition to amounts appropriated above and contingent on the collection of fees in excess of the Comptroller of Public Accounts' Biennial Revenue Estimate for Revenue Object Code 3719 by the Secretary of State for the 2012-13 biennium, and notwithstanding limitations on appropriation transfers contained in the General Provisions of this Act, the Secretary of State may transfer excess revenue collected and deposited to Revenue Object Code 3719, not to exceed $426,373, from Strategy A.1.1, Document Filing to Strategy D.1.1, Indirect Administration for expenditures on data center services.

   If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

## VETERANS COMMISSION

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 6,821,656 | $ 6,793,207 |

| | | |
|---|---|---|
| General Revenue Fund - Dedicated | | |
| Air Force Association of Texas Plates, No. 5123 | 2,000 | 2,000 |
| American Legion License Plates, No. 5141 | 1,000 | 1,000 |
| Subtotal, General Revenue Fund - Dedicated | $ 3,000 | $ 3,000 |
| Federal Funds | 9,550,240 | 9,551,294 |
| Other Funds | | |
| Appropriated Receipts | 50,000 | 50,000 |
| Interagency Contracts | 635,000 | 635,000 |
| Veterans' Assistance Fund, No. 368 | 14,229,932 | 6,877,932 |
| Subtotal, Other Funds | $ 14,914,932 | $ 7,562,932 |
| **Total, Method of Financing** | $ 31,289,828 | $ 23,910,433 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 328.2 | 328.7 |
| **Schedule of Exempt Positions:** | | |
| Executive Director, Group 4 | $115,000 | $115,000 |
| **Items of Appropriation:** | | |
| **A. Goal:** ASSIST VETS W/RECEIVING BENEFITS | | |
| Ensure Veterans, Their Dependents & Survivors Receive All Due Benefits. | | |
| **A.1.1. Strategy:** CLAIMS REPRESENTATION & COUNSELING | $ 4,732,813 | $ 4,767,033 |
| Claims Representation & Counseling to Veterans and their Families. | | |
| **A.1.2. Strategy:** VETERANS EMPLOYMENT SERVICES | $ 8,846,814 | $ 8,868,785 |
| **A.1.3. Strategy:** VETERANS EDUCATION | $ 1,066,610 | $ 1,058,953 |
| **A.1.4. Strategy:** VETERANS ASSISTANCE GRANTS | $ 14,727,814 | $ 7,375,814 |
| **A.1.5. Strategy:** OUTREACH AND MARKETING | $ 523,280 | $ 496,238 |
| **Total, Goal A:** ASSIST VETS W/RECEIVING BENEFITS | $ 29,897,331 | $ 22,566,823 |
| **B. Goal:** INDIRECT ADMINISTRATION | | |
| **B.1.1. Strategy:** CENTRAL ADMINISTRATION | $ 1,392,497 | $ 1,343,610 |
| **Grand Total,** VETERANS COMMISSION | $ 31,289,828 | $ 23,910,433 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 12,430,391 | $ 12,545,206 |
| Other Personnel Costs | 549,877 | 560,125 |
| Professional Fees and Services | 457,651 | 396,374 |
| Consumable Supplies | 63,513 | 55,097 |
| Utilities | 43,141 | 45,837 |
| Travel | 488,110 | 470,946 |
| Rent - Building | 1,960,290 | 1,960,154 |
| Rent - Machine and Other | 59,354 | 59,826 |
| Other Operating Expense | 1,072,075 | 1,023,914 |
| Client Services | 25,000 | 25,000 |
| Grants | 14,140,426 | 6,767,954 |
| **Total, Object-of-Expense Informational Listing** | $ 31,289,828 | $ 23,910,433 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 737,624 | $ 741,312 |
| Group Insurance | 2,430,635 | 2,476,758 |
| Social Security | 1,021,029 | 1,026,134 |
| Benefits Replacement | 58,886 | 55,058 |
| Subtotal, Employee Benefits | $ 4,248,174 | $ 4,299,262 |

| | | |
|---|---|---|
| Debt Service | | |
| Lease Payments | $ 40,101 | $ 33,729 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 4,288,275 | $ 4,332,991 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Veterans 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 Veterans Commission. In order to achieve the objectives and service standards established by this Act, the Veterans Commission shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** ASSIST VETS W/RECEIVING BENEFITS | | |
| **Outcome (Results/Impact):** | | |
| Amount of Monetary Awards (in Millions of Dollars) Paid Because of Commission Advocacy in Claims Representation of Veterans with Service-connected Disabilities | 1,708 | 1,708 |
| Amount of Monetary Awards (in Millions of Dollars) Paid Because of Commission Advocacy in Claims Representation for Survivors or Orphans of Veterans | 243 | 243 |
| **A.1.1. Strategy:** CLAIMS REPRESENTATION & COUNSELING | | |
| **Output (Volume):** | | |
| Number of Claims for Veterans Benefits Filed and Developed on Behalf of Veterans with Service-connected Disabilities | 85,000 | 85,000 |
| Number of Active Veterans Benefits Cases for Veterans, Their Survivors, or Their Orphans Represented by the Texas Veterans Commission | 173,000 | 173,000 |
| Number of Appeals of Unfavorable Veterans Affairs Decisions Filed on Behalf of Veterans, Their Survivors, or Their Orphans | 18,700 | 18,700 |
| **A.1.2. Strategy:** VETERANS EMPLOYMENT SERVICES | | |
| **Output (Volume):** | | |
| Veterans Employment Services Customers Served | 74,000 | 74,000 |

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.

| | 2012 | 2013 |
|---|---|---|
| a. Acquisition of Information Resource Technologies | | |
| (1) Data Center Services | $ 30,980 | $ 30,980 |
| Total, Capital Budget | $ 30,980 | $ 30,980 |
| Method of Financing (Capital Budget): | | |
| General Revenue Fund | $ 30,980 | $ 30,980 |
| Total, Method of Financing | $ 30,980 | $ 30,980 |

3. **Appropriation of License Plate Receipts.** Included in amounts appropriated above in Strategy A.1.1, Claims Representation and Counseling is 50 percent of license plate revenue collected on or after September 1, 2011 (estimated to be $1,000 in fiscal year 2012 and $1,000 in fiscal year 2013 for General Revenue-Dedicated American Legion License Plate Account No. 5141 and $2,000 in fiscal year 2012 and $2,000 in fiscal year 2013 for General Revenue-Dedicated Air Force Association of Texas Plates Account No. 5123), from the sale of license plates as provided by Transportation Code §§ 504.413 and 504.630 for the purpose of making grants to each organization, respectively.

   Any unexpended balances remaining as of August 31, 2012, in the appropriation made herein are hereby appropriated for the fiscal year beginning September 1, 2012.

4. **Visitation Program to Wounded and Disabled Veterans.** Included in the amounts appropriated above in Strategy A.1.1, Claims Representation and Counseling, is the amount of $52,000 each

fiscal year, to provide a program for the visitation of wounded and disabled veterans who are returning from Operation Iraqi Freedom and other war zone areas that Texas veterans have served.

5. **Cash Flow Contingency.** Contingent upon the receipt of Federal Funds appropriated in Strategy A.1.1, Claims Representation and Counseling, Strategy A.1.2, Veterans Employment Services, and Strategy A.1.3, Veterans Education, the Commission may temporarily utilize General Revenue funds, pending the receipt of federal reimbursement, in an amount not to exceed 75 percent of the amount as specified in the Notification Letter of Federal Award or contract to be received in each fiscal year of the biennium. The General Revenue amounts utilized above the Commission'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. The transfer and reimbursement of funds shall be made under procedures established by the Comptroller of Public Accounts to ensure all borrowed funds are reimbursed to the Treasury on or before August 31, 2013. All transfers of General Revenue shall be reported by the Commission to the Legislative Budget Board and the Governor.

6. **Out of State Travel Cap Exemption.** Travel expenses incurred by the Texas Veterans Commission staff associated with federal programs and paid out of federal funds and /or earned federal funds are exempt from the requirements of Article IX, Section 5.08, Limitations on Travel Expenditures, and the limitations on such expenditures as set forth therein.

7. **Fund for Veterans Assistance.** Included in amounts appropriated above, are all estimated balances (estimated to be $7,575,000) and revenues collected on or after September 1, 2011 in the Fund for Veterans Assistance No. 0368 (estimated to be $6,654,932 in fiscal year 2012 and $6,877,932 in fiscal year 2013 in Other Funds)for veterans' assistance programs and to make grants to local communities to address veterans' needs in accordance with Government Code § 434.017.

   Any unexpended balances remaining as of August 31, 2012 are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2012.

8. **Interagency Contract with the Texas Veterans Commission.** Included in the amounts appropriated above is $68,626 in each fiscal year of the 2012-13 biennium for a contract between the General Land Office and Veterans' Land Board and the Texas Veterans Commission (TVC) to fund operations of the TVC Call Center. Pursuant to Natural Resources Code, Section 161.077, the General Land Office and Veterans Land Board and the Texas Veterans Commission shall enter into a memorandum of understanding regarding the funding and operations of the Veterans Commission Call Center.

9. **PARIS Data Review.** Included in amounts appropriated above in Strategy A.1.1, Claims Representation and Counseling, is $50,000 out of the Fund for Veterans' Assistance No. 368 and $50,000 in Interagency Contracts and 2.0 Full Time Equivalents (FTE) per fiscal year to investigate and analyze information/data received from the federal Public Assistance Reporting Information System (PARIS). The PARIS information will be used to assist and facilitate claims for veterans receiving Medicaid or other state public benefits to apply for federal benefits /compensation for which veterans are entitled from the Department of Veterans Affairs.
   Ten percent of the savings out of General Revenue during fiscal year 2012 that were the result of pursuing information from the Public Assistance Reporting Information System (PARIS) as calculated by the Health and Human Services Commission (HHSC) according to procedures or rules for making the calculations adopted by HHSC shall be credited by the Comptroller to the Texas Veterans Commission Veterans' Assistance Fund No. 368 from which expenditures were originally made and such funds are hereby appropriated to the Texas Veterans Commission in fiscal year 2013.

## RETIREMENT AND GROUP INSURANCE

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund, estimated | $ 75,473,459 | $ 82,008,445 |

## RETIREMENT AND GROUP INSURANCE
(Continued)

| | | |
|---|---|---|
| General Revenue Dedicated Accounts, estimated | 2,391,637 | 2,570,071 |
| Federal Funds, estimated | 18,456,501 | 19,941,047 |
| Other Funds | | |
| Other Special State Funds, estimated | 4,170,527 | 4,540,246 |
| State Highway Fund No. 006, estimated | 750,645 | 812,424 |
| Subtotal, Other Funds | $ 4,921,172 | $ 5,352,670 |
| **Total, Method of Financing** | $ 101,242,769 | $ 109,872,233 |
| **Items of Appropriation:** | | |
| **A. Goal:** EMPLOYEES RETIREMENT SYSTEM | | |
| **A.1.1. Strategy:** RETIREMENT CONTRIBUTIONS<br>Retirement Contributions. Estimated. | $ 26,997,736 | $ 29,211,569 |
| **A.1.2. Strategy:** GROUP INSURANCE<br>Group Insurance Contributions. Estimated. | $ 74,245,033 | $ 80,660,664 |
| **Total, Goal A:** EMPLOYEES RETIREMENT SYSTEM | $ 101,242,769 | $ 109,872,233 |
| **Grand Total,** RETIREMENT AND GROUP INSURANCE | $ 101,242,769 | $ 109,872,233 |

## SOCIAL SECURITY AND BENEFIT REPLACEMENT PAY

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund, estimated | $ 30,056,218 | $ 30,021,519 |
| General Revenue Dedicated Accounts, estimated | 936,117 | 932,554 |
| Federal Funds, estimated | 5,719,536 | 5,718,771 |
| Other Funds | | |
| Other Special State Funds, estimated | 1,464,848 | 1,467,636 |
| State Highway Fund No. 006, estimated | 356,443 | 357,295 |
| Subtotal, Other Funds | $ 1,821,291 | $ 1,824,931 |
| **Total, Method of Financing** | $ 38,533,162 | $ 38,497,775 |
| **Items of Appropriation:** | | |
| **A. Goal:** SOCIAL SECURITY/BENEFIT REPLACEMENT<br>Comptroller - Social Security. | | |
| **A.1.1. Strategy:** STATE MATCH -- EMPLOYER<br>State Match — Employer. Estimated. | $ 35,880,278 | $ 36,017,329 |
| **A.1.2. Strategy:** BENEFIT REPLACEMENT PAY<br>Benefit Replacement Pay. Estimated. | $ 2,652,884 | $ 2,480,446 |
| **Total, Goal A:** SOCIAL SECURITY/BENEFIT REPLACEMENT | $ 38,533,162 | $ 38,497,775 |
| **Grand Total,** SOCIAL SECURITY AND BENEFIT REPLACEMENT PAY | $ 38,533,162 | $ 38,497,775 |

## BOND DEBT SERVICE PAYMENTS

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 20,000,332 | $ 23,546,613 |

## BOND DEBT SERVICE PAYMENTS
(Continued)

| | | |
|---|---|---|
| General Revenue Fund - Dedicated | | |
| GR Dedicated - Texas Military Revolving Loan Account No. 5114, estimated | 2,941,763 | 3,718,473 |
| Permanent Fund for Health and Tobacco Education and Enforcement Account No. 5044 | 10,562,519 | 28,481,408 |
| Permanent Fund Children & Public Health Account No. 5045 | 5,281,258 | 14,240,704 |
| Permanent Fund for EMS & Trauma Care Account No. 5046 | 5,281,258 | 14,240,704 |
| Subtotal, General Revenue Fund - Dedicated | $ 24,066,798 | $ 60,681,289 |
| Federal Funds | 430,507 | 430,507 |
| **Total, Method of Financing** | $ 44,497,637 | $ 84,658,409 |
| **Items of Appropriation:** | | |
| **A. Goal:** FINANCE CAPITAL PROJECTS | | |
| **A.1.1. Strategy:** BOND DEBT SERVICE | $ 44,497,637 | $ 84,658,409 & UB |
| To Texas Public Finance Authority for Payment of Bond Debt Service. | | |
| **Grand Total,** BOND DEBT SERVICE PAYMENTS | $ 44,497,637 | $ 84,658,409 |

## LEASE PAYMENTS

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 11,395,487 | $ 10,632,249 |
| **Total, Method of Financing** | $ 11,395,487 | $ 10,632,249 |
| **Items of Appropriation:** | | |
| **A. Goal:** FINANCE CAPITAL PROJECTS | | |
| **A.1.1. Strategy:** LEASE PAYMENTS | $ 11,395,487 | $ 10,632,249 & UB |
| To TFC for Payment to TPFA. | | |
| **Grand Total,** LEASE PAYMENTS | $ 11,395,487 | $ 10,632,249 |

## RECAPITULATION - ARTICLE I
## GENERAL GOVERNMENT
## (General Revenue)

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| Commission on the Arts | $ 1,222,115 | $ 2,349,846 |
| Office of the Attorney General | 179,179,747 | 176,201,736 |
| Contingency Appropriations | 14,132,008 | 1,632,008 |
| Total | 193,311,755 | 177,833,744 |
| Bond Review Board | 486,967 | 486,968 |
| Comptroller of Public Accounts | 201,496,491 | 201,488,196 |
| Contingency Appropriations | 500,000 | 500,000 |
| Total | 201,996,491 | 201,988,196 |
| Fiscal Programs - Comptroller of Public Accounts | 328,354,392 | 328,627,686 |
| Contingency Appropriations | 2,000,000 | 0 |
| Total | 330,354,392 | 328,627,686 |
| Employees Retirement System | 8,088,040 | 8,088,040 |
| Texas Ethics Commission | 1,737,032 | 1,737,032 |
| Contingency Appropriations | 187,500 | 187,500 |
| Total | 1,924,532 | 1,924,532 |
| Facilities Commission | 27,932,691 | 27,872,691 |
| Contingency Appropriations | 246,163 | 127,011 |
| Total | 28,178,854 | 27,999,702 |
| Public Finance Authority | 259,793 | 259,793 |
| Fire Fighters' Pension Commissioner | 788,669 | 788,670 |
| Office of the Governor | 9,904,980 | 9,104,980 |
| Trusteed Programs Within the Office of the Governor | 24,480,302 | 24,501,826 |
| Historical Commission | 11,043,860 | 9,332,991 |
| Department of Information Resources | 677,739 | 677,739 |
| Library & Archives Commission | 7,352,276 | 7,014,931 |
| Pension Review Board | 694,002 | 694,001 |
| Preservation Board | 18,646,973 | 9,466,611 |
| Secretary of State | 22,796,193 | 9,086,881 |
| Veterans Commission | 6,821,656 | 6,793,207 |
| Subtotal, General Government | $ 869,029,589 | $ 827,020,344 |
| Retirement and Group Insurance | 75,473,459 | 82,008,445 |
| Social Security and Benefit Replacement Pay | 30,056,218 | 30,021,519 |
| Subtotal, Employee Benefits | $ 105,529,677 | $ 112,029,964 |
| Bond Debt Service Payments | 20,000,332 | 23,546,613 |
| Lease Payments | 11,395,487 | 10,632,249 |
| Subtotal, Debt Service | $ 31,395,819 | $ 34,178,862 |
| TOTAL, ARTICLE I - GENERAL GOVERNMENT | $ 1,005,955,085 | $ 973,229,170 |

## RECAPITULATION - ARTICLE I
## GENERAL GOVERNMENT
## (General Revenue - Dedicated)

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| Commission on the Arts | $ 1,321,157 | $ 193,426 |
| Office of the Attorney General | 87,616,387 | 87,616,887 |
| Cancer Prevention and Research Institute of Texas | 6,000 | 6,000 |
| Fiscal Programs - Comptroller of Public Accounts | 75,141,292 | 14,645,292 |
| Rider Appropriations | 10,000,000 | 10,000,000 |
| Total | 85,141,292 | 24,645,292 |
| Commission on State Emergency Communications | 51,568,055 | 48,681,453 |
| Contingency Appropriations | 2,821,188 | 8,901,236 |
| Total | 54,389,243 | 57,582,689 |
| Facilities Commission | 4,437,921 | 2,052,467 |
| Public Finance Authority | 1,587,235 | 1,470,441 |
| Trusteed Programs Within the Office of the Governor | 302,342,215 | 16,992,214 |
| Historical Commission, Contingency Appropriations | 2,552,832 | 2,552,832 |
| Secretary of State | 838,005 | 996,435 |
| Veterans Commission | 3,000 | 3,000 |
| Subtotal, General Government | $ 540,235,287 | $ 194,111,683 |
| Retirement and Group Insurance | 2,391,637 | 2,570,071 |
| Social Security and Benefit Replacement Pay | 936,117 | 932,554 |
| Subtotal, Employee Benefits | $ 3,327,754 | $ 3,502,625 |
| Bond Debt Service Payments | 24,066,798 | 60,681,289 |
| Subtotal, Debt Service | $ 24,066,798 | $ 60,681,289 |
| TOTAL, ARTICLE I - GENERAL GOVERNMENT | $ 567,629,839 | $ 258,295,597 |

## RECAPITULATION - ARTICLE I
## GENERAL GOVERNMENT
## (Federal Funds)

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| Commission on the Arts | $ 1,075,500 | $ 1,075,500 |
| Office of the Attorney General | 212,551,603 | 206,944,542 |
| Fiscal Programs - Comptroller of Public Accounts | 2,112,626 | 1,288,784 |
| Commission on State Emergency Communications | 2,556,510 | 0 |
| Trusteed Programs Within the Office of the Governor | 57,743,406 | 57,743,406 |
| Historical Commission | 865,351 | 865,351 |
| Library & Archives Commission | 13,508,437 | 4,473,969 |
| Secretary of State | 33,522,923 | 8,377,364 |
| Veterans Commission | 9,550,240 | 9,551,294 |
| Subtotal, General Government | $ 333,486,596 | $ 290,320,210 |
| Retirement and Group Insurance | 18,456,501 | 19,941,047 |
| Social Security and Benefit Replacement Pay | 5,719,536 | 5,718,771 |
| Subtotal, Employee Benefits | $ 24,176,037 | $ 25,659,818 |
| Bond Debt Service Payments | 430,507 | 430,507 |
| Subtotal, Debt Service | $ 430,507 | $ 430,507 |
| TOTAL, ARTICLE I - GENERAL GOVERNMENT | $ 358,093,140 | $ 316,410,535 |

## RECAPITULATION - ARTICLE I
## GENERAL GOVERNMENT
## (Other Funds)

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| Commission on the Arts | $ 152,000 | $ 152,000 |
| Office of the Attorney General | 38,736,519 | 38,786,088 |
| Cancer Prevention and Research Institute of Texas | 300,020,000 | 300,020,000 |
| Comptroller of Public Accounts | 4,088,502 | 4,017,196 |
| Fiscal Programs - Comptroller of Public Accounts | 14,800,000 | 14,800,000 |
| Commission on State Emergency Communications | 240,000 | 240,000 |
| Texas Ethics Commission | 8,190 | 8,190 |
| Facilities Commission | 19,479,321 | 19,479,320 |
| Public Finance Authority | 665,285 | 665,285 |
| Fire Fighters' Pension Commissioner | 38,500 | 38,500 |
| Office of the Governor | 270,000 | 270,000 |
| Trusteed Programs Within the Office of the Governor | 21,809,407 | 1,523,407 |
| Historical Commission | 1,042,270 | 542,270 |
| Contingency Appropriations | 1,780,000 | 1,780,000 |
| Total | 2,822,270 | 2,322,270 |
| Department of Information Resources | 289,568,148 | 271,668,647 |
| Contingency Appropriations | 2,531,784 | 2,439,901 |
| Total | 292,099,932 | 274,108,548 |
| Library & Archives Commission | 4,424,479 | 4,217,798 |
| Pension Review Board | 10,000 | 10,000 |
| Preservation Board | 21,745 | 21,745 |
| State Office of Risk Management | 9,053,077 | 9,053,078 |
| Workers' Compensation Payments | 47,871,161 | 48,371,161 |
| Secretary of State | 6,948,232 | 6,982,714 |
| Contingency Appropriations | 364,643 | 61,730 |
| Total | 7,312,875 | 7,044,444 |
| Veterans Commission | 14,914,932 | 7,562,932 |
| Subtotal, General Government | $ 778,838,195 | $ 732,711,962 |
| Retirement and Group Insurance | 4,921,172 | 5,352,670 |
| Social Security and Benefit Replacement Pay | 1,821,291 | 1,824,931 |
| Subtotal, Employee Benefits | $ 6,742,463 | $ 7,177,601 |
| Less Interagency Contracts | $ 365,420,399 | $ 348,502,705 |
| TOTAL, ARTICLE I - GENERAL GOVERNMENT | $ 420,160,259 | $ 391,386,858 |

# RECAPITULATION - ARTICLE I
# GENERAL GOVERNMENT
# (All Funds)

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| Commission on the Arts | $ 3,770,772 | $ 3,770,772 |
| Office of the Attorney General | 518,084,256 | 509,549,253 |
| Contingency Appropriations | 14,132,008 | 1,632,008 |
| Total | 532,216,264 | 511,181,261 |
| Bond Review Board | 486,967 | 486,968 |
| Cancer Prevention and Research Institute of Texas | 300,026,000 | 300,026,000 |
| Comptroller of Public Accounts | 205,584,993 | 205,505,392 |
| Contingency Appropriations | 500,000 | 500,000 |
| Total | 206,084,993 | 206,005,392 |
| Fiscal Programs - Comptroller of Public Accounts | 420,408,310 | 359,361,762 |
| Rider Appropriations | 10,000,000 | 10,000,000 |
| Contingency Appropriations | 2,000,000 | 0 |
| Total | 432,408,310 | 369,361,762 |
| Commission on State Emergency Communications | 54,364,565 | 48,921,453 |
| Contingency Appropriations | 2,821,188 | 8,901,236 |
| Total | 57,185,753 | 57,822,689 |
| Employees Retirement System | 8,088,040 | 8,088,040 |
| Texas Ethics Commission | 1,745,222 | 1,745,222 |
| Contingency Appropriations | 187,500 | 187,500 |
| Total | 1,932,722 | 1,932,722 |
| Facilities Commission | 51,849,933 | 49,404,478 |
| Contingency Appropriations | 246,163 | 127,011 |
| Total | 52,096,096 | 49,531,489 |
| Public Finance Authority | 2,512,313 | 2,395,519 |
| Fire Fighters' Pension Commissioner | 827,169 | 827,170 |
| Office of the Governor | 10,174,980 | 9,374,980 |
| Trusteed Programs Within the Office of the Governor | 406,375,330 | 100,760,853 |
| Historical Commission | 12,951,481 | 10,740,612 |
| Contingency Appropriations | 4,332,832 | 4,332,832 |
| Total | 17,284,313 | 15,073,444 |
| Department of Information Resources | 290,245,887 | 272,346,386 |
| Contingency Appropriations | 2,531,784 | 2,439,901 |
| Total | 292,777,671 | 274,786,287 |
| Library & Archives Commission | 25,285,192 | 15,706,698 |
| Pension Review Board | 704,002 | 704,001 |
| Preservation Board | 18,668,718 | 9,488,356 |
| State Office of Risk Management | 9,053,077 | 9,053,078 |
| Workers' Compensation Payments | 47,871,161 | 48,371,161 |
| Secretary of State | 64,105,353 | 25,443,394 |
| Contingency Appropriations | 364,643 | 61,730 |
| Total | 64,469,996 | 25,505,124 |
| Veterans Commission | 31,289,828 | 23,910,433 |
| Subtotal, General Government | $ 2,521,589,667 | $ 2,044,164,199 |

## RECAPITULATION - ARTICLE I
## GENERAL GOVERNMENT
## (All Funds)
(Continued)

| | | |
|---|---|---|
| Retirement and Group Insurance | 101,242,769 | 109,872,233 |
| Social Security and Benefit Replacement Pay | 38,533,162 | 38,497,775 |
| Subtotal, Employee Benefits | $ 139,775,931 | $ 148,370,008 |
| Bond Debt Service Payments | 44,497,637 | 84,658,409 |
| Lease Payments | 11,395,487 | 10,632,249 |
| Subtotal, Debt Service | $ 55,893,124 | $ 95,290,658 |
| Less Interagency Contracts | $ 365,420,399 | $ 348,502,705 |
| TOTAL, ARTICLE I - GENERAL GOVERNMENT | $ 2,351,838,323 | $ 1,939,322,160 |
| Number of Full-Time-Equivalents (FTE) | 9,234.4 | 9,233.2 |

# ARTICLE II

## HEALTH AND HUMAN SERVICES

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 health and human services agencies.

## DEPARTMENT OF AGING AND DISABILITY SERVICES

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | | |
| General Revenue Fund | $ 148,625,478 | $ 148,684,263 |
| GR Match for Medicaid | 2,128,893,990 | 1,002,067,463 |
| GR Match for Federal Funds (Older Americans Act) | 4,282,380 | 4,282,380 |
| GR Certified as Match for Medicaid | 237,147,291 | 233,065,997 |
| Subtotal, General Revenue Fund | $ 2,518,949,139 | $ 1,388,100,103 |
| General Revenue Fund - Dedicated | | |
| Texas Capital Trust Fund Account No. 543 | 289,803 | 289,802 |
| Home Health Services Account No. 5018 | 1,948,343 | 1,948,343 |
| Texas Special Olympic License Plates Account No. 5055 | 1,500 | 1,500 |
| Quality Assurance Account No. 5080 | 59,821,479 | 59,321,479 |
| Subtotal, General Revenue Fund - Dedicated | $ 62,061,125 | $ 61,561,124 |
| Federal Funds | 3,613,620,416 | 1,968,629,019 |
| Other Funds | | |
| Appropriated Receipts | 2,150,393 | 2,150,393 |
| Interagency Contracts | 3,635,317 | 3,635,317 |
| Bond Proceeds - General Obligation Bonds | 0 | 14,833,333 |
| MR Collections for Patient Support and Maintenance | 17,266,929 | 17,266,928 |
| MR Appropriated Receipts | 754,450 | 754,450 |
| MR Revolving Fund Receipts | 82,160 | 82,160 |
| Subtotal, Other Funds | $ 23,889,249 | $ 38,722,581 |
| **Total, Method of Financing** | $ 6,218,519,929 | $ 3,457,012,827 |
| **Other Direct and Indirect Costs Appropriated Elsewhere in this Act** | $ 595,621 | $ 635,692 |
| **This bill pattern represents an estimated 99.9% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 17,662.4 | 17,492.0 |
| **Schedule of Exempt Positions:** | | |
| Commissioner, Group 7 | $163,200 | $163,200 |
| **Items of Appropriation:** | | |
| **A. Goal:** LONG-TERM SERVICES AND SUPPORTS | | |
| **A.1.1. Strategy:** INTAKE, ACCESS, & ELIGIBILITY<br>Intake, Access, and Eligibility to Services and Supports. | $ 184,877,580 | $ 176,496,261 |
| **A.1.2. Strategy:** GUARDIANSHIP | $ 6,995,223 | $ 6,995,223 |
| **A.2.1. Strategy:** PRIMARY HOME CARE | $ 311,484,070 | $ 29,579,623 |
| **A.2.2. Strategy:** COMMUNITY ATTENDANT SERVICES | $ 486,682,976 | $ 158,152,934 |
| **A.2.3. Strategy:** DAY ACTIVITY & HEALTH SERVICES<br>Day Activity and Health Services (DAHS). | $ 61,384,145 | $ 2,885,234 |
| **A.3.1. Strategy:** COMMUNITY-BASED ALTERNATIVES<br>Community-based Alternatives (CBA). | $ 231,542,467 | $ 116,605,425 |

| | | | | |
|---|---|---|---|---|
| **A.3.2. Strategy:** HOME AND COMMUNITY-BASED SERVICES | $ | 792,081,944 | $ | 813,101,215 |
| Home and Community-based Services (HCS). | | | | |
| **A.3.3. Strategy:** COMMUNITY LIVING ASSISTANCE (CLASS) | $ | 179,152,968 | $ | 175,103,334 |
| Community Living Assistance and Support Services (CLASS). | | | | |
| **A.3.4. Strategy:** DEAF-BLIND MULTIPLE DISABILITIES | $ | 7,371,823 | $ | 7,351,681 |
| Deaf-Blind Multiple Disabilities (DBMD). | | | | |
| **A.3.5. Strategy:** MEDICALLY DEPENDENT CHILDREN PGM | $ | 41,946,865 | $ | 41,554,496 |
| Medically Dependent Children Program (MDCP). | | | | |
| **A.3.6. Strategy:** CONSOLIDATED WAIVER PROGRAM | $ | 3,780,346 | $ | 3,770,017 |
| **A.3.7. Strategy:** TEXAS HOME LIVING WAIVER | $ | 44,911,397 | $ | 44,788,688 |
| **A.4.1. Strategy:** NON-MEDICAID SERVICES | $ | 145,516,181 | $ | 145,516,181 |
| **A.4.2. Strategy:** MR COMMUNITY SERVICES | $ | 75,000,000 | $ | 75,000,000 |
| Mental Retardation Community Services. | | | | |
| **A.4.3. Strategy:** PROMOTING INDEPENDENCE PLAN | $ | 4,818,281 | $ | 4,818,281 |
| Promoting Independence through Outreach, Awareness, and Relocation. | | | | |
| **A.4.4. Strategy:** IN-HOME AND FAMILY SUPPORT | $ | 4,989,907 | $ | 4,989,908 |
| **A.4.5. Strategy:** MENTAL RETARDATION IN-HOME SERVICES | $ | 0 | $ | 0 |
| **A.5.1. Strategy:** ALL-INCLUSIVE CARE - ELDERLY (PACE) | $ | 37,550,176 | $ | 11,510,529 |
| Program of All-inclusive Care for the Elderly (PACE). | | | | |
| **A.6.1. Strategy:** NURSING FACILITY PAYMENTS | $ | 2,011,480,976 | $ | 604,369,591 |
| **A.6.2. Strategy:** MEDICARE SKILLED NURSING FACILITY | $ | 166,956,355 | $ | 53,188,257 |
| **A.6.3. Strategy:** HOSPICE | $ | 231,407,223 | $ | 73,092,040 |
| **A.6.4. Strategy:** PROMOTING INDEPENDENCE SERVICES | $ | 112,790,001 | $ | 35,457,808 |
| Promote Independence by Providing Community-based Services. | | | | |
| **A.7.1. Strategy:** INTERMEDIATE CARE FACILITIES - MR | $ | 293,123,363 | $ | 85,946,848 |
| Intermed Care Facilities - for Persons w/ MR (ICF/MR). | | | | |
| **A.8.1. Strategy:** STATE SUPPORTED LIVING CENTERS | $ | 648,574,310 | $ | 638,552,815 |
| **A.9.1. Strategy:** CAPITAL REPAIRS AND RENOVATIONS | $ | 352,186 | $ | 15,185,518 |
| **Total, Goal A:** LONG-TERM SERVICES AND SUPPORTS | $ | 6,084,770,763 | $ | 3,324,011,907 |
| **B. Goal:** REGULATION, CERTIFICATION, OUTREACH | | | | |
| Regulation, Certification, and Outreach. | | | | |
| **B.1.1. Strategy:** FACILITY/COMMUNITY-BASED REGULATION | $ | 62,510,903 | $ | 62,510,903 |
| Facility and Community-Based Regulation. | | | | |
| **B.1.2. Strategy:** CREDENTIALING/CERTIFICATION | $ | 1,274,532 | $ | 1,274,531 |
| **B.1.3. Strategy:** LTC QUALITY OUTREACH | $ | 5,080,203 | $ | 5,080,202 |
| Long-Term Care Quality Outreach. | | | | |
| **Total, Goal B:** REGULATION, CERTIFICATION, OUTREACH | $ | 68,865,638 | $ | 68,865,636 |
| **C. Goal:** INDIRECT ADMINISTRATION | | | | |
| **C.1.1. Strategy:** CENTRAL ADMINISTRATION | $ | 29,904,976 | $ | 29,873,291 |
| **C.1.2. Strategy:** IT PROGRAM SUPPORT | $ | 34,978,552 | $ | 34,261,993 |
| Information Technology Program Support. | | | | |
| **Total, Goal C:** INDIRECT ADMINISTRATION | $ | 64,883,528 | $ | 64,135,284 |
| **Grand Total,** DEPARTMENT OF AGING AND DISABILITY SERVICES | $ | 6,218,519,929 | $ | 3,457,012,827 |
| **Object-of-Expense Informational Listing:** | | | | |
| Salaries and Wages | $ | 572,871,002 | $ | 564,476,772 |
| Other Personnel Costs | | 24,977,935 | | 21,075,210 |
| Professional Fees and Services | | 32,046,147 | | 33,576,296 |
| Fuels and Lubricants | | 2,000,244 | | 1,614,912 |
| Consumable Supplies | | 4,527,989 | | 5,119,048 |

| | | |
|---|---|---|
| Utilities | 14,104,210 | 14,102,240 |
| Travel | 13,255,705 | 12,988,113 |
| Rent - Building | 422,645 | 346,647 |
| Rent - Machine and Other | 7,061,830 | 6,628,979 |
| Other Operating Expense | 156,572,371 | 173,790,943 |
| Client Services | 5,198,154,093 | 2,435,195,197 |
| Food for Persons - Wards of State | 22,553,114 | 18,211,233 |
| Grants | 161,929,188 | 161,865,277 |
| Capital Expenditures | 8,043,456 | 8,021,960 |
| **Total, Object-of-Expense Informational Listing** | $ 6,218,519,929 | $ 3,457,012,827 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 29,648,621 | $ 29,141,465 |
| Group Insurance | 130,475,433 | 130,835,659 |
| Social Security | 43,010,007 | 42,274,297 |
| Benefits Replacement | 3,009,773 | 2,814,138 |
| Subtotal, Employee Benefits | $ 206,143,834 | $ 205,065,559 |
| Debt Service | | |
| TPFA GO Bond Debt Service | $ 12,184,036 | $ 13,621,660 |
| Lease Payments | 348,299 | 287,333 |
| Subtotal, Debt Service | $ 12,532,335 | $ 13,908,993 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 218,676,169 | $ 218,974,552 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Department of Aging and Disability Services. 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 Aging and Disability Services. In order to achieve the objectives and service standards established by this Act, the Department of Aging and Disability Services shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** LONG-TERM SERVICES AND SUPPORTS | | |
| **Outcome (Results/Impact):** | | |
| Percent of Long-term Care Individuals Served in Community Settings | 77.43% | 76.42% |
| Average Number of Individuals Served Per Month: Medicaid Non-waiver Community Services and Supports | 89,573 | 65,304 |
| Average Number of Individuals Served Per Month: Waivers | 47,778 | 43,372 |
| Number of Persons Receiving Services at the End of the Fiscal Year: Waivers | 47,987 | 43,570 |
| **A.1.1. Strategy:** INTAKE, ACCESS, & ELIGIBILITY | | |
| **Output (Volume):** | | |
| Average Monthly Number of Individuals with Intellectual and Developmental Disabilities Receiving Assessment and Service Coordination Including Home and Community Based Services | 28,593 | 28,593 |
| **A.2.1. Strategy:** PRIMARY HOME CARE | | |
| **Output (Volume):** | | |
| Average Number of Individuals Served Per Month: Primary Home Care | 31,240 | 12,084 |
| **Efficiencies:** | | |
| Average Monthly Cost Per Individual Served: Primary Home Care | 830.9 | 671.9 |
| **A.2.2. Strategy:** COMMUNITY ATTENDANT SERVICES | | |
| **Output (Volume):** | | |
| Average Number of Individuals Served Per Month: Community Attendant Services | 48,617 | 51,534 |
| **Efficiencies:** | | |
| Average Monthly Cost Per Individual Served: Community Attendant Services | 834.21 | 842.35 |

| | | |
|---|---|---|
| **A.2.3. Strategy:** DAY ACTIVITY & HEALTH SERVICES | | |
| **Output (Volume):** | | |
| Average Number of Individuals Served Per Month: Day Activity and Health Services | 9,716 | 1,686 |
| **Efficiencies:** | | |
| Average Monthly Cost Per Individual Served: Day Activity and Health Services | 526.5 | 469.67 |
| **A.3.1. Strategy:** COMMUNITY-BASED ALTERNATIVES | | |
| **Output (Volume):** | | |
| Average Number of Individuals Served Per Month: Medicaid Community-based Alternatives (CBA) Waiver | 14,616 | 9,794 |
| **Efficiencies:** | | |
| Average Monthly Cost Per Individual Served: Medicaid Community-based Alternatives (CBA) Waiver | 1,320.19 | 992.15 |
| **Explanatory:** | | |
| Average Number of Individuals on Interest List Per Month: Medicaid Community-based Alternatives (CBA) Waiver | 55,600 | 55,600 |
| Number of Individuals Receiving Services at the End of the Fiscal Year: Community-based Alternatives (CBA) Waiver | 9,768 | 9,816 |
| Total Number of Declined Services or Found to be Ineligible for Services during the Fiscal Year: Community-based Alternative (CBA) Waiver | 5,652 | 5,652 |
| Average Number on Community-based Alternatives (CBA) Interest List Receiving Other DADS Services Per Month | 22,255 | 22,255 |
| **A.3.2. Strategy:** HOME AND COMMUNITY-BASED SERVICES | | |
| **Output (Volume):** | | |
| Average Number of Individuals Served Per Month: Home and Community Based Services (HCS) | 20,123 | 20,539 |
| **Efficiencies:** | | |
| Average Monthly Cost Per Individual Served: Home and Community Based Services (HCS) | 3,280.22 | 3,299.07 |
| **Explanatory:** | | |
| Number of Individuals Receiving Services at the End of the Fiscal Year: Home and Community Based Services (HCS) | 20,313 | 20,729 |
| Average Number of Individuals on Interest List Per Month: Home and Community Based Services (HCS) | 47,047 | 47,047 |
| Total Number Declined Services or Found to be Ineligible for Services during the Fiscal Year: Home and Community-based Services (HCS) | 1,103 | 1,103 |
| Average Number on Home Community-based Services (HCS) Interest List Receiving Other DADS Services Per Month | 10,839 | 10,839 |
| **A.3.3. Strategy:** COMMUNITY LIVING ASSISTANCE (CLASS) | | |
| **Output (Volume):** | | |
| Average Number of Individuals Served Per Month: Medicaid Related Conditions Waiver (CLASS) | 4,619 | 4,619 |
| **Efficiencies:** | | |
| Average Monthly Cost Per Individual Served: Medicaid Related Conditions Waiver (CLASS) | 3,232.17 | 3,159.11 |
| **Explanatory:** | | |
| Average Number of Individuals on Interest List Per Month: Medicaid Related Conditions Waiver (CLASS) | 30,280 | 30,280 |
| Number of Persons Receiving Services at the End of the Fiscal Year: Community Living Assistance & Support Services Waiver (CLASS) | 4,619 | 4,619 |
| Total Number Declined Services or Found to be Ineligible for Services during the Fiscal Year: Community Living Assistance and Support Services (CLASS) | 837 | 837 |
| Average Number on Community Living Assistance and Support Services (CLASS) Interest List Receiving Other DADS Services Per Month | 5,407 | 5,407 |
| **A.3.4. Strategy:** DEAF-BLIND MULTIPLE DISABILITIES | | |
| **Output (Volume):** | | |
| Average Number of Individuals Served Per Month: Medicaid Deaf-blind with Multiple Disabilities Waiver | 148 | 148 |
| **Efficiencies:** | | |
| Average Monthly Cost Per Individual Served: Medicaid Deaf-blind with Multiple Disabilities Waiver | 4,150.8 | 4,139.46 |

| | | |
|---|---|---|
| **Explanatory:** | | |
| Average Number of Persons on Interest List Per Month: Medicaid Deaf-blind with Multiple Disabilities Waiver | 335 | 335 |
| Number of Persons Receiving Services at the End of the Fiscal Year: Medicaid Deaf-blind with Multiple Disabilities Waiver | 148 | 148 |
| Total Number Declined Services or Found to be Ineligible for Services during the Fiscal Year: Deaf-Blind Multiple Disabilities (DBMD) | 0 | 0 |
| Average Number on Deaf-Blind Multiple Disabilities (DBMD) Interest List Receiving Other DADS Services Per Month | 108 | 108 |
| **A.3.5. Strategy:** MEDICALLY DEPENDENT CHILDREN PGM | | |
| **Output (Volume):** | | |
| Average Number of Individuals Served Per Month: Medically Dependent Children Program | 2,380 | 2,380 |
| **Efficiencies:** | | |
| Average Monthly Cost Per Individual Served: Medically Dependent Children Program | 1,468.73 | 1,454.99 |
| **Explanatory:** | | |
| Average Number of Persons on Interest List Per Month: Medically Dependent Children Program | 18,310 | 18,310 |
| Number of Persons Receiving Services at the End of the Fiscal Year: Medically Dependent Children's Program | 2,380 | 2,380 |
| Total Number Declined Services or Found to be Ineligible for Services Fiscal Year: Medically Dependent Children Program (MDCP) | 416 | 416 |
| Average Number on Medically Dependent Children Program (MDCP) Interest List Receiving Other DADS Services Per Month | 340 | 340 |
| **A.3.6. Strategy:** CONSOLIDATED WAIVER PROGRAM | | |
| **Output (Volume):** | | |
| Average Number of Individuals Served Per Month: Medicaid Consolidated Waiver Program | 154 | 154 |
| **Efficiencies:** | | |
| Average Monthly Cost Per Individual Served: Medicaid Consolidated Waiver Program | 2,045.64 | 2,040.05 |
| **Explanatory:** | | |
| Number of Persons Receiving Services at the End of the Fiscal Year: Medicaid Consolidated Waiver Program | 154 | 154 |
| **A.3.7. Strategy:** TEXAS HOME LIVING WAIVER | | |
| **Output (Volume):** | | |
| Average Number of Individuals Served Per Month: Texas Home Living Waiver | 5,738 | 5,738 |
| **Efficiencies:** | | |
| Average Monthly Cost Per Individual Served: Texas Home Living Waiver | 652.25 | 650.47 |
| **Explanatory:** | | |
| Number of Individuals Receiving Services at the End of the Fiscal Year: Texas Home Living Waiver | 5,738 | 5,738 |
| **A.4.1. Strategy:** NON-MEDICAID SERVICES | | |
| **Output (Volume):** | | |
| Average Number of Individuals Served Per Month: Non Medicaid Community Care (XX/GR) | 35,377 | 35,377 |
| **Explanatory:** | | |
| Average Number of Individuals Receiving Non-Medicaid Community Services and Supports (XX) | 17,026 | 17,026 |
| Number of Individuals Receiving Services at the End of the Fiscal Year: Non Medicaid Community Care (XX / GR) | 35,489 | 35,489 |
| **A.4.2. Strategy:** MR COMMUNITY SERVICES | | |
| **Output (Volume):** | | |
| Average Monthly Number of Individuals with Intellectual and Developmental Disabilities Receiving Community Services | 9,955 | 9,955 |
| **Efficiencies:** | | |
| Average Monthly Cost Per Individual with Intellectual and Developmental Disabilities Receiving Community Services | 661.1 | 661.1 |
| **Explanatory:** | | |
| Number of Individuals with Intellectual and Developmental Disabilities Receiving Community Services at the End of the Fiscal Year | 9,955 | 9,955 |

| | | |
|---|---|---|
| **A.4.4. Strategy:** IN-HOME AND FAMILY SUPPORT | | |
| **Output (Volume):** | | |
| Average Number of Individuals Per Month Receiving In-home Family Support (IHFS) | 5,375 | 5,375 |
| **Efficiencies:** | | |
| Average Monthly Cost of In-home Family Support Per Individual | 77.36 | 77.36 |
| **Explanatory:** | | |
| Number of Individuals Receiving Services at the End of the Fiscal Year: In-Home and Family Support | 5,375 | 5,375 |
| **A.4.5. Strategy:** MENTAL RETARDATION IN-HOME SERVICES | | |
| **Output (Volume):** | | |
| Number of Individuals with Intellectual and Developmental Disabilities Receiving In-Home and Family Support Per Year | 0 | 0 |
| **Efficiencies:** | | |
| Average Annual Grant Per Individual with Intellectual and Developmental Disabilities Receiving In-home and Family Support Per Year | 0 | 0 |
| **Explanatory:** | | |
| Number of Individuals with Intellectual and Developmental Disabilities Receiving Services at the End of the Fiscal Year: In-Home and Family Support | 0 | 0 |
| **A.5.1. Strategy:** ALL-INCLUSIVE CARE - ELDERLY (PACE) | | |
| **Output (Volume):** | | |
| Average Number of Recipients Per Month: Program for All Inclusive Care (PACE) | 1,091 | 1,105 |
| **Efficiencies:** | | |
| Average Monthly Cost Per Recipient: Program for All Inclusive Care (PACE) | 2,867.08 | 2,859.2 |
| **Explanatory:** | | |
| Number of Persons Receiving Services at the End of the Fiscal Year: Program of All-inclusive Care for the Elderly (PACE) | 1,091 | 1,105 |
| **A.6.1. Strategy:** NURSING FACILITY PAYMENTS | | |
| **Output (Volume):** | | |
| Average Number of Individuals Receiving Medicaid - Funded Nursing Facility Services per Month | 56,213 | 56,223 |
| **Efficiencies:** | | |
| Net Nursing Facility Cost Per Medicaid Resident Per Month | 2,981.92 | 2,950.54 |
| **A.6.2. Strategy:** MEDICARE SKILLED NURSING FACILITY | | |
| **Output (Volume):** | | |
| Average Number of Individuals Receiving Copaid Medicaid/Medicare Nursing Facility Services Per Month | 6,767 | 6,903 |
| **Efficiencies:** | | |
| Net Payment Per Individual for Copaid Medicaid/Medicare Nursing Facility Services Per Month | 2,055.93 | 2,115.01 |
| **A.6.3. Strategy:** HOSPICE | | |
| **Output (Volume):** | | |
| Average Number of Individuals Receiving Hospice Services Per Month | 7,039 | 7,343 |
| **Efficiencies:** | | |
| Average Net Payment Per Individual Per Month for Hospice | 2,739.58 | 2,732.23 |
| **A.6.4. Strategy:** PROMOTING INDEPENDENCE SERVICES | | |
| **Output (Volume):** | | |
| Average Number of Individuals Served Through Promoting Independence Per Month | 6,318 | 6,863 |
| **Efficiencies:** | | |
| Average Monthly Cost Per Individual Served: Promoting Independence | 1,487.75 | 1,418.11 |
| **A.7.1. Strategy:** INTERMEDIATE CARE FACILITIES - MR | | |
| **Output (Volume):** | | |
| Average Number of Persons in ICF/MR Medicaid Beds Per Month | 5,602 | 5,423 |
| **Efficiencies:** | | |
| Monthly Cost Per ICF/MR Medicaid Eligible Individual | 4,360.27 | 4,349.92 |

| | | |
|---|---|---|
| **A.8.1. Strategy:** STATE SUPPORTED LIVING CENTERS | | |
| **Output (Volume):** | | |
| Average Monthly Number of State Supported Living Center Campus Residents | 3,831 | 3,595 |
| Number of Unfounded Abuse/Neglect/Exploitation Allegations Against State Supported Living Center Staff as Reported By Victims | 131 | 65.5 |
| Number of Confirmed Abuse/Neglect/Exploitation Incidents at State Supported Living Centers | 214.5 | 107.25 |
| **Efficiencies:** | | |
| Average Monthly Cost Per State Supported Living Center or State Center Resident | 14,107.11 | 14,801.53 |
| **B. Goal:** REGULATION, CERTIFICATION, OUTREACH | | |
| **Outcome (Results/Impact):** | | |
| Percent of Facilities Complying with Standards at Time of Inspection for Licensure and/or Medicare/Medicaid Certification | 62.26% | 62.26% |
| **B.1.1. Strategy:** FACILITY/COMMUNITY-BASED REGULATION | | |
| **Output (Volume):** | | |
| Total Dollar Amount Collected from Fines | 2,641,154 | 2,641,154 |
| **B.1.2. Strategy:** CREDENTIALING/CERTIFICATION | | |
| **Output (Volume):** | | |
| Number of Licenses Issued or Renewed Per Year: Nursing Facility Administrators | 1,285 | 1,120 |

**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.

| | 2012 | 2013 |
|---|---|---|
| a. Repair or Rehabilitation of Buildings and Facilities | | |
| (1) Repairs of State Owned Bond Homes and State Supported Living Centers | $ 3,352,186 | $ 15,185,518 |
| b. Acquisition of Information Resource Technologies | | |
| (1) Lease of Personal Computers | 3,965,874 | 3,995,874 |
| (2) Software Licenses | 1,701,400 | 1,701,400 |
| (3) Data Center Consolidation | 3,598,640 | 3,915,049 |
| (4) SAS/CARE Consolidation | 4,909,368 | 814,433 |
| (5) Messaging and Collaboration | 1,605,939 | 1,605,939 |
| (6) Telecommunications Enhancements | 1,082,445 | 0 |
| (7) Community Services Database Portal Design | 1,500,000 | 1,500,000 |
| (8) Security Improvements | $ 290,000 | $ 914,216 |
| Total, Acquisition of Information Resource Technologies | $ 18,653,666 | $ 14,446,911 |
| c. Transportation Items | | |
| (1) Vehicle Replacement for State Supported Living Centers-Paratransit/Wheelchair | $ 1,271,365 | $ 1,227,366 |
| d. Other Lease Payments to the Master Lease Purchase Program (MLPP) | | |
| (1) Payment of MLPP - Utility Savings or Energy Conservation | 3,305,939 | 2,387,101 |
| (2) Payment of MLPP - Transportation | $ 271,914 | $ 127,751 |
| Total, Other Lease Payments to the Master Lease Purchase Program (MLPP) | $ 3,577,853 | $ 2,514,852 |
| Total, Capital Budget | $ 26,855,070 | $ 33,374,647 |
| Method of Financing (Capital Budget): | | |
| General Revenue Fund | | |
| General Revenue Fund | $ 7,367,942 | $ 3,248,757 |

| | | |
|---|---|---|
| GR Match for Medicaid | 3,364,350 | 2,804,585 |
| GR Certified as Match for Medicaid | 2,948,999 | 3,038,783 |
| Subtotal, General Revenue Fund | $ 13,681,291 | $ 9,092,125 |
| GR Dedicated - Texas Capital Trust Fund Account No. 543 | 289,803 | 289,802 |
| Federal Funds | 12,587,332 | 8,853,435 |
| Other Funds | | |
| Bond Proceeds - General Obligation Bonds | 0 | 14,833,333 |
| MR Collections for Patient Support and Maintenance | 263,754 | 272,759 |
| MR Appropriated Receipts | 32,890 | 33,193 |
| Subtotal, Other Funds | $ 296,644 | $ 15,139,285 |
| Total, Method of Financing | $ 26,855,070 | $ 33,374,647 |

**3. Appropriation of Local Funds.** All funds received by the department from counties, cities, and from any other local source and all balances from such sources as of August 31, 2011, are hereby appropriated for the biennium ending August 31, 2013, for the purpose of carrying out the provisions of this Act.

**4. Nursing Home Program Provisions.**

a. Nursing Home Income Eligibility Cap. It is the intent of the Legislature that the income eligibility cap for nursing home care shall be maintained at the federal maximum level of 300 percent of Supplemental Security Income (SSI).

b. Establishment of a Swing-bed Program. Out of the funds appropriated above for nursing home vendor payments, the department shall maintain a "swing-bed" program, in accordance with federal regulations, to provide reimbursement for skilled nursing patients who are served in hospital settings in counties with a population of 100,000 or less. If the swing beds are used for more than one 30-day length of stay per year per patient, the hospital must comply with the regulations and standards required for nursing home facilities.

c. Nursing Home Bed Capacity Planning. It is the intent of the Legislature that the department shall establish by rule procedures for controlling the number of Medicaid beds and for the decertification of unused Medicaid beds and for reallocating some or all of the decertified Medicaid beds. The procedures shall take into account a facility's occupancy rate.

d. Nursing Facility Competition. It is the intent of the Legislature that the department encourage competition among contracted nursing facilities.

**5. Appropriations Limited to Revenue Collections.** It is the intent of the Legislature that fees, fines, and other miscellaneous revenues as authorized and generated by the agency cover, at a minimum, the cost of the appropriations made above for the Nursing Facility Administrator program in Strategy B.1.2, Credentialing/Certification, and the Home Health and Community Support Services Agencies program in Strategy B.1.1, Facility & Community-Based Regulation, as well as the "other direct and indirect costs" associated with this program, appropriated elsewhere in this Act. Direct costs for the Nursing Facility Administrator program are estimated to be $479,544 for fiscal year 2012 and $479,544 for fiscal year 2013. Direct costs for the Home and Community Support Services Agencies program are estimated to be $1,948,343 for fiscal year 2012 and $1,948,343 for fiscal year 2013. "Other direct and indirect costs" for the Nursing Facility Administrator program are estimated to be $115,001 for fiscal year 2012 and $122,802 for fiscal year 2013. "Other direct and indirect costs" for the Home and Community Support Services Agencies program are estimated to be $480,620 for fiscal year 2012 and $512,889 for fiscal year 2013. 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.

**6. Accounting of Support Costs.** The State Comptroller shall establish separate accounts from which certain support costs shall be paid. The Department of Aging and Disability Services is hereby authorized to make transfers into these separate accounts from line item strategies in order to pay for these expenses in an efficient and effective manner. Only costs not directly attributable

to a single program may be budgeted in or paid from these accounts. Items to be budgeted in and paid from these accounts include, but are not limited to: postage, occupancy costs, equipment repair, telephones, office printing costs, supplies, freight and transport costs, telephone system costs, and salary and travel costs of staff whose function supports several programs. The department shall be responsible for quarterly allocations of these costs to the original strategies.

**7.** **Fund Transfers for Funds Consolidation.** For the purpose of funds consolidation, federal and other funds may be transferred into the General Revenue Fund from the Department of Aging and Disability Services Fund No. 117. The initial deposit of federal funds shall be made into Fund No. 117 and no direct expenditures shall be made from this fund.

**8.** **Pediatric Care in Nursing Facilities.** When using funds appropriated above in addition to consideration of expense in determining the appropriate placement for children who currently receive care in nursing facilities, the department shall, within the requirements of state and federal law, consider the requests of parents concerning either a continued stay in a nursing facility providing skilled pediatric care or an alternate placement.

**9.** **Limitation: Medicaid Transfer Authority.** Notwithstanding the transfer provisions in the General Provisions (general transfer provisions) and other transfer provisions of this Act, funds appropriated by this Act to the Department of Aging and Disability Services (DADS) for the following Medicaid strategies shall be governed by the specific limitations included in this provision.

a. **Limitations on Transfers.**

(1) **Waivers**. Transfers may not be made between appropriation items listed in this subsection or from appropriation items listed in this subsection to appropriation items not listed in this subsection without prior written approval from the Legislative Budget Board and the Governor. Any transfer approval requests shall be submitted pursuant to subsection (c) of this provision.

A.3.1. Community-based Alternatives (CBA)
A.3.2. Home and Community-based Services (HCS)
A.3.3. Community Living Assistance and Support Services (CLASS)
A.3.4. Deaf-Blind Multiple Disabilities (DBMD)
A.3.5. Medically Dependent Children Program (MDCP)
A.3.6. Consolidated Waiver Program
A.3.7. Texas Home Living Waiver
A.6.4. Promoting Independence Services

(2) **Community Entitlement**. Transfers may be made between appropriation items listed in this subsection. Transfers may not be made from appropriation items listed in this subsection to appropriation items not listed in this subsection without prior written approval from the Legislative Budget Board and the Governor. DADS shall provide notification of all transfers pursuant to subsection (b) of this provision, and any transfer approval requests shall be submitted pursuant to subsection (c) of this provision.

A.2.1. Primary Home Care
A.2.2. Community Attendant Services (formerly Frail Elderly)
A.2.3. Day Activity and Health Services (DAHS)
A.5.1. Program of All-inclusive Care for the Elderly (PACE)

(3) **Nursing Facility and Related Care**. Transfers may be made between appropriation items listed in this subsection. Transfers may not be made from appropriation items listed in this subsection to appropriation items not listed in this subsection without prior written approval from the Legislative Budget Board and the Governor. DADS shall provide notification of all transfers pursuant to subsection (b) of this provision, and any transfer approval requests shall be submitted pursuant to subsection (c) of this provision.

A.6.1. Nursing Facility Payments
A.6.2. Medicare Skilled Nursing Facility
A.6.3. Hospice

(4) **Mental Retardation Services**. Transfers may be made between appropriation items listed in this subsection. Transfers may not be made from appropriation items listed in this subsection to appropriation items not listed in this subsection without prior written approval from the Legislative Budget Board and the Governor. DADS shall provide notification of all transfers pursuant to subsection (b) of this provision, and any transfer approval requests shall be submitted pursuant to subsection (c) of this provision.

A.7.1. Intermediate Care Facilities - Mental Retardation (ICF/MR)
A.8.1. State Supported Living Centers

b. **Notification Regarding Transfers that Do not Require Approval**. Authority granted by this provision to transfer funds is contingent upon a written notification from DADS to the Legislative Budget Board and the Governor at least 30 days prior to the transfer, which includes the following information:

(1) a detailed explanation of the purpose(s) of the transfer and whether the expenditure will be one-time or ongoing;

(2) the name of the originating and receiving strategies and the method of financing and FTEs for each strategy by fiscal year;

(3) an estimate of performance levels and, where relevant, a comparison to targets included in this Act for both the originating and the receiving strategies; and

(4) the capital budget impact.

c. **Requests for Transfers that Require Approval**. To request a transfer, DADS shall submit a written request to the Legislative Budget Board and the Governor. At the same time, the agency shall provide a copy of the request to the Comptroller of Public Accounts. The request shall include the following information:

(1) a detailed explanation of the purpose(s) of the transfer and whether the expenditure will be one-time or ongoing;

(2) the name of the originating and receiving strategies and the method of financing and FTEs for each strategy by fiscal year;

(3) an estimate of performance levels and, where relevant, a comparison to targets included in this Act for both the originating and the receiving strategies; and

(4) the capital budget impact.

The transfer request shall be considered to be disapproved unless the Legislative Budget Board or the Governor issue a written approval within 30 business days of the date on which the staff of the Legislative Budget Board concludes its review of the transfer request and forwards its review to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor.

d. **Transfers into Items of Appropriation**. Transfers may be made from any appropriation item to the appropriation items in section (a), subject to the limitations established in section (a) for each appropriation item.

e. **Cost Pools**. Notwithstanding the above limitations, transfers may be made from the appropriation items in section (a) to separate accounts authorized by agency rider and established by the State Comptroller for payment of certain support costs not directly attributable to a single program.

f. **Cash Management**. Notwithstanding the above limitations, DADS may temporarily utilize funds appropriated to the strategies listed in section (a) for cash flow purposes. All funding used in this manner shall be promptly returned to the originating strategy. This authorization is subject to limitations established by the Comptroller of Public Accounts.

The Comptroller of Public Accounts shall not allow the transfer of funds authorized by any of the above subsections if the Legislative Budget Board provides notification to the Comptroller of Public Accounts that the requirements of this provision have not been satisfied.

In the case of disaster or other emergency, this provision is superseded by the emergency-related transfer authority in Article IX of this Act.

**10. Other Reporting Requirements.**

a. **Federal Reports.** The Department of Aging and Disability Services shall submit the following information to the Legislative Budget Board and the Governor no later than the date the respective report is submitted to the federal government:

(1) Notification of proposed State Plan amendments or waivers for strategies in Goal A, Long-term Services and Supports and any other federal grant requiring a state plan. State Plan amendments and waiver submission shall also be provided to the Senate Health and Human Services, House Human Services, and House Public Health committees.

(2) A copy of each report or petition submitted to the federal government relating to Goal A, Long-term Care Services and Supports.

b. **Federal Issues.** The Department of Aging and Disability Services shall notify the Legislative Budget Board and the Governor on a timely basis about emerging issues that could result in the loss of more than $1 million in federal revenue assumed in the appropriations act.

c. **Monthly Financial Reports.** The Department of Aging and Disability Services shall submit the following information to the Legislative Budget Board and the Governor on a monthly basis:

(1) Information on appropriated, budgeted, expended, and projected funds, by strategy and method of finance.

(2) Information on appropriated, budgeted, expended, and projected revenues including Earned Federal Funds.

(3) Collections, expenditures, and balances for revenues generated by the department as of the last day of the prior month.

(4) Narrative explanations of significant budget adjustments, ongoing budget issues, and other items as appropriate.

(5) Any other information requested by the Legislative Budget Board or the Governor.

The monthly financial reports shall be prepared in a format specified by the Legislative Budget Board.

**11. Appropriation Transfer between Fiscal Years.** In addition to the transfer authority provided elsewhere in this Act, the Department of Aging and Disability Services may transfer appropriations made for fiscal year ending August 31, 2013 to fiscal year ending August 31, 2012, subject to the following conditions provided by this section:

a. Transfers under this section may be made only:

(1) if costs associated with providing Long Term Care Medicaid services exceed the funds appropriated for these services for fiscal year 2012, or

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

(3) if appropriated receipts generated through the MR related programs required to fund appropriations contained in this Act for fiscal year 2012 are less than those contained in the method of finance for the department for fiscal year 2012.

b. Transfers may not exceed $50,000,000 in General Revenue.

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.

**12. Reimbursement of Advisory Committees.** Pursuant to Government Code § 2110.004, reimbursement of expenses for advisory committee members, out of funds appropriated above, not to exceed $8,000 per fiscal year is limited to the following advisory committee:

Nursing Facility Administrators Advisory Committee

To the maximum extent possible, the department shall encourage the use of videoconferencing and teleconferencing and shall schedule meetings and locations to facilitate the travel of participants so that they may return the same day and reduce the need to reimburse members for overnight stays.

**13. Survey of Nursing Facility Residents.** Out of funds appropriated above, the Department of Aging and Disability Services is allocated the following:

a. up to $360,000 in All Funds, of which up to $180,000 is General Revenue Funds, in fiscal year 2012 to conduct surveys of nursing facility residents and individuals receiving other long-term services and supports. The surveys shall assess how satisfied individuals are with their quality of care and quality of life. Not later than January 15, 2013, the department shall submit a written report on the survey to the Legislature, Governor, and Health and Human Services Commissioner; and

b. up to $1,000,000 in All Funds, of which up to $500,000 is General Revenue Funds, to perform on-site case reviews of the care of nursing home residents and individuals receiving other long-term care services and supports. These reviews will identify preventable occurrences of adverse outcomes. The result of these reviews will be included in the report to the Legislature, Governor and Health and Human Services Commissioner described in (a) above.

**14. Nursing Facility Beds for Medicaid Eligible Veterans.** Contingent upon a request from the Texas Veterans Land Board, it is the intent of the Legislature that the Department of Aging and Disability Services maintain a program for Medicaid-eligible veterans that will enable those individuals to be placed in State Veterans Homes. It is further the intent of the Legislature that the department amend its nursing facility bed allocation rules to create sufficient certified beds to accommodate the requirements of such a program.

**15. Limitation on State Supported Living Center Strategy Transfers.** The transfer of appropriations from Strategy A.8.1, State Supported Living Centers, to any other strategy is limited to 5 percent without the prior approval of the Legislative Budget Board and the Governor.

**16. State Supported Living Center Medicaid Revenues.**

a. **Proportionality of Funds.** Pursuant to Article IX, Sec 6.08, Benefits Paid Proportional by Fund, payment for salaries, wages, and benefits for ICF/MR state supported living center employees shall be proportional to the source of funds. The department shall develop a plan for the 2012-13 biennium which identifies the appropriate portion of state and federal funds for salaries, wages, and benefits for ICF/MR state supported living center employees. This plan is subject to review by the Comptroller of Public Accounts and the Legislative Budget Board and shall be certified by the Chief Financial Officer of the department by October 1, 2011 prior to submission to the Legislative Budget Board.

The Department of Aging and Disability Services shall report quarterly to the Legislative Budget Board and the Governor on the distribution of ICF/MR state supported living center revenues to other state agencies. This report shall be submitted no later than 25 days after the close of each quarter. The format and content of the report shall be prescribed by the Legislative Budget Board.

b. **Quality Assurance Fee Funds - Informational Item.** Appropriations from the Quality Assurance Fee Funds in this Act total $66,396,320 in fiscal year 2012 (including a UB from

fiscal year 2011 estimated to be $27,263,140) and $65,896,539 in fiscal year 2013. Out of funds appropriated above in Strategy A.7.1, ICF/MR and A.8.1, State Supported Living Centers, $59,821,479 in fiscal year 2012 and $59,321,479 in fiscal year 2013 in Quality Assurance Fee Funds are provided for mental retardation services. Estimated amounts of $6,574,841 in fiscal year 2012 and $6,575,060 in fiscal year 2013 are appropriated elsewhere in this Act for employee benefits for Living Center employees. Pursuant to Article IX, Sec. 6.08, Benefits Paid Proportional by Fund, benefits for Living Center Employees reflect the proportion by fund type as used for salaries.

**17. State Supported Living Center Funding.** It is the intent of the Legislature that the department implement a single funding methodology for state supported living centers which funds all living centers equitably and at a level which is adequate to maintain compliance with applicable federal standards. A primary consideration to be used by the department in determining an acceptable funding methodology should be consideration of the number of residents in each living center and the needs of those residents. Staffing patterns at living centers shall not reflect a census decline until a campus has realized a decline in census.

**18. Disposition of Construction Appropriation Related to Mental Retardation.** Construction appropriations may be used to pay salaries and travel expenses of department engineers and architects and administrative expenses of construction projects (but shall not exceed $300,000 in a fiscal year that are paid out of G.O. Bonds); architect's and engineer's fees; and the actual travel expenses incurred by them or their representatives in making trips of inspection at the discretion of the department during construction, renovation, or repair of buildings and systems or the installation of fixed equipment. Job titles and rates of pay for such salaried positions of department personnel paid from construction appropriations shall conform with the Position Classification Plan and Classification Salary Schedule.

**19. Unexpended Balances: ICF/MR Standards.** Except as otherwise provided, unexpended and unobligated balances, not to exceed $5 million in General Revenue, remaining from appropriations for the first year of the biennium to the Department of Aging and Disability Services are appropriated to the department for the purpose of complying with Intermediate Care Facilities for the Mentally Retarded (ICF-MR) standards dealing with residential, non-residential, and community based mental retardation services. This paragraph does not apply to those unexpended and unobligated balances remaining from appropriations for the first year of the biennium that the department is authorized by this Act to retain for specific purposes in the second year of the biennium. The department shall notify the Legislative Budget Board and the Governor as to when the appropriation originated, why it is not needed, and how it will be used prior to budgeting and expending these balances.

**20. Unexpended Construction Balances.** Any unexpended construction, repair, or renovation balances from previous appropriations, estimated to be $14,833,333 from fiscal year 2011 to fiscal year 2013 and included in the method of finance above as General Obligation Bond proceeds and in Strategy A.9.1, Capital Repairs and Renovations, are hereby appropriated to the Department of Aging and Disability Services for the same purposes.

Authorization to expend the unexpended balances is contingent upon submission of the following reports to the Legislative Budget Board and the Governor. At the same time, the agency shall provide a copy of the reports to the Comptroller of Public Accounts.

a. a report by September 1, 2011 providing actual expenditures for fiscal years 2010 and 2011, and planned expenditures for fiscal years 2012 and 2013 at the project/state supported living center level; and

b. a report by March 1 and September 1 of each fiscal year reflecting actual expenditures by project/state supported living center for the previous six months.

Additional information requested by the Legislative Budget Board or the Governor should be provided in a timely manner. The notification and information provided subsequently shall be prepared in a format specified by the Legislative Budget Board.

The planned expenditures shall be considered to be approved unless the Legislative Budget Board or the Governor issues a written disapproval within 15 business days of the date on which the staff of the Legislative Budget Board concludes its review of the proposal to expend the funds and forwards its review to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor.

The Comptroller of Public Accounts shall not allow the use of unexpended balances if the Legislative Budget Board provides notification to the Comptroller of Public Accounts that the requirements of this provision have not been satisfied.

**21. MR Residential Placement Options.** Pursuant to § 533.038 of the Health and Safety Code, an individual with mental retardation or an individual's legally authorized representative seeking residential services shall receive a clear explanation of programs and services for which the individual is determined to be eligible, including state supported living centers, community ICFs-MR, 1915(c) waiver services or other services, in order to ensure consumer choice. The programs and services that are explained shall be documented in the individual's record and acknowledged in writing by the individual or the individual's legally authorized representative. If the chosen programs or services are not available, the individual or the individual's legally authorized representative shall be given assistance in gaining access to alternative services and the selected waiting lists.

The department shall keep a central list of the number of openings available for each type of residential service. The department shall honor the program and services preferences of the person or the person's legally authorized representative to the maximum extent openings are available in a residential program or service for which the individual meets program criteria.

**22. Expenditures on Bond Homes.** Expenditures made for the provision of client services in bond homes operated by the Department of Aging and Disability Services shall not exceed the approved reimbursement rates.

**23. Appropriation and Unexpended Balances: Affordable Housing for the Elderly.** General Revenue Funds appropriated above include fees collected pursuant to § 394.902, Local Government Code, and § 101.022, Human Resources Code, as amended, for the purpose of promoting affordable housing for the elderly ($454,000 for the biennium).

Any unexpended balances in fees collected to promote affordable housing for the elderly for the fiscal year ending August 31, 2012, may be carried forward into fiscal year 2013, and such balances are hereby appropriated.

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.

**24. Reimbursement of Advisory Council Members.** Pursuant to Human Resources Code § 161.027, reimbursement of travel expenses for Aging and Disability Services Council members, out of funds appropriated above, is hereby authorized such that the sum total of all reimbursements for members of the council shall not exceed $10,825 per fiscal year, at the rates specified in the general provisions of this Act.

**25. Appropriation: GR-Dedicated License Plates Account No. 5055.** Included in funds appropriated above in Strategy A.4.2, MR Community Services, is $3,000 for the biennium in revenue generated from the sale of specialized "Special Olympics Texas" license plates and collected in GR-Dedicated Account No. 5055 during the 2012-13 biennium. It is the intent of the Legislature that these funds be expended for costs associated with training and with area and regional competitions of the Special Olympics Texas.

**26. Revolving Fund Services: Canteen Services and Sheltered Workshops.** Out of funds appropriated above in Strategy A.8.1, State Supported Living Centers, $2,724,957 per fiscal year in General Revenue shall be allocated for the operation of canteen and sheltered workshops. In addition, DADS may also utilize agency-generated collections from Revenue Object Code 3767 Supplies/Equipment/Services - Federal/Other (estimated to be $82,160 per fiscal year) and which are appropriated above as MR Revolving Fund Receipts (Other Funds) for the operation of canteen and sheltered workshops. The department shall provide information on related revenues, balances, contracts and profits to the Legislative Budget Board, Governor and Comptroller of Public Accounts. These revenues, expenditures and balances shall be reported and included in agency Operating Budgets, Legislative Appropriation Requests, and Annual Financial Reports. The timetable, format and content for additional monthly reports related to canteen operations and sheltered workshops shall be prescribed by the Legislative Budget Board.

**27. Guardianship Services.** Out of the funds appropriated above, the Department of Aging and Disability Services shall pay guardianship program caseworkers, supervisors and directors an amount not to exceed $50 per month for work-related use of the personal cellular telephones.

**28. Cost Comparison Report.** Out of funds appropriated above, the Department of Aging and Disability Services (DADS) shall develop a report for the Legislature analyzing state and federally funded residential and nonresidential services in Home and Community-based Services (HCS), Texas Home Living, and Intermediate Care Facilities for individuals with Mental Retardation and Related Conditions (ICF-MR/RC).

a. The report shall include the following:

(1) the monthly average cost to the state per person for individuals residing in state-operated and non-state operated ICF-MR/RC, HCS waiver program, and Texas Home Living waiver program by Level of Need (LON), and facility size (private ICF-MR only);

(2) a comparison of severity across settings.

(3) the total number of persons, by LON, who transitioned from state-operated ICF-MR/RC to the HCS residential waiver program for the previous biennium, and their average monthly cost of service in the HCS waiver program.

b. With respect to the cost to the state per person residing in a state operated ICF-MR/RC facility, the department shall include all costs, such as Statewide Indirect Cost Allocation Plan (SWICAP), Departmental Indirect Cost Allocation Plan (DICAP), maintenance and construction costs, employee benefit costs and other federally allowable administrative, medical and overhead costs. With respect to the cost to the state per person in state-operated ICF-MR/RC facilities, non-state operated ICF-MR/RC facilities, and the HCS and Texas Home Living waivers, the department shall include all Medicaid costs including acute care costs that are not included in the waiver rate for those programs and all costs to administer and license those programs. For state-operated ICF-MR/RC facilities, the average monthly administrative and overhead costs shall be reported separately from the average monthly client care costs. The department shall identify the types of costs included in each category.

c. Cost for waiver recipients will cover the time a person enrolled in the waiver through the time they are terminated from waiver services. The cost for ICF/MR services will cover the time a person is admitted to the facility to the time of discharge unless the person is admitted to an ICF/MR or waiver within 60 days of discharge. In that case the Medicaid costs incurred during discharge will be counted toward the ICF/MR costs.

The report shall be submitted to the Eighty-second Legislature no later than August 31, 2012.

**29. Services under a 1915c Waiver.** It is the intent of the Legislature that, from the funds appropriated above, the Department of Aging and Disability Services shall provide services under a Section 1915(c) waiver program, other than a nursing facility waiver program to an individual, 21 years and younger, leaving a nursing facility if the individual:

a. meets the eligibility requirements for that Section 1915(c) waiver program; and

b. in order to leave the nursing facility, requires services that are available only under that Section 1915(c) waiver program.

**30. Services under HCS Waiver Program.** It is the intent of the Legislature that, from the funds appropriated above, if an individual 21 years and younger, seeking to leave an intermediate care facility for the mentally retarded, has been offered services under the HCS (Home and Community-based Services) waiver program, the Department of Aging and Disability Services may provide services to the individual under another Section 1915(c) waiver program if the individual leaving the facility:

a. is determined to be ineligible for the services provided under the HCS waiver program; and

b. meets the eligibility requirements for and needs services provided under another Section 1915(c) waiver program.

**31. Promoting Community Services for Children.** It is the intent of the Legislature, out of funds appropriated above, to provide opportunities for children (under the age of 22) residing in community intermediate care facilities for the mentally retarded to transition to families during the 2012-13 biennium. To facilitate such transitions when requested by parent/guardian, funding for community intermediate care facilities for the mentally retarded may be transferred from the Strategy A.7.1, Intermediate Care Facilities - MR, to Community Care Services strategies to cover the cost of the shift in services. In accordance with all applicable laws the Executive Commissioner may develop rules that would allow decertification of the ICF/MR beds upon such transition to prevent additional costs being incurred.

**32. Appropriation: Quality Assurance Fees.** The Department of Aging and Disability Services is hereby appropriated revenue generated above the amounts identified in the Comptroller of Public Account's Biennial Revenue Estimate for General Revenue Dedicated - Quality Assurance Account No. 5080, for deposit in Strategy A.8.1, State Supported Living Centers, for the purpose of funding state supported living center services. At least 30 days prior to budgeting or expending the funds appropriated herein, the department must submit a plan to the Legislative Budget Board, the Governor, and the Comptroller of Public Accounts. The plan must indicate the purposes for which the funds will be used, the amounts that will be budgeted for each purpose, and the specific amount of any rate increase that will be given. The plan shall be submitted in a format specified by the Legislative Budget Board.

**33. Expenditure of Settlement Funds.** The Department of Aging and Disability Services shall notify the Governor and the Legislative Budget Board 30 days prior to expenditure of any settlement funds (General Revenue) during fiscal years 2012 and 2013. The department shall provide a detailed plan outlining the expenditure of the settlement funds in a format approved by the Legislative Budget Board.

Settlement funds may include, but are not limited to, the difference between allowable costs and the reimbursement paid under the interim rate, including applied income.

**34. Limits for Waivers and Other Programs.** Notwithstanding other provisions included in this Act, this provision shall govern expenditure levels for the following strategies.

a. **Waivers and PACE**. The All Funds amounts included above for Department of Aging and Disability Services (DADS) for fiscal year 2012 and fiscal year 2013 in each individual strategy identified below shall not be exceeded without the prior written approval of the Legislative Budget Board and the Governor.

A.3.1. Community-based Alternatives (CBA)
A.3.2. Home and Community-based Services (HCS)
A.3.3. Community Living Assistance and Support Services (CLASS)
A.3.4. Deaf-blind Multiple Disabilities (DBMD)
A.3.5. Medically Dependent Children Program (MDCP)
A.3.6. Consolidated Waiver Program
A.3.7. Texas Home Living Waiver
A.5.1. Program of All-Inclusive Care for the Elderly (PACE)

**Requests for Exemptions.** To request an exemption from the limits established under section (a), DADS shall submit a written request to the Legislative Budget Board and the Governor. At the same time, the agency shall provide a copy of the request to the Comptroller of Public Accounts. The request shall include the following information: a detailed explanation of the reason for the requested exemption and whether and how the exemption would impact client and expenditure levels at the individual strategy level in the 2012-13 biennium and the 2014-15 biennium.

The request for an exemption shall be considered to be disapproved unless the Legislative Budget Board or the Governor issue a written approval within 30 business days of the date on which the staff of the Legislative Budget Board concludes its review of the request for exemption and forwards its review to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor.

b. **Non-Medicaid Programs**. The All Funds amounts included above for DADS for fiscal year 2012 and fiscal year 2013 in each individual strategy identified below shall not be exceeded unless DADS notifies the Legislative Budget Board and the Governor it has received federal funding (primarily Title XX and Administration on Aging) that exceeds levels assumed in

the 2012-13 GAA and specifies the following information: a detailed explanation how the increase would impact client and expenditure levels by method of finance at the individual strategy level in the 2012-13 biennium and the 2014-15 biennium.

A.4.1. Non-Medicaid Services
A.4.2. MR Community Services
A.4.4. In-Home and Family Support

The Comptroller of Public Accounts shall not allow any exemptions from the limits established by this provision if the Legislative Budget Board provides notification to the Comptroller of Public Accounts that the requirements of this provision have not been satisfied.

**35. Elimination of the Consolidated Waiver Program.** Upon elimination of the Consolidated Waiver Program as required by Senate Bill 705, Eighty-first Legislature, Regular Session, the Department of Aging and Disability Services is directed to transfer funding from Strategy A.3.6, Consolidated Waiver Program, to other strategies in Goal A, Long-Term Services and Supports, and to the Health and Human Services Commission, Goal B, Medicaid, to serve clients who otherwise would have received services through the Consolidated Waiver Program in the appropriate Medicaid 1915(c) long-term care waiver program with no break in service. Funds from Strategy A.3.6, Consolidated Waiver Program, should be allocated based on the client and cost mix in the Consolidated Waiver Program.

The Department of Aging and Disability Services must receive approval for the reallocation pursuant to the Department of Aging and Disability Services Rider 9, Limitation: Medicaid Transfer Authority. Until the Consolidated Waiver Program is eliminated, the Department of Aging and Disability Services is directed to submit a report on the status of eliminating the Consolidated Waiver Program to the Legislative Budget Board and the Governor's Office by October 1 of each year of the biennium.

**36. Behavioral Support Specialists in Educational Settings.** Out of funds appropriated above in Strategy A.8.1. State Supported Living Centers, Mexia State Supported Living Center shall provide behavioral support specialists to assist the alleged offender residents with any specialized educational needs.

**37. Program of All-inclusive Care for the Elderly (PACE): Limitations.** Out of funds appropriated above for the Department of Aging and Disability Services in Strategy A.5.1, All-inclusive Care for the Elderly (PACE), all funding provided for PACE slots shall be used only for slots in currently operating sites or designated sites coming on line. Notwithstanding any other provision in this Act, funding appropriated to Strategy A.5.1 may not be transferred to another strategy or used for another purpose.

**38. Unexpended Balances: General Obligation Bond Proceeds.** Included in the amounts appropriated above in Strategy A.9.1, Capital Repairs and Renovations, are unexpended and unobligated balances of General Obligation Bond Proceeds that have been approved under the provisions of Article IX, Section 17.11 of Senate Bill 1, Eighty-first Legislature, Regular Session, 2009, remaining as of August 31, 2011 (estimated to be $14,833,333), for the Department of Aging and Disability Services, in fiscal year 2013.

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.

**39. Waiting List Reduction.** Notwithstanding any other provision in this Act, the Department of Aging and Disability Services is directed to consider factors such as length of time on the interest/waiting list, size of waiting list, demographics, average cost, and crisis stabilization in providing services to waiting list clients on a program-specific basis.

**40. Appropriation: Medicaid Estate Recovery.** Funds deposited to the credit of Medicaid Estate Recovery (General Revenue - Dedicated Account No. 5109) above the Biennial Revenue Estimate are hereby appropriated to the Department of Aging and Disability Services for community-based care to individuals who are on a waiting or interest list.

This appropriation is contingent upon the department submitting a plan which details the number of clients to be served, estimated expenditures by method of financing by year, as well as any

other information requested by the Legislative Budget Board. The plan shall be submitted to the Legislative Budget Board, the Governor, and the Comptroller of Public Accounts 30 days prior to any expenditure of the funds.

**41. Reporting Abuse/Neglect/Exploitation Incidents at All State Supported Living Centers.** The Department of Aging and Disability Services shall report quarterly for each state supported living center on:

a. as reported by victims, the number of abuse/neglect/exploitation claims deemed "unfounded." "Victim" as defined by Texas Administrative Code Title 40 Rule 711.3 and "unfounded" as defined by Texas Administrative Code Title 40 Rules 711.425 and 711.421 by the Department of Family and Protective Services investigators; and

b. the number of abuse/neglect/exploitation incidents deemed "confirmed" as defined by Texas Administrative Code Title 40 Rules 711.425 and 711.421 by Department of Family and Protective Services investigators. DADS shall input the information into the LBB's Automated Budget and Evaluation System of Texas.

**42. Unexpended Balance Authority for SAS/CARE Consolidation Project.**

a. Unexpended Balance between Biennia. Unexpended balances in General Revenue Funds appropriated for the Service Authorization System/Client Assignment and Registration (SAS/CARE) Consolidation project in fiscal year 2011 (estimated to be $572,380 in General Revenue and $5,151,421 in Federal Funds) in Strategy A.6.1, Nursing Facility Payments, are appropriated to the Department of Aging and Disability Services (DADS) for the fiscal year beginning September 1, 2011, only upon prior written approval by the Legislative Budget Board and the Governor. These General Revenue and Federal Funds are contingent on an unexpended balance from fiscal year 2011. The amount of the appropriation is limited to the amount of the unexpended balance.

b. For authorization to expend the funds, DADS shall submit a written request to the Legislative Budget Board and the Governor. At the same time, the agency shall provide a copy of the request to the Comptroller of Public Accounts.

c. The request shall be considered to be approved unless the Legislative Budget Board or the Governor issue a written disapproval within 30 business days of the date on which the staff of the Legislative Budget Board concludes its review of the proposal to expend the funds and forwards its review to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor.

**43. Reshaping the System for Providing Services to Individuals with Developmental Disabilities.** Out of funds appropriated above for persons with mental retardation, intellectual disabilities, and developmental disabilities, the Department of Aging and Disability Services (DADS) is required to increase the number of Home and Community-Based Services (HCS) slots during fiscal years 2012 and 2013 for (1) children aging out of foster care services at the Department of Family and Protective Services, (2) individuals who are at imminent risk of institutionalization as a result of a emergency or crisis situations, and (3) promoting independence initiatives.

It is the intent of the Legislature that DADS continue census management initiatives, not closure, while not removing a state supported living center resident from a state supported living center against the resident's will or against the will of the resident's legally authorized guardian and without denying admission to a state supported living center on the basis that the admission would cause the state supported living center to exceed any potential capacity limit.

**44. Department of Aging and Disability Services Medicaid Waiver Programs.** It is the intent of the Legislature that the Department of Aging and Disability Services (DADS) maintain the performance level targets for "Average Number of Individuals Served Per Month" and "Number of Persons Receiving Services at the End of the Fiscal Year" established in the General Appropriations Act in the DADS bill pattern for the following Medicaid waivers:

A.3.1. Community Based Alternative (CBA)
A.3.2. Home and Community-based Services (HCS)
A.3.3. Community Living Assistance and Support Services (CLASS)
A.3.4. Deaf-Blind Multiple Disabilities (DBMD)
A.3.5. Medically Dependent Children Program (MDCP)

A.3.6. Consolidated Waiver Program
A.3.7. Texas Home Living (TxHmL)

The "End of the Fiscal Year" value indicates the number of clients/slots who will be served in the final month of the fiscal year. The "Average Monthly" value indicates the number of clients/slots to be served on average for the fiscal year overall. Average monthly values reflect the approved rollout of new slots and tie to performance targets established within the DADS bill pattern.

**45. MR Community Services Funded through Medicaid.** Funds appropriated above to Strategy A.4.2, Mental Retardation Community Services, and Strategy A.3.7, Texas Home Living Waiver, reflect the refinancing of services for up to 5,000 Medicaid-eligible individuals.

**46. Attendant Care Services for Persons Enrolled in Community-based Alternatives.** Funds appropriated above to the Department of Aging and Disability Services assume a savings of $22,320,772 in All Funds, including $9,282,093 in General Revenue Funds, in fiscal year 2012 and $13,412,084 in All Funds, including $5,717,907 in General Revenue Funds, in fiscal year 2013. The department may achieve these savings by reducing rates for the indirect portion of attendant care services in the Community-based Alternatives waiver to the level of the indirect component of the rate in the Primary Home Care and Community Attendant Services programs.

**47. Facility and Community-based Regulation.** The Department of Aging and Disability Services shall review their business model related to their regulatory practices in Strategy B.1.1, Facility/Community-based Regulation to achieve operational efficiencies.

**48. Home and Community-based Services (HCS) Foster Care Rates.** The Department of Aging and Disability Services, in conjunction with the Health and Human Services Commission, shall develop a potential cost savings proposal totaling $4,074,490 in General Revenue for the 2012-13 biennium, focusing on rates paid for HCS Foster Care and Companion Care services. This rider focuses on the administrative (indirect) component of the Foster Care and Companion Care rate.

## DEPARTMENT OF ASSISTIVE AND REHABILITATIVE SERVICES

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | | |
| General Revenue Fund | $ 19,619,231 | $ 19,262,515 |
| GR Match for Medicaid | 11,785,377 | 11,788,611 |
| GR for Vocational Rehabilitation | 55,303,587 | 55,294,502 |
| GR Certified as Match for Medicaid | 21,745,721 | 22,405,721 |
| General Revenue for ECI | 165,687 | 165,687 |
| Subtotal, General Revenue Fund | $ 108,619,603 | $ 108,917,036 |
| General Revenue Fund - Dedicated | | |
| Comprehensive Rehabilitation Account No. 107 | 10,550,000 | 10,550,000 |
| Business Enterprise Program Account No. 492 | 1,584,967 | 1,584,967 |
| Business Enterprise Program Trust Fund Account No. 5043 | 808,436 | 808,436 |
| Love Texas License Plate Account No. 5086 | 10,000 | 10,000 |
| Subtotal, General Revenue Fund - Dedicated | $ 12,953,403 | $ 12,953,403 |
| Federal Funds | 482,737,580 | 488,413,209 |
| Other Funds | | |
| Appropriated Receipts | 279,715 | 279,715 |
| Interagency Contracts | 618,986 | 618,987 |
| Blind Endowment Fund No. 493 | 2,000 | 11,189 |
| Interagency Contracts - Transfer from Foundation School Fund No. 193 | 11,657,260 | 11,515,626 |
| Universal Services Fund Reimbursements | 976,422 | 976,422 |

| | | |
|---|---|---|
| Subrogation Receipts | 88,594 | 88,594 |
| Appropriated Receipts for VR | 36,119 | 36,119 |
| Foundation School Funds as Match for Medicaid | 4,840,842 | 4,982,476 |
| Subtotal, Other Funds | $ 18,499,938 | $ 18,509,128 |
| **Total, Method of Financing** | $ 622,810,524 | $ 628,792,776 |
| **Other Direct and Indirect Costs Appropriated Elsewhere in this Act** | $ 50,962 | $ 52,493 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 3,310.5 | 3,342.7 |
| **Schedule of Exempt Positions:** | | |
| Commissioner, Group 6 | $145,860 | $145,860 |
| **Items of Appropriation:** | | |
| **A. Goal:** CHILDREN WITH DISABILITIES | | |
| Ensure Children and Their Families Reach Their Developmental Goals. | | |
| **A.1.1. Strategy:** ECI SERVICES | $ 161,087,946 | $ 161,087,946 |
| Early Childhood Intervention Services. | | |
| **A.1.2. Strategy:** ECI RESPITE SERVICES | $ 400,000 | $ 400,000 |
| Respite Services. | | |
| **A.1.3. Strategy:** ENSURE QUALITY ECI SERVICES | $ 1,561,233 | $ 1,561,233 |
| Ensure Quality ECI Services by Training, Evaluation and Assistance. | | |
| **A.2.1. Strategy:** HABILITATIVE SERVICES FOR CHILDREN | $ 4,686,135 | $ 4,686,135 |
| Habilitative Services for Blind and Visually Impaired Children. | | |
| **A.3.1. Strategy:** AUTISM PROGRAM | $ 3,300,000 | $ 3,300,000 |
| **Total, Goal A:** CHILDREN WITH DISABILITIES | $ 171,035,314 | $ 171,035,314 |
| **B. Goal:** PERSONS WITH DISABILITIES | | |
| Rehabilitation Services for Persons with Disabilities. | | |
| **B.1.1. Strategy:** INDEPENDENT LIVING SERVICES - BLIND | $ 2,977,818 | $ 2,977,817 |
| **B.1.2. Strategy:** BLINDNESS EDUCATION | $ 305,000 | $ 310,000 |
| Blindness Education, Screening and Treatment Program. | | |
| **B.1.3. Strategy:** VOCATIONAL REHABILITATION - BLIND | $ 42,712,597 | $ 43,749,630 |
| Voc Rehab Services for Persons Who are Blind or Visually Impaired. | | |
| **B.1.4. Strategy:** BUSINESS ENTERPRISES OF TEXAS | $ 2,222,007 | $ 2,222,007 |
| Provide Employment in Food Service Industry for Persons Who are Blind. | | |
| **B.1.5. Strategy:** BUSN ENTERPRISES OF TEX TRUST FUND | $ 808,436 | $ 808,436 |
| Admin Trust Funds for Retirement & Benefits. Est & Nontransferrable. | | |
| **B.2.1. Strategy:** CONTRACT SERVICES - DEAF | $ 2,251,159 | $ 2,251,159 |
| Contract For Services for Persons Who Are Deaf or Hard of Hearing. | | |
| **B.2.2. Strategy:** EDUC, TRAINING, CERTIFICATION-DEAF | $ 855,765 | $ 855,766 |
| Ensure the Quality of Programs through Educ., Training, & Regulation. | | |
| **B.2.3. Strategy:** TELEPHONE ACCESS ASSISTANCE | $ 976,422 | $ 976,422 |
| Ensure Telephone Access for Deaf and Persons with Other Disabilities. | | |
| **B.3.1. Strategy:** VOCATIONAL REHABILITATION - GENERAL | $ 210,501,759 | $ 211,387,576 |
| Rehabilitate & Place People w/Disabilities in Competitive Employment. | | |

| | | |
|---|---|---|
| **B.3.2. Strategy:** INDEPENDENT LIVING CENTERS<br>Work w/Independent Living Centers & State Independent Living Council. | $ 2,689,283 | $ 2,689,283 |
| **B.3.3. Strategy:** INDEPENDENT LIVING SERVICE - GEN<br>Provide Consumer-driven Independent Living Services. | $ 6,720,891 | $ 6,720,891 |
| **B.3.4. Strategy:** COMPREHENSIVE REHABILITATION<br>Provide Services to People with Spinal Cord/Traumatic Brain Injuries. | $ 17,123,253 | $ 17,123,253 |
| **Total, Goal B:** PERSONS WITH DISABILITIES | $ 290,144,390 | $ 292,072,240 |
| **C. Goal:** DISABILITY DETERMINATION<br>Provide Disability Determination Services within SSA Guidelines. | | |
| **C.1.1. Strategy:** DISABILITY DETERMINATION SVCS (DDS)<br>Determine Federal SSI and SSDI Eligibility. | $ 133,108,216 | $ 137,514,098 |
| **D. Goal:** PROGRAM SUPPORT | | |
| **D.1.1. Strategy:** CENTRAL PROGRAM SUPPORT | $ 14,758,652 | $ 14,522,906 |
| **D.1.2. Strategy:** REGIONAL PROGRAM SUPPORT | $ 869,029 | $ 869,029 |
| **D.1.3. Strategy:** OTHER PROGRAM SUPPORT | $ 6,233,820 | $ 6,187,625 |
| **D.1.4. Strategy:** IT PROGRAM SUPPORT<br>Information Technology Program Support. | $ 6,661,103 | $ 6,591,564 |
| **Total, Goal D:** PROGRAM SUPPORT | $ 28,522,604 | $ 28,171,124 |
| **Grand Total,** DEPARTMENT OF ASSISTIVE AND REHABILITATIVE SERVICES | $ 622,810,524 | $ 628,792,776 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 161,508,379 | $ 163,039,146 |
| Other Personnel Costs | 5,105,845 | 5,157,659 |
| Professional Fees and Services | 20,373,363 | 20,724,282 |
| Fuels and Lubricants | 96,486 | 96,486 |
| Consumable Supplies | 1,571,853 | 1,604,401 |
| Utilities | 2,420,915 | 2,440,135 |
| Travel | 5,565,121 | 5,572,287 |
| Rent - Building | 2,904,149 | 2,992,696 |
| Rent - Machine and Other | 3,517,442 | 3,597,056 |
| Other Operating Expense | 42,127,011 | 42,352,565 |
| Client Services | 247,854,709 | 251,452,304 |
| Grants | 128,424,683 | 128,423,194 |
| Capital Expenditures | 1,340,568 | 1,340,565 |
| **Total, Object-of-Expense Informational Listing** | $ 622,810,524 | $ 628,792,776 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 9,033,434 | $ 9,078,601 |
| Group Insurance | 27,223,113 | 27,677,463 |
| Social Security | 12,105,366 | 12,165,893 |
| Benefits Replacement | 924,356 | 864,273 |
| Subtotal, Employee Benefits | $ 49,286,269 | $ 49,786,230 |
| Debt Service | | |
| Lease Payments | $ 1,516,316 | $ 1,514,910 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 50,802,585 | $ 51,301,140 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Department of Assistive and Rehabilitative Services. 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 Assistive and Rehabilitative Services. In order

to achieve the objectives and service standards established by this Act, the Department of Assistive and Rehabilitative Services shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** CHILDREN WITH DISABILITIES | | |
| **Outcome (Results/Impact):** | | |
| Percent of Population under Age Three Served | 3.15% | 3.13% |
| Percent of Clients Enrolled in Medicaid | 63.1% | 63.1% |
| Percent of Program Funded by Medicaid | 51.7% | 51.7% |
| **A.1.1. Strategy:** ECI SERVICES | | |
| **Output (Volume):** | | |
| Average Monthly Number of Children Served in Comprehensive Services | 27,784 | 27,784 |
| **Efficiencies:** | | |
| Average Monthly Cost Per Child: Comprehensive Services/State and Federal Expenditures | 484 | 484 |
| **Explanatory:** | | |
| Average Monthly Number of Hours of Service Delivered Per Child Per Month | 2 | 2 |
| **A.1.2. Strategy:** ECI RESPITE SERVICES | | |
| **Output (Volume):** | | |
| Average Monthly Number of Children Receiving Respite Services | 270 | 270 |
| **A.2.1. Strategy:** HABILITATIVE SERVICES FOR CHILDREN | | |
| **Output (Volume):** | | |
| Average Monthly Number of Children Receiving Habilitative Services | 3,200 | 3,200 |
| **Efficiencies:** | | |
| Average Monthly Cost Per Child Served | 122 | 122 |
| **Explanatory:** | | |
| Number of Children Receiving Habilitative Services (End-of-Year) | 3,600 | 3,600 |
| **A.3.1. Strategy:** AUTISM PROGRAM | | |
| **Output (Volume):** | | |
| Average Monthly Number of Children Receiving Autism Services | 127 | 127 |
| **Efficiencies:** | | |
| Average Monthly Cost Per Child Receiving Autism Services | 2,165 | 2,165 |
| **Explanatory:** | | |
| Number of Children Receiving Autism Services (End-of-Year) | 180 | 180 |
| **B. Goal:** PERSONS WITH DISABILITIES | | |
| **Outcome (Results/Impact):** | | |
| Percent of VR-Blind Consumers Who Achieve Employment Outcomes | 72% | 72% |
| Percent of VR-General Consumers Who Achieve Employment Outcomes | 55.8% | 55.8% |
| **B.1.1. Strategy:** INDEPENDENT LIVING SERVICES - BLIND | | |
| **Output (Volume):** | | |
| Number of Consumers Served | 3,416 | 3,416 |
| **Efficiencies:** | | |
| Average Cost Per Consumer Served | 872 | 872 |
| **B.1.2. Strategy:** BLINDNESS EDUCATION | | |
| **Output (Volume):** | | |
| Number of Individuals Receiving Screening and Treatment Services in the BEST Program | 3,368 | 3,423 |
| **Efficiencies:** | | |
| Average Cost Per Individual Receiving Screening and Treatment Services in the BEST Program | 91 | 91 |
| **B.1.3. Strategy:** VOCATIONAL REHABILITATION - BLIND | | |
| **Output (Volume):** | | |
| Number of Consumers Served | 8,807 | 9,019 |
| **Efficiencies:** | | |
| Average Cost Per Consumer Served | 4,850 | 4,850 |
| **B.1.4. Strategy:** BUSINESS ENTERPRISES OF TEXAS | | |
| **Output (Volume):** | | |
| Number of Indiv. Employed by BET Businesses (Managers and Employees) | 1,400 | 1,410 |
| Number of Blind & Disabled Individuals Employed by BET Facility Managers | 95 | 100 |

| | | |
|---|---|---|
| **B.2.2. Strategy:** EDUC, TRAINING, CERTIFICATION-DEAF | | |
| **Output (Volume):** | | |
| Number of Consumers Educated and Interpreters Trained | 1,120 | 1,120 |
| **Efficiencies:** | | |
| Average Time for Ethics Complaint Resolution (Certified Interpreter): Days | 90 | 90 |
| **B.2.3. Strategy:** TELEPHONE ACCESS ASSISTANCE | | |
| **Output (Volume):** | | |
| Number of Equipment/Service Vouchers Issued | 27,000 | 27,000 |
| **B.3.1. Strategy:** VOCATIONAL REHABILITATION - GENERAL | | |
| **Output (Volume):** | | |
| Number of Consumers Served | 84,844 | 85,187 |
| Number of Consumers Who Achieved Employment Outcomes | 11,563 | 11,763 |
| **Efficiencies:** | | |
| Cost Per Consumer Served | 2,481 | 2,481 |
| **B.3.2. Strategy:** INDEPENDENT LIVING CENTERS | | |
| **Output (Volume):** | | |
| Number of People Receiving Services from Independent Living Centers | 6,632 | 6,632 |
| **B.3.3. Strategy:** INDEPENDENT LIVING SERVICE - GEN | | |
| **Output (Volume):** | | |
| Average Monthly Number of People Receiving DRS Supported Independent Living Services | 227 | 227 |
| **Efficiencies:** | | |
| Average Monthly Cost Per Person Receiving DRS Supported Independent Living Services | 2,467 | 2,467 |
| **Explanatory:** | | |
| Number of People Receiving DRS Supported Independent Living Services (End-of-Year) | 1,890 | 1,890 |
| **B.3.4. Strategy:** COMPREHENSIVE REHABILITATION | | |
| **Output (Volume):** | | |
| Average Monthly Number of People Comprehensive Rehabilitation Services | 213 | 213 |
| **Efficiencies:** | | |
| Average Monthly Cost Per CRS Consumer | 6,695 | 6,695 |
| **Explanatory:** | | |
| Number of People Receiving Comprehensive Services (End-of-Year) | 595 | 595 |
| **C. Goal:** DISABILITY DETERMINATION | | |
| **Outcome (Results/Impact):** | | |
| Percent of Case Decisions That Are Accurate | 97% | 97% |
| **C.1.1. Strategy:** DISABILITY DETERMINATION SVCS (DDS) | | |
| **Output (Volume):** | | |
| Number of Disability Cases Determined | 328,778 | 328,778 |
| **Efficiencies:** | | |
| Cost Per Disability Case Determination | 347 | 347 |

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 for the purposes shown and are not available for expenditures for other purposes. Amount appropriated above have been identified in this provision as appropriations either for "Lease Payments to 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.

| | 2012 | 2013 |
|---|---|---|
| a. Repair or Rehabilitation of Buildings and Facilities | | |
| (1) Building Maintenance | $ 639,000 | $ 390,800 |
| b. Acquisition of Information Resource Technologies | | |
| (1) Seat Management Services | 2,000,000 | 2,000,000 |
| (2) Data Center Consolidation | $ 3,106,060 | $ 3,106,060 |
| Total, Acquisition of Information Resource Technologies | $ 5,106,060 | $ 5,106,060 |
| Total, Capital Budget | $ 5,745,060 | $ 5,496,860 |

| | | |
|---|---|---|
| Method of Financing (Capital Budget): | | |
| General Revenue Fund | $ 434,848 | $ 434,848 |
| Federal Funds | 5,294,212 | 5,046,012 |
| Universal Services Fund Reimbursements | 16,000 | 16,000 |
| Total, Method of Financing | $ 5,745,060 | $ 5,496,860 |

**3. Reimbursement of Advisory Committee Members.** Pursuant to Government Code § 2110.004, reimbursement of expenses for advisory committee members, out of funds appropriated above, not to exceed the amounts stated below per fiscal year, is limited to the following advisory committees:

| | |
|---|---|
| Early Childhood Intervention Advisory Council | $16,650 |
| Elected Committee of Managers | $16,000 |
| Board for Evaluation of Interpreters | $ 4,500 |
| Rehabilitation Council of Texas | $58,350 |

To the maximum extent possible, the department shall encourage the use of videoconferencing and teleconferencing and shall schedule meetings and locations to facilitate the travel of participants so that they may return the same day and reduce the need to reimburse members for overnight stays.

**4. Reimbursement of Advisory Council Members.** Pursuant to Human Resources Code §117.027, reimbursement of expenses for Assistive and Rehabilitative Services Council members, out of funds appropriated above, is hereby authorized such that the sum total of all reimbursements for members of the Council shall not exceed $33,182 per fiscal year.

**5. Notification of Federal Funds Distribution.**

a. Redirection of General Revenue Funds. The Department of Assistive and Rehabilitative Services (DARS) shall notify the Legislative Budget Board and the Governor by letter of its intent to redirect General Revenue Funds to obtain additional federal funds for the Vocational Rehabilitation program. The notification shall include the original purpose and item of appropriation for which the General Revenue Funds were appropriated, and the effect on measures and/or full-time equivalent positions for all affected strategies. The notification shall be made at least 30 days prior to requesting additional federal funding for the Vocational Rehabilitation program. Furthermore, it is the intent of the Legislature that no federal funds be drawn and expended by utilizing as matching funds any General Revenue Funds appropriated for the subsequent state fiscal year.

b. Budgeting of Additional Federal Dollars. DARS shall notify the Legislative Budget Board and the Governor by letter at least 14 days prior to the budgeting of more than $208,698,592 in fiscal year 2012 and $208,630,527 in fiscal year 2013 in federal Vocational Rehabilitation funds (CFDA 84.126) included in the "Method of Financing" above. Amounts noted above include any amounts expended in fiscal year 2012 or 2013 that were carried forward from the previous year's allotments.

**6. Other Reporting Requirements.**

a. **Federal Reports**. The Department of Assistive and Rehabilitative Services shall submit the following information to the Legislative Budget Board and the Governor no later than the date the respective report is submitted to the federal government:

(1) Notification of proposed State Plan amendments or waivers for Vocational Rehabilitation (CFDA 84.126), and Early Childhood Intervention Services [Special Education Grants for Infants and Families with Disabilities (CFDA 84.181) and Developmental Rehabilitation Services (Medicaid)] and any other federal grant requiring a state plan. State Plan amendments and waiver submissions shall also be provided to the Senate Health and Human Services, House Human Services, and House Public Health committees.

(2) A copy of each report or petition submitted to the federal government relating to Vocational Rehabilitation (CFDA 84.126), and Early Childhood Intervention Services [Special Education Grants for Infants and Families with Disabilities (CFDA 84.181) and Developmental Rehabilitation Services (Medicaid)].

(3) Any other federal reports requested by the Legislative Budget Board or the Governor.

b. **Federal Issues.** The Department of Assistive and Rehabilitative Services shall notify the Legislative Budget Board and the Governor on a timely basis about emerging issues that could result in the loss of more than $1 million in federal revenue assumed in the Appropriations Act.

c. **Monthly Financial Reports**. The Department of Assistive and Rehabilitative Services shall submit the following information to the Legislative Budget Board and the Governor on a monthly basis:

(1) Information on appropriated, budgeted, expended, and projected funds, by strategy and method of finance.

(2) A report detailing revenues, expenditures, and balances for earned federal funds as of the last day of the prior month.

(3) Narrative explanations of significant budget adjustments, ongoing issues, and other items as appropriate.

(4) Any other information requested by the Legislative Budget Board or the Governor.

The monthly reports shall be prepared in a format specified by the Legislative Budget Board and the Governor.

**7. Maintenance of Effort (MOE) and Matching Funds Reporting Requirement.** The Department of Assistive and Rehabilitative Services (DARS) shall report quarterly to the Legislative Budget Board and the Governor on state funds used for match and maintenance of effort (MOE) for federal Vocational Rehabilitation (CFDA 84.126) funds and state funds used for MOE for federal Special Education Grants for Infants and Families with Disabilities (CFDA 84.181) funds. Each report shall detail funds for the current fiscal year and at least the two previous fiscal years. The reports shall specify:

a. State funds within and outside the department's budget used for match and MOE.

b. Federal Funds within and outside the department's budget matched by state funds identified in the previous section.

The reports shall be prepared in a format specified by the Legislative Budget Board.

**8. Reporting on Early Childhood Intervention.** The Department of Assistive and Rehabilitative Services shall submit the following to the Legislative Budget Board, the Governor, and the Health and Human Services Commission, as it relates to Strategies A.1.1, Early Childhood Intervention Services and A.1.3, Ensure Quality Early Childhood Intervention Services:

a. annual report due December 1st of each fiscal year that details:

(1) by provider and month of service: the Number of Referrals, Number of Eligibility Determinations, Number of Children Receiving Follow Along Services, Total Number of Children Served in Comprehensive Services, and Total Number of Medicaid-Enrolled Children Served in Comprehensive Services,

(2) by provider and month of service: the total amount reimbursed,

(3) by provider and month of service: the number of hours of service delivered by service type and Medicaid v. Non-Medicaid within each service type,

(4) by provider and month of service: the number of children eligible for Medicaid, TANF, CHIP, and other funding for comprehensive services,

b. an annual report due December 1st of each fiscal year that specifies for the current fiscal year as well as two fiscal years prior the contracted amount per child and the final amount paid per child per provider. The report should also include the total amount anticipated to be paid to each provider and the number of children anticipated to be served per provider,

c. a quarterly report that details by quarter of service: the total amount collected from private insurance, and

d. any other information requested by the Legislative Budget Board or the Governor.

The reports shall be prepared in a format specified by the Legislative Budget Board.

**9. Funding for Early Childhood Intervention (ECI) Services at the Department of Assistive and Rehabilitative Services.**

a. The Commissioner of the Department of Assistive and Rehabilitative Services (DARS) shall certify, by February 1 of each fiscal year of the biennium, to the Executive Commissioner of Health and Human Services if funding needed to continue to serve all eligible children in Strategies A.1.1, Early Childhood Intervention Services, and A.1.3, Ensure Quality Early Childhood Intervention Services, will exceed revenue available to DARS. The Executive Commissioner of Health and Human Services shall evaluate the projected need and make a determination within 30 days as to whether a transfer of funds will be necessary. If a transfer of funds is necessary, the Health and Human Services Commission and DARS shall submit a written request to the Legislative Budget Board and Governor (copying the Comptroller of Public Accounts), providing the following:

(1) Caseload and average cost projections showing the additional need;

(2) An evaluation of other possible available funding sources that DARS has considered, including federal education funding at the Texas Education Agency, other federal funding sources, and any other possible source;

(3) An evaluation of the availability and continuation of local funding sources to address the funding need; and

(4) Documentation of the agency's efforts to seek additional funding based on:

i. Cost-sharing by clients;
ii. Cost control measures;
iii. Maximizing coverage under Medicaid and the Children's Health Insurance Program;
iv. Third party recovery;
v. Examining the developmental delay criteria; and
vi. Maximizing local commitments.

(5) A discussion of any changes made or considered related to eligibility criteria;

All transfers made shall be subject to the prior written approval of the Governor and Legislative Budget Board.

b. The Department of Assistive and Rehabilitative Services, in coordination with the Health and Human Services Commission, shall maintain procedures and monitor contractors for compliance to ensure that third-party resources and Medicaid are billed for eligible services provided in Strategies A.1.1, Early Childhood Intervention Services, and A.1.3, Ensure Quality Early Childhood Intervention Services.

c. It is the intent of the Legislature that the Department of Assistive and Rehabilitative Services maintain procedures for the selection of providers and renewal of provider contracts based on "best value" practices that maximize the use of federal, private, and local funding.

**10. Respite Care for Families.** It is the intent of the Legislature that any General Revenue Funds appropriated for the biennium for the purpose of providing respite care for families shall not be included in the State's maintenance of effort (MOE) for the federal Individuals with Disabilities Education Act (IDEA), Part C grant.

**11. Education Funding.** Included in the Method of Financing in Other Funds above is $16,498,102 in fiscal year 2012 and $16,498,102 in fiscal year 2013 set aside from the Special Education Allotment and transferred to the Department of Assistive and Rehabilitative Services.

The Department of Assistive and Rehabilitative Services is hereby required to enter into a Memorandum of Understanding (MOU) with the Texas Education Agency for the purpose of providing funds to ECI contractors. The MOU may include other provisions the agencies deem necessary. DARS shall provide a signed copy of the Memorandum of Understanding to the Legislative Budget Board and the Governor, no later than October 1, 2011 and October 1, 2012.

**12. Limitation: Transfer Authority for Early Childhood Intervention (ECI) Strategies.** Notwithstanding the transfer provisions in the general provisions (general transfer provisions) and other transfer provisions of this Act, funds appropriated by this Act to the Department of Assistive and Rehabilitative Services (DARS) for the following ECI strategies shall be governed by the specific limitations included in this provision.

A.1.1, ECI Services;
A.1.2, ECI Respite Services;
A.1.3, ECI Ensure Quality ECI Services;

a. **Limitations on Transfers.** Transfers may be made between appropriation items listed above. Transfers may not be made from appropriation items listed above to appropriation items not listed in this provision without prior written approval from the Legislative Budget Board and the Governor. DARS shall provide notification of all transfers pursuant to subsection (b) of this provision.

b. **Notification Regarding Transfers that Do not Require Approval**. Authority granted by this provision to transfer funds is contingent upon a written notification from DARS to the Legislative Budget Board and the Governor at least 30 days prior to the transfer, which includes the following information:

(1) a detailed explanation of the purpose(s) of the transfer and whether the expenditure will be one-time or ongoing;

(2) the name of the originating and receiving strategies and the method of financing and FTEs for each strategy by fiscal year;

(3) an estimate of performance levels and, where relevant, a comparison to targets included in this Act for both the originating and the receiving strategies; and

(4) the capital budget impact.

c. **Requests for Transfers that Require Approval**. To request a transfer, DARS shall submit a written request to the Legislative Budget Board and the Governor. At the same time, the agency shall provide a copy of the request to the Comptroller of Public Accounts. The request shall include the following information:

(1) a detailed explanation of the purpose(s) of the transfer and whether the expenditure will be one-time or ongoing;

(2) the name of the originating and receiving strategies and the method of financing and FTEs for each strategy by fiscal year;

(3) an estimate of performance levels and, where relevant, a comparison to targets included in this Act for both the originating and the receiving strategies; and

(4) the capital budget impact.

The Comptroller of Public Accounts shall not allow the transfer of funds in any of the above subsections if the Legislative Budget Board provides notification to the Comptroller of Public Accounts that the requirements of this provision have not been satisfied.

**13. Appropriation: Unexpended Balances in Interagency Contracts for Administrative Fees.** Unexpended and unobligated balances remaining as of August 31, 2011, in the appropriation of

Interagency Contracts for Administrative Fees made to the Department of Assistive and Rehabilitative Services (DARS) by Senate Bill 1, Eighty-first Legislature, for the purpose of specialized projects for individuals who are hard of hearing, are hereby appropriated to DARS and included in amounts above in Strategy B.2.2, Education, Training, & Certification - Deaf, for the biennium beginning September 1, 2011, and any unexpended balances remaining as of August 31, 2012 are appropriated for the same purpose for the fiscal year beginning September 1, 2012 (estimated to be $0).

**14. Appropriation: Unexpended Balances in Summer Camp Program.** Any unexpended and unobligated balances remaining as of August 31, 2011, in the appropriation made to the Department of Assistive and Rehabilitative Services (DARS) by Senate Bill 1, Eighty-first Legislature, Regular Session, Article IX, General Provisions, Acceptance of Gifts of Money, are hereby appropriated to DARS, and included in amounts above in Strategy B.2.2, Education, Training, & Certification - Deaf, for the biennium beginning September 1, 2011, for the purpose of expenses related to the Summer Camp Program (estimated to be $0). Unexpended and unobligated balances remaining as of August 31, 2012, in the Summer Camp program are hereby appropriated to DARS for fiscal year 2013, and included in amounts above in Strategy B.2.2, Education, Training, & Certification - Deaf, for use in the Summer Camp Program (estimated to be $0).

**15. Unexpended Balances for the Board of Evaluation of Interpreters (BEI) Program.** Unexpended and unobligated balances remaining as of August 31, 2011, in certification fees for Strategy B.2.2, Education, Training, & Certification - Deaf, made to the Department of Assistive and Rehabilitative Services (DARS), are hereby appropriated to DARS, for the fiscal year beginning September 1, 2011, for the purpose of developing evaluation materials, validating interpreter evaluation materials, and expenses related to the Department's Certification Program (estimated to be $0).

**16. Appropriations Limited to Revenue Collections.** It is the intent of the Legislature that fees, fines, and other miscellaneous revenues as authorized and generated by the Department of Assistive and Rehabilitative Services cover, at a minimum, $130,000 in General Revenue in each year of the biennium to support Strategy B.2.2, Education, Training, & Certification - Deaf, as well as the "other direct and indirect costs" associated with these programs, appropriated elsewhere in this Act. "Other direct and indirect costs" for the certification of interpreters are estimated to be $50,962 in fiscal year 2012 and $52,493 in fiscal year 2013. 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. Any unexpended balances and additional other revenue collections in excess of the Biennial Revenue Estimate as of August 31, 2012 are hereby appropriated for the fiscal year beginning September 1, 2012.

**17. Appropriation: GR-Dedicated I Love Texas License Plate Account No. 5086.** Included in funds appropriated above in Strategy B.2.2, Education, Training, & Certification - Deaf, is an estimated appropriation of $20,000 for the biennium in revenue generated from the sale of specialized "I Love Texas" license plates and collected in GR-Dedicated I Love Texas License Plate Account No. 5086 during the 2012-13 biennium. It is the intent of the Legislature that these funds be expended for direct services programs, training, and education for the deaf and hard of hearing.

**18. Cash Flow Contingency for the Specialized Telecommunications Assistance Program.** Contingent upon the receipt of Universal Services Funds reimbursements, the Department of Assistive and Rehabilitative Services may temporarily utilize additional General Revenue Funds in an amount not to exceed the anticipated Universal Services Funds reimbursement. The General Revenue Funds accessed under this provision must be repaid within the biennium they are used upon receipt of Universal Services Funds and shall be utilized only for the purpose of temporary cash flow needs. These transfers and repayments shall be credited to the fiscal year being reimbursed and shall be made in accordance with accounting procedures established by the Comptroller of Public Accounts.

**19. Appropriation of Federal Medicaid Receipts.** The Department of Assistive and Rehabilitative Services (DARS) shall certify and/or transfer appropriated state funds to the Texas Medicaid Single State Agency so that federal financial participation can be claimed for Medicaid services. Such federal receipts are hereby appropriated to DARS to provide rehabilitative services to blind and visually impaired children in Strategy A.2.1, Habilitative Services for Children.

**20. Appropriation of Donations: Blindness Education Screening and Treatment.** Included in the amounts above in Strategy B.1.2 is $305,000 in fiscal year 2012 and $310,000 in fiscal year 2013 for the Blindness Education, Screening, and Treatment (BEST) Program, contingent upon the generation of funds through donations. Revenues received from donations made in fiscal year 2012 and fiscal year 2013, in amounts not to exceed $615,000 as provided by § 521.421 (f) or § 521.422 (b), Transportation Code, are appropriated to the Department of Assistive and Rehabilitative Services (DARS) for purposes related to the BEST Program. Any revenue collected in the BEST Program above the amount appropriated each fiscal year is hereby appropriated to DARS for the same purpose. Any unexpended balances remaining as of August 31, 2012 are hereby appropriated to DARS for the same purpose for the fiscal year beginning September 1, 2012. 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.

**21. Appropriation: GR-Dedicated Business Enterprise Program Trust Fund Account No. 5043.** Amounts above in Strategy B.1.5, Business Enterprises of Texas Trust Fund, are appropriated to the Department of Assistive and Rehabilitative Services (DARS) for the purpose of establishing and maintaining a retirement and benefits plan for blind or visually impaired vendors as defined in the federal Randolph-Sheppard Act (20 USC, § 107). Any amounts in addition to the amount identified in Strategy B.1.5, Business Enterprises of Texas Trust Fund, necessary to make retirement and benefits payments in conformity with the Randolph-Sheppard Act (20 USC, § 107) and Human Resource Code, § 94.016, are hereby appropriated to DARS. None of the funds appropriated in Strategy B.1.5, Business Enterprises of Texas Trust Fund, or through this rider may be transferred to any other strategy. DARS shall report quarterly on deposits into and expenditures out of the GR-Dedicated Business Enterprise Program Trust Fund, Account No. 5043, including identification of the purpose for the expenditure, to the Legislative Budget Board, the Governor, and the Comptroller of Public Accounts.

In addition, DARS shall submit a written report annually to the Legislative Budget Board and Governor on the management of the BET Trust Fund. DARS shall report deposits to the fund, the recommendations of the fund manager regarding investments, performance of investments, and an actuarial analysis of projected disbursements.

**22. GR-Dedicated Business Enterprise Program Account No. 492.** Included in the amounts appropriated above in Strategy B.1.4, Business Enterprises of Texas, is $1,584,967 in fiscal year 2012 and $1,584,967 in fiscal year 2013 from the Business Enterprise Program Account No. 492 from revenue deposited into the account in object codes 3747 and 3802.

**23. Appropriation: Subrogation Receipts.** Included in amounts appropriated above in Strategy B.3.1, Vocational Rehabilitation - General, and Strategy B.3.4, Comprehensive Rehabilitation, are subrogation collections received during the 2012-13 biennium. Appropriations included in Strategy B.3.1 above, $15,341 in each fiscal year of the biennium, are from subrogation receipt collections from Vocational Rehabilitation cases. Appropriations included in Strategy B.3.4 above, $73,253 in each fiscal year of the biennium, are from subrogation receipt collections from Comprehensive Rehabilitation cases. Subrogation receipts collected above the amounts appropriated in each strategy in each year are hereby appropriated to the agency for client services in the program from which the subrogation collections were generated (estimated to be $0).

**24. GR-Dedicated Comprehensive Rehabilitation Account No. 107.** Included in the amounts appropriated above in Strategy B.3.4, Comprehensive Rehabilitation, is $10,550,000 in fiscal year 2012 and $10,550,000 in fiscal year 2013 from the GR-Dedicated Comprehensive Rehabilitation Account No. 107. These amounts include unexpended and unobligated balances in an amount not to exceed $1,500,000 of Comprehensive Rehabilitation funds remaining as of August 31, 2011. Any unexpended appropriations for fiscal year 2012 in an amount not to exceed $1,500,000 of Comprehensive Rehabilitation Funds are hereby appropriated for fiscal year 2013. Appropriations made elsewhere in this Act for employee benefits includes approximately $35,000 per fiscal year from the GR-Dedicated Comprehensive Rehabilitation Account No. 107. Revenues deposited into GR-Dedicated Account No. 107 are statutorily dedicated for comprehensive rehabilitation services and may not be used for any other purpose. It is the intent of the Legislature that funds from the Comprehensive Rehabilitation Account be used only for direct services in Strategy B.3.4, Comprehensive Rehabilitation (Provide Services to People with Spinal Cord/Traumatic Brain Injuries). The Department of Assistive and Rehabilitative Services is hereby appropriated any additional revenue generated during the 2012-13 biennium and deposited in the General Revenue Fund under General Revenue Dedicated Account No. 107 above the Comptroller of Public

Accounts' Biennial Revenue Estimate, for the purpose of providing comprehensive rehabilitation services (estimated to be $0), subject to written certification by the Comptroller's office that collections for the fiscal year have or will exceed the Biennial Revenue Estimate.

**25. Enhanced State Funding for Assistive Technologies and Devices.** Included in the amounts appropriated above in Strategy B.3.3, Independent Living Services - General, is $800,000 in General Revenue Funds in fiscal year 2012 and $800,000 in General Revenue Funds in fiscal year 2013, and $200,000 in General Revenue Funds in fiscal year 2012 and $200,000 in General Revenue Funds in fiscal year 2013 in Strategy B.1.1, Independent Living Services - Blind, for the purpose of providing assistive technologies, devices, and related training to Texans with the most significant disabilities. It is the intent of the legislature that these funds be expended to the greatest degree possible on disabled Texans who, without these technologies and devices, would be placed in nursing homes or otherwise removed from their communities.

**26. Caseload and Expenditure Reporting Requirements.** Pursuant to Article II, Special Provisions, caseload and expenditure reporting, the Department of Assistive and Rehabilitative Services shall submit monthly data for the elements listed below to the Legislative Budget Board and the Governor, at the end of each month. The report shall include data points for at least the preceding 36 months, in a format specified by the Legislative Budget Board.

a. Number of Referrals to ECI
b. Number of Children that Received a Developmental Screening
c. Number of CPS-involved Children that Received a Full Eligibility Determination
d. Number of Non-CPS Involved Children that Received a Full Eligibility Determination
e. Unduplicated Count of the Number of Children that Received an Eligibility Determination
f. Number of Children Enrolled in Follow Along
g. Number of Children with Medicaid Served in Comprehensive Services
h. Number of Non-Medicaid Children Served in Comprehensive Services
i. Number of Children Enrolled in Comprehensive Services
j. Total Expended for that Service Month, excluding ECI expenditures for Respite and Indirect Administration
k. Number of Hours of Service Delivered

**27. Performance Reporting for the Business Enterprises of Texas Program.** The Department of Assistive and Rehabilitative Services shall report by October 1st of each year of the biennium, the following information to the Legislative Budget Board and the Governor:

a. The results of the survey distributed to state host agencies on satisfaction of operational conditions such as pricing requirements, hours of operations, menu items, and product lines; and

b. The total cost incurred by each state host agency for the operation of Business Enterprises of Texas cafeterias, snack bars, and convenience stores. Reported costs should include the value of the space used, maintenance costs, utility costs, janitorial costs and the method of finance for each cost. An outline of the methodology that was used to determine the final estimate should also be included in the report.

The report shall be prepared in a format specified by the Legislative Budget Board and the Governor.

**28. Disability Determination Services Federally Funded Full-Time Equivalent Employees.** One hundred percent federally funded FTEs appropriated by this Act to Strategy C.1.1, Disability Determination Services (DDS), which are indicated below, and any additional FTEs added to strategy C.1.1, DDS, pursuant to Article IX, § 6.10(g) may not be transferred to any other strategy for any other purpose other than the specific purpose for which the FTEs are appropriated without the prior written approval of the Legislative Budget Board and the Governor. A transfer request shall be considered to be disapproved unless the Legislative Budget Board and the Governor issue written approvals within 45 calendar days of receipt of the request.

| | FY 2012 | FY 2013 |
|---|---|---|
| Strategy C.1.1, DDS | 1,124.6 | 1,161.8 |

**29. Out of State Travel Cap Exemption.** Travel expenses incurred by the Department of Assistive and Rehabilitative Services staff associated with 100% federally funded programs and paid with 100% Federal Funds are exempt from the requirements of Article IX, Section 5.08, Limitations on Travel Expenditures, and the limitations on such expenditures as set forth therein.

**30. Appropriation Transfer between Fiscal Years.** In addition to the transfer authority provided elsewhere in this Act, the Department of Assistive and Rehabilitative Services may transfer General Revenue Funds in Strategy A.1.1, ECI Services, appropriated for fiscal year 2013 to fiscal year 2012, subject to the following conditions provided by this section:

a. Transfers under this section may be made only if costs associated with providing early childhood intervention services exceed the funds appropriated for these services for fiscal year 2012 due to the timing of the reduction of the average monthly children served.

b. A transfer request shall be considered to be disapproved unless the Legislative Budget Board and the Governor issue written approval within 30 business days of the date on which the staff of the Legislative Budget Board concludes its review of the transfer request and forwards it review to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor.

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

## DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | | |
| General Revenue Fund | $ 475,640,748 | $ 476,883,404 |
| GR Match for Medicaid | 6,460,924 | 6,460,964 |
| GR MOE for Temporary Assistance for Needy Families | 8,124,749 | 8,124,749 |
| GR Match for Title IVE (FMAP) | 147,209,332 | 157,716,433 |
| Subtotal, General Revenue Fund | $ 637,435,753 | $ 649,185,550 |
| GR Dedicated - Child Abuse and Neglect Prevention Operating Account No. 5084 | 5,685,702 | 5,685,701 |
| Federal Funds | 713,882,269 | 722,262,961 |
| Other Funds | | |
| Appropriated Receipts | 5,738,800 | 5,754,058 |
| DFPS Appropriated Receipts - Child Support Collections | 980,000 | 985,000 |
| Interagency Contracts | 187,249 | 187,249 |
| Subtotal, Other Funds | $ 6,906,049 | $ 6,926,307 |
| **Total, Method of Financing** | $ 1,363,909,773 | $ 1,384,060,519 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 11,251.3 | 11,251.3 |
| **Schedule of Exempt Positions:** | | |
| Commissioner, Group 7 | $168,000 | $168,000 |

**Items of Appropriation:**

| | | | | |
|---|---|---|---|---|
| **A. Goal:** STATEWIDE INTAKE SERVICES<br>Provide Access to DFPS Services by Managing a 24-hour Call Center. | | | | |
| **A.1.1. Strategy:** STATEWIDE INTAKE SERVICES<br>Provide System to Receive/Assign Reports of Abuse/Neglect/Exploitation. | $ | 18,201,195 | $ | 18,201,194 |
| **B. Goal:** CHILD PROTECTIVE SERVICES<br>Protect Children Through an Integrated Service Delivery System. | | | | |
| **B.1.1. Strategy:** CPS DIRECT DELIVERY STAFF<br>Provide Direct Delivery Staff for Child Protective Services. | $ | 420,865,017 | $ | 420,880,272 |
| **B.1.2. Strategy:** CPS PROGRAM SUPPORT<br>Provide Program Support for Child Protective Services. | $ | 42,741,640 | $ | 42,741,635 |
| **B.1.3. Strategy:** TWC FOSTER DAY CARE<br>TWC Foster Day Care Purchased Services. | $ | 7,575,952 | $ | 8,334,843 |
| **B.1.4. Strategy:** TWC RELATIVE DAY CARE<br>TWC Relative Day Care Purchased Services. | $ | 9,145,642 | $ | 9,145,642 |
| **B.1.5. Strategy:** TWC PROTECTIVE DAY CARE<br>TWC Protective Day Care Purchased Services. | $ | 18,256,362 | $ | 18,256,362 |
| **B.1.6. Strategy:** ADOPTION PURCHASED SERVICES | $ | 4,536,570 | $ | 4,536,571 |
| **B.1.7. Strategy:** POST-ADOPTION PURCHASED SERVICES | $ | 2,744,777 | $ | 2,744,777 |
| **B.1.8. Strategy:** PAL PURCHASED SERVICES<br>Preparation for Adult Living Purchased Services. | $ | 7,774,149 | $ | 7,774,149 |
| **B.1.9. Strategy:** SUBSTANCE ABUSE PURCHASED SERVICES | $ | 5,040,917 | $ | 5,040,919 |
| **B.1.10. Strategy:** OTHER CPS PURCHASED SERVICES<br>Other Purchased Child Protective Services. | $ | 38,697,630 | $ | 38,697,631 |
| **B.1.11. Strategy:** FOSTER CARE PAYMENTS | $ | 396,034,150 | $ | 402,005,415 |
| **B.1.12. Strategy:** ADOPTION/PCA PAYMENTS<br>Adoption Subsidy and Permanency Care Assistance Payments. | $ | 189,706,135 | $ | 203,070,468 |
| **B.1.13. Strategy:** RELATIVE CAREGIVER PAYMENTS<br>Relative Caregiver Monetary Assistance Payments. | $ | 7,263,863 | $ | 7,263,863 |
| **Total, Goal B:** CHILD PROTECTIVE SERVICES | $ | 1,150,382,804 | $ | 1,170,492,547 |
| **C. Goal:** PREVENTION PROGRAMS<br>Prevention and Early Intervention Programs. | | | | |
| **C.1.1. Strategy:** STAR PROGRAM<br>Services to At-Risk Youth (STAR) Program. | $ | 18,283,303 | $ | 18,283,304 |
| **C.1.2. Strategy:** CYD PROGRAM<br>Community Youth Development (CYD) Program. | $ | 5,039,300 | $ | 5,039,300 |
| **C.1.3. Strategy:** TEXAS FAMILIES PROGRAM<br>Texas Families: Together and Safe Program. | $ | 2,610,039 | $ | 2,610,039 |
| **C.1.4. Strategy:** CHILD ABUSE PREVENTION GRANTS<br>Provide Child Abuse Prevention Grants to Community-based Organizations. | $ | 1,640,667 | $ | 1,640,667 |
| **C.1.5. Strategy:** OTHER AT-RISK PREVENTION PROGRAMS<br>Provide Funding for Other At-Risk Prevention Programs. | $ | 2,290,576 | $ | 2,290,576 |
| **C.1.6. Strategy:** AT-RISK PREVENTION PROGRAM SUPPORT<br>Provide Program Support for At-Risk Prevention Services. | $ | 1,133,815 | $ | 1,133,815 |
| **Total, Goal C:** PREVENTION PROGRAMS | $ | 30,997,700 | $ | 30,997,701 |
| **D. Goal:** ADULT PROTECTIVE SERVICES<br>Protect Elder/Disabled Adults Through a Comprehensive System. | | | | |
| **D.1.1. Strategy:** APS DIRECT DELIVERY STAFF<br>Provide Direct Delivery Staff for Adult Protective Services. | $ | 52,438,089 | $ | 52,438,091 |

| | | |
|---|---|---|
| **D.1.2. Strategy:** APS PROGRAM SUPPORT<br>Provide Program Support for Adult Protective Services. | $ 5,095,153 | $ 5,095,154 |
| **D.1.3. Strategy:** MH AND MR INVESTIGATIONS | $ 10,027,313 | $ 10,027,313 |
| **Total, Goal D:** ADULT PROTECTIVE SERVICES | $ 67,560,555 | $ 67,560,558 |
| **E. Goal:** CHILD CARE REGULATION<br>Regulate Child Day Care and Residential Child Care. | | |
| **E.1.1. Strategy:** CHILD CARE REGULATION | $ 36,790,202 | $ 36,831,201 |
| **F. Goal:** INDIRECT ADMINISTRATION | | |
| **F.1.1. Strategy:** CENTRAL ADMINISTRATION | $ 13,783,299 | $ 13,783,299 |
| **F.1.2. Strategy:** OTHER SUPPORT SERVICES | $ 4,684,423 | $ 4,684,423 |
| **F.1.3. Strategy:** REGIONAL ADMINISTRATION | $ 302,146 | $ 302,146 |
| **F.1.4. Strategy:** IT PROGRAM SUPPORT | $ 24,335,225 | $ 24,335,226 |
| **F.1.5. Strategy:** AGENCY-WIDE AUTOMATED SYSTEMS<br>Agency-wide Automated Systems (Capital Projects). | $ 16,872,224 | $ 16,872,224 |
| **Total, Goal F:** INDIRECT ADMINISTRATION | $ 59,977,317 | $ 59,977,318 |
| **Grand Total,** DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES | $ 1,363,909,773 | $ 1,384,060,519 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 408,289,032 | $ 408,289,629 |
| Other Personnel Costs | 13,389,725 | 13,389,742 |
| Professional Fees and Services | 13,862,232 | 13,862,236 |
| Fuels and Lubricants | 1,126 | 1,130 |
| Consumable Supplies | 1,298,530 | 1,298,529 |
| Utilities | 7,422,377 | 7,422,381 |
| Travel | 37,641,808 | 37,641,871 |
| Rent - Building | 148,607 | 148,609 |
| Rent - Machine and Other | 9,716,535 | 9,716,536 |
| Other Operating Expense | 147,347,300 | 147,302,863 |
| Client Services | 724,598,837 | 744,793,329 |
| Food for Persons - Wards of State | 94,924 | 94,925 |
| Capital Expenditures | 98,740 | 98,739 |
| **Total, Object-of-Expense Informational Listing** | $ 1,363,909,773 | $ 1,384,060,519 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 23,233,666 | $ 23,349,834 |
| Group Insurance | 68,317,444 | 68,832,624 |
| Social Security | 31,853,094 | 32,012,359 |
| Benefits Replacement | 1,566,796 | 1,464,954 |
| Subtotal, Employee Benefits | $ 124,971,000 | $ 125,659,771 |
| Debt Service | | |
| Lease Payments | $ 694,468 | $ 570,146 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 125,665,468 | $ 126,229,917 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Department of Family and Protective Services. 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 Family and Protective Services. In order to achieve the objectives and service standards established by this Act, the Department of Family and Protective Services shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

## DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES
(Continued)

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** STATEWIDE INTAKE SERVICES | | |
| **Outcome (Results/Impact):** | | |
| Average Hold Time (in Minutes) for Statewide Intake Phone Calls in the English Queue | 8.7 | 8.7 |
| **A.1.1. Strategy:** STATEWIDE INTAKE SERVICES | | |
| **Output (Volume):** | | |
| Number of CPS Reports of Child Abuse/Neglect | 229,382 | 229,905 |
| **B. Goal:** CHILD PROTECTIVE SERVICES | | |
| **Outcome (Results/Impact):** | | |
| Percent Absence of Maltreatment within Six Months of Intake (CPS) | 96.7% | 96.7% |
| Percent of Children in FPS Conservatorship for Whom Legal Resolution Was Achieved within 12 Months | 59.9% | 59.9% |
| Child Protective Services Caseworker Turnover Rate | 23.8 | 23.8 |
| **B.1.1. Strategy:** CPS DIRECT DELIVERY STAFF | | |
| **Output (Volume):** | | |
| Number of Completed CPS Investigations | 171,371 | 171,762 |
| Number of Confirmed CPS Cases of Child Abuse/Neglect | 39,347 | 39,437 |
| Number of Children in FPS Conservatorship Who Are Adopted | 4,868 | 5,001 |
| **Efficiencies:** | | |
| CPS Daily Caseload per Worker: Investigation | 27.4 | 26.8 |
| CPS Daily Caseload per Worker: Family-Based Safety Services | 17.5 | 18.5 |
| CPS Daily Caseload per Worker: Substitute Care Services | 29.2 | 29.7 |
| **B.1.3. Strategy:** TWC FOSTER DAY CARE | | |
| **Output (Volume):** | | |
| Average Number of Days of TWC Foster Day Care Paid per Month | 27,948 | 30,748 |
| **Efficiencies:** | | |
| Average Daily Cost for TWC Foster Day Care Services | 21.46 | 21.46 |
| **B.1.4. Strategy:** TWC RELATIVE DAY CARE | | |
| **Output (Volume):** | | |
| Average Number of Days of TWC Relative Day Care Paid per Month | 35,968 | 35,968 |
| **Efficiencies:** | | |
| Average Daily Cost for TWC Relative Day Care Services | 20.13 | 20.13 |
| **B.1.11. Strategy:** FOSTER CARE PAYMENTS | | |
| **Output (Volume):** | | |
| Average Number of FPS-paid Days of Foster Care per Month | 517,455 | 525,690 |
| Average Number of Children (FTE) Served in FPS-paid Foster Care per Month | 16,966 | 17,283 |
| **Efficiencies:** | | |
| Average Monthly FPS Expenditures for Foster Care | 32,357,956 | 32,852,994 |
| Average Monthly FPS Payment per Foster Child (FTE) | 1,907.25 | 1,900.89 |
| **B.1.12. Strategy:** ADOPTION/PCA PAYMENTS | | |
| **Output (Volume):** | | |
| Average Number of Children Provided Adoption Subsidy per Month | 35,722 | 38,356 |
| Average Monthly Number of Children Receiving Permanency Care Assistance | 211 | 391 |
| **Efficiencies:** | | |
| Average Monthly Payment per Adoption Subsidy | 425.01 | 422.9 |
| Average Monthly Permanency Care Assistance Payment per Child | 418.15 | 418.15 |
| **B.1.13. Strategy:** RELATIVE CAREGIVER PAYMENTS | | |
| **Output (Volume):** | | |
| Average Monthly Number of Children Receiving Monetary Assistance from the Relative and Other Designated Caregiver Program per Month | 706 | 706 |
| **Efficiencies:** | | |
| Average Monthly Cost per Child Receiving Monetary Assistance from the Relative and Other Designated Caregiver Program | 857.4 | 857.4 |
| **C. Goal:** PREVENTION PROGRAMS | | |
| **Outcome (Results/Impact):** | | |
| Percent of CYD Youth Not Referred to Juvenile Probation | 98% | 98% |
| **C.1.1. Strategy:** STAR PROGRAM | | |
| **Output (Volume):** | | |
| Average Number of STAR Youth Served per Month | 5,359 | 5,359 |
| **Efficiencies:** | | |
| Average Monthly FPS Cost per STAR Youth Served | 284.32 | 284.32 |

| | | |
|---|---|---|
| **C.1.2. Strategy:** CYD PROGRAM | | |
| **Output (Volume):** | | |
| Average Number of CYD Youth Served per Month | 4,136 | 4,136 |
| **Efficiencies:** | | |
| Average Monthly FPS Cost per CYD Youth Served | 101.53 | 101.53 |
| **D. Goal:** ADULT PROTECTIVE SERVICES | | |
| **Outcome (Results/Impact):** | | |
| Percent of Elderly Persons and Persons with Disabilities Found to be in a State of Abuse/Neglect/Exploitation Who Receive Protective Services | 80.7 | 80.7 |
| Incidence of Abuse/Neglect/Exploitation per 1,000 Persons Receiving Services in Mental Health and Mental Retardation Settings | 5.1 | 5.1 |
| Percent of Repeat Maltreatment within Six Months of Intake (APS) | 9.2% | 9.2% |
| Adult Protective Services Caseworker Turnover Rate | 18 | 18 |
| **D.1.1. Strategy:** APS DIRECT DELIVERY STAFF | | |
| **Output (Volume):** | | |
| Number of Completed APS Investigations | 87,605 | 91,003 |
| Number of Confirmed APS Investigations | 56,778 | 58,947 |
| **Efficiencies:** | | |
| APS Daily Caseload per Worker (In Home) | 35.1 | 37.5 |
| **D.1.3. Strategy:** MH AND MR INVESTIGATIONS | | |
| **Output (Volume):** | | |
| Number of Completed Investigations in Mental Health and Mental Retardation Settings | 9,854 | 9,804 |
| **Efficiencies:** | | |
| APS Daily Caseload per Worker (MH and MR Investigations) | 3.3 | 3.4 |
| **E. Goal:** CHILD CARE REGULATION | | |
| **Outcome (Results/Impact):** | | |
| Percent of Validated Investigations where Children are Placed at High Risk | 43.6 | 43.6 |
| **E.1.1. Strategy:** CHILD CARE REGULATION | | |
| **Output (Volume):** | | |
| Number of Child Care Facility Inspections | 46,377 | 51,215 |
| Number of Completed Child Abuse/Neglect Investigations | 3,969 | 4,244 |

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.

| | 2012 | 2013 |
|---|---|---|
| a. Acquisition of Information Resource Technologies | | |
| (1) Desktop Services Lease for Computer Hardware and Software | $ 4,044,776 | $ 4,044,776 |
| (2) IMPACT Operational Enhancement | 1,509,174 | 1,509,174 |
| (3) Tablet PCs for Mobile Casework | 7,292,109 | 7,292,109 |
| (4) Software Licenses | 1,975,387 | 1,975,387 |
| (5) Data Center Consolidation | 3,316,470 | 3,316,470 |
| (6) National Youth in Transition Database | 243,482 | 243,482 |
| (7) CLASS Operational Enhancements | $ 500,000 | $ 500,000 |
| Total, Acquisition of Information Resource Technologies | $ 18,881,398 | $ 18,881,398 |
| Total, Capital Budget | $ 18,881,398 | $ 18,881,398 |
| Method of Financing (Capital Budget): | | |
| General Revenue Fund | | |
| General Revenue Fund | $ 10,059,000 | $ 10,059,000 |
| GR Match for Medicaid | 180,322 | 180,322 |
| Subtotal, General Revenue Fund | $ 10,239,322 | $ 10,239,322 |

| | | |
|---|---|---|
| Federal Funds | 8,642,076 | 8,642,076 |
| Total, Method of Financing | $ 18,881,398 | $ 18,881,398 |

**3. Limitation on Expenditures for Conservatorship Suits.** To the extent allowed by federal regulation, federal funds may be used by the department in conjunction with funds provided by counties with which the department has child welfare contracts, to pay for legal representation for children or their parents in suits in which the department is seeking to be named conservator. No general revenue funds appropriated to the department may be used to make such payments except in situations where the Governor declares it an emergency and with prior written approval of the Legislative Budget Board and the Governor.

To request approval, the department shall submit a written request to the Legislative Budget Board and the Governor that includes the following information:

a. a detailed explanation of the purpose(s) of the expenditure and whether the expenditure will be one-time or ongoing;

b. the name of the strategy or strategies affected by the expenditure and the method of financing and FTEs for each strategy by fiscal year;

c. the impact of the expenditure on performance levels and, where relevant, a comparison to targets included in this Act for the affected strategy or strategies; and

d. the impact of the expenditure on the capital budget.

Additional information requested by the Legislative Budget Board or the Governor should be provided in a timely manner. The request and information provided subsequently shall be prepared in a format specified by the Legislative Budget Board.

The request shall be considered to be disapproved unless the Legislative Budget Board and the Governor issue written approvals within 45 calendar days of receipt of the request.

**4. Appropriation of Funds from Counties, Cities, and Other Local Sources.** All funds received by the department from counties, cities, and other local sources and all balances from such sources as of August 31, 2011, are hereby appropriated for the biennium ending August 31, 2013 (estimated to be $0), for the purpose of carrying out the provisions of this Act.

**5. Accounting of Support Costs.** The State Comptroller shall establish separate accounts from which certain support costs shall be paid. The Department of Family and Protective Services is hereby authorized to make transfers into separate accounts from line item strategies in order to pay for these expenses in an efficient and effective manner. Only costs not directly attributable to a single program may be budgeted in or paid from these accounts. Items to be budgeted in and paid from these accounts include but are not limited to: postage, occupancy costs, equipment repair, telephones, office printing costs, supplies, freight and transport costs, telephone system costs, and salary and travel costs of staff whose function supports several programs. The department shall be responsible for quarterly allocations of these costs to the original strategies.

**6. Foster Care Rates.**

a. It is the intent of the Legislature that the Department of Family and Protective Services reimburse foster families at least $17.12 per day for children under 12 years old and $17.50 per day for children age 12 and older during the 2012-13 biennium. The department may transfer funds into Strategy B.1.11, Foster Care Payments, for the purpose of maintaining these rates. The department may not transfer funds out of Strategy B.1.11, Foster Care Payments, without the prior written approval of the Legislative Budget Board and the Governor.

b. The department may also use funds in Strategy B.1.11, Foster Care Payments, to recommend alternate service provision that will consider expansion of contract services, regional planning, service outcomes, and appropriate funding mechanisms to be tested in pilot projects. Such pilot approaches to innovative service delivery shall be designed in conjunction with providers, approved by the Health and Human Services Commission, and funded at no increased cost to the State. The department may include a modification of rates for new pilot approaches implemented in this manner.

c. Included in the funds appropriated above in Strategy B.1.11, Foster Care Payments, is $169,088,056 in General Revenue Funds and $76,072,924 in TANF Federal Funds for fiscal year 2012, and $172,868,267 in General Revenue Funds and $78,144,721 in TANF Federal Funds for fiscal year 2013. The department may not transfer these funds out of Strategy B.1.11, Foster Care Payments, without the prior written approval of the Legislative Budget Board and the Governor.

**7. Fund Transfers for Funds Consolidation.** For the purpose of funds consolidation, federal and other funds may be transferred into the General Revenue Fund from Department of Family and Protective Services Fund 37. The initial deposit of federal funds shall be made into Fund 37 and no direct expenditures shall be made from this fund.

**8. Substitute Care Permanency Goal.** It is the intent of the Legislature that whenever possible, the department shall utilize state and/or federal funds currently being expended for substitute care to cover the cost of assuring permanent homes where appropriate for foster children.

**9. Other Reporting Requirements.**

a. **Federal Reports.** The Department of Family and Protective Services shall submit the following information to the Legislative Budget Board and the Governor no later than the date the respective report is submitted to the federal government:

(1) Notification of proposed State Plan amendments or waivers for the Medicaid program, the Foster Care and Adoption Assistance program, the Temporary Assistance for Needy Families program, the Child Welfare Services program, and any other federal grant requiring a state plan. State plan amendments and waiver submissions shall also be provided to the Senate Health and Human Services, House Human Services, and House Public Health committees.

(2) A copy of each report or petition submitted to the federal government relating to the Medicaid program, the Foster Care and Adoption Assistance program, the Temporary Assistance for Needy Families program, the Child Welfare Services program, and any other federal grant requiring a state plan, including expenditure reports and cost allocation revisions.

b. **Federal Issues.** The Department of Family and Protective Services shall notify the Legislative Budget Board and the Governor on a timely basis about emerging issues that could result in the loss of more than $1 million in federal revenue assumed in the appropriations act.

c. **Monthly Financial Reports.** The Department of Family and Protective Services shall submit the following information to the Legislative Budget Board and the Governor on a monthly basis:

(1) Information on appropriated, budgeted, expended, and projected funds, by strategy and method of finance.

(2) A report detailing revenues, expenditures, and balances for earned federal funds as of the last day of the prior month.

(3) Narrative explanations of significant budget adjustments, ongoing budget issues, and other items as appropriate.

(4) Any other information requested by the Legislative Budget Board or the Governor.

The monthly financial reports shall be prepared in a format specified by the Legislative Budget Board.

d. **Quarterly Caseload Updates.** The Department of Family and Protective Services shall submit the following information to the Legislative Budget Board and the Governor on a quarterly basis beginning September 1, 2011:

(1) Strategy B.1.11, Foster Care Payments, program expenditures by method-of-financing, and performance measure targets, for fiscal years 2009 through 2013; and

(2) Strategy B.1.12, Adoption Subsidy and Permanency Care Assistance Payments, program expenditures by method-of-financing, and performance measure targets, for fiscal years 2009 through 2013.

The reports shall be prepared and submitted in a format specified by the Legislative Budget Board.

**10. Limitation on Expenditures for Administrative Overhead.** Funds appropriated above in Strategy B.1.3, TWC Foster Day Care, Strategy B.1.4, TWC Relative Day Care, and Strategy B.1.5, TWC Protective Day Care, may be used only to purchase child day care services through the Texas Workforce Commission.

The Department of Family and Protective Services' expenditures for administrative overhead payments to the Texas Workforce Commission and local workforce boards in connection with any agreement to provide child day care services out of funds appropriated above shall be limited to no more than 5 percent of all amounts paid for child day care services out of funds appropriated above.

**11. Human Resources Management Plan.** From funds appropriated above, the Texas Department of Family and Protective Services 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 Family and Protective Services shall report semi-annually 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 twelve months. The effectiveness of the agency's plan shall be measured by whether there is a reduction in employee turnover rates at the agency, specifically by the reduction in the turnover rates for caseworkers.

**12. Appropriation Transfer between Fiscal Years.** In addition to the transfer authority provided elsewhere in this Act, the Department of Family and Protective Services may transfer appropriations made above for Strategy B.1.11, Foster Care Payments, and Strategy B.1.12, Adoption Subsidy and Permanency Care Assistance Payments, for fiscal year 2013 to fiscal year 2012, subject to the following conditions provided by this section:

a. Transfers under this section may be made only if costs associated with providing foster care or adoption subsidy payments exceed the funds appropriated for these payments for fiscal year 2012;

b. Transfers from Strategy B.1.11, Foster Care Payments, may not exceed $12,700,000 in General Revenue Funds and $8,800,000 in TANF Federal Funds;

c. Transfers from Strategy B.1.12, Adoption Subsidy and Permanency Care Assistance Payments, may not exceed $6,200,000 in General Revenue Funds;

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

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

**13. Adult Protective Services and Mental Health and Mental Retardation Investigations.** Out of the funds appropriated above for Strategy D.1.1, APS Direct Delivery Staff, Strategy D.1.2, APS Program Support, and Strategy D.1.3, MH and MR Investigations, the Department of Family and Protective Services shall maximize the use of federal Medicaid funding.

**14. Appropriation of Unexpended Balances for Prevention Programs.** All unexpended balances appropriated above for the strategies in Goal C, Prevention Programs, for the fiscal year ending August 31, 2012, are hereby appropriated for the same purposes for the fiscal year beginning September 1, 2012. The department shall notify the Legislative Budget Board and the Governor as to why the appropriations were not needed, and how they will be used, prior to budgeting and expending the balances. The notification shall be prepared in a format specified by the Legislative Budget Board.

**15. Limitation on Transfers: CPS and APS Direct Delivery Staff.**

a. **Funding.** Notwithstanding any other transfer provision in this Act, none of the funds appropriated by this Act to the Department of Family and Protective Services for Strategy B.1.1, CPS Direct Delivery Staff, and Strategy D.1.1, APS Direct Delivery Staff, may be transferred to any other item of appropriation or expended for any purpose other than the specific purpose for which the funds are appropriated without the prior written approval of the Legislative Budget Board and the Governor.

b. **Full-time-equivalent (FTE) Positions.** Out of the FTE positions appropriated above to the Department of Family and Protective Services, 8,109.9 positions for fiscal year 2012 and 8,109.9 positions for fiscal year 2013 are allocated to Strategy B.1.1, CPS Direct Delivery Staff, and 804.8 positions for fiscal year 2012 and 804.8 positions for fiscal year 2013 are allocated to Strategy D.1.1, APS Direct Delivery Staff.

Notwithstanding any other transfer provision in this Act, none of the FTEs allocated by this Act to the Department of Family and Protective Services for Strategy B.1.1, CPS Direct Delivery Staff, and Strategy D.1.1, APS Direct Delivery Staff, may be transferred to any other item of appropriation or utilized for any purpose other than the specific purpose for which the FTEs are allocated without the prior written approval of the Legislative Budget Board and the Governor.

c. **Request for Approval.** To request approval for the transfer of funds and/or FTEs, the department shall submit a written request to the Legislative Budget Board and the Governor that includes the following information:

(1) a detailed explanation of the purpose(s) of the transfer and whether the expenditure will be one-time or ongoing;

(2) the name of the originating and receiving strategies, and the method of financing and FTEs for each strategy by fiscal year;

(3) an estimate of performance levels and, where relevant, a comparison to targets included in this Act for both the originating and the receiving strategies; and

(4) the capital budget impact.

Additional information requested by the Legislative Budget Board or the Governor should be provided in a timely manner. The request and information provided subsequently shall be prepared in a format specified by the Legislative Budget Board.

The transfer request shall be considered to be disapproved unless the Legislative Budget Board and the Governor issue written approvals within 45 calendar days of receipt of the request.

The Comptroller of Public Accounts shall not allow the transfer of funds if the Legislative Budget Board provides notification to the Comptroller of Public Accounts that the requirements of this provision have not been satisfied.

**16. Reimbursement of Advisory Council Members.** Pursuant to Human Resources Code §40.025, reimbursement of expenses for Family and Protective Services Council members, out of funds appropriated above, is hereby authorized such that the sum total of all reimbursements for members of the Council shall not exceed $10,000 per fiscal year.

**17. Reporting Requirement on Minority Child Removals.** The Department of Family and Protective Services shall report, by October 1 of each year of the biennium, to the House Appropriations Committee, the Senate Finance Committee, the Legislative Budget Board, and the Governor, the number of children removed from their homes by child protective services and the number of children investigated, by ethnic group, in the seven largest urban regions of the state during the preceding fiscal year. The Department may include the information in an existing report or a new report.

**18. Medicaid and Title IV-E Federal Funds.** Out of the funds appropriated above, the Department of Family and Protective Services shall maximize the use of federal entitlement revenue from the Medicaid and Title IV-E Foster Care and Adoption Assistance programs.

a. **Appropriations for Child Protective Services.** Included in the amounts appropriated above for child protective services are the following amounts of federal entitlement revenue from the Medicaid and Title IV-E Foster Care and Adoption Assistance programs:

(1) Strategy B.1.1, CPS Direct Delivery Staff: $1,246,639 in Medicaid Federal Funds and $64,716,646 in Title IV-E Federal Funds for fiscal year 2012, and $1,246,681 in Medicaid Federal Funds and $64,718,864 in Title IV-E Federal Funds for fiscal year 2013; and

(2) Strategy B.1.2, CPS Program Support: $64,812 in Medicaid Federal Funds and $9,808,315 in Title IV-E Federal Funds for fiscal year 2012, and $64,811 in Medicaid Federal Funds and $9,808,315 in Title IV-E Federal Funds for fiscal year 2013.

b. **Appropriations for Adult Protective Services.** Included in the amounts appropriated above for adult protective services are the following amounts of federal entitlement revenue from the Medicaid program:

(1) Strategy D.1.1, APS Direct Delivery Staff: $1,927,217 in Medicaid Federal Funds for fiscal year 2012, and $1,927,217 in Medicaid Federal Funds for fiscal year 2013; and

(2) Strategy D.1.2, APS Program Support: $378,520 in Medicaid Federal Funds for fiscal year 2012, and $378,521 in Medicaid Federal Funds for fiscal year 2013.

c. **Limitation on Use of General Revenue Funds and TANF Federal Funds.** In the event that federal entitlement revenues exceed the amounts noted above, the department may spend the General Revenue Funds and TANF Federal Funds thereby made available only to the extent authorized in writing by the Legislative Budget Board and the Governor.

d. **Request for Approval to Use General Revenue Funds and TANF Federal Funds.** To request approval pursuant to subsection (c) above, the department shall submit a written request to the Legislative Budget Board and the Governor that includes the following information:

(1) the reason for and amount of federal entitlement revenue that exceeds the amounts noted in subsection (a) or (b) above;

(2) a detailed explanation of the purpose(s) of the expenditure and whether the expenditure will be one-time or ongoing;

(3) the name of the strategy or strategies affected by the expenditure and the method of financing and FTEs for each strategy by fiscal year;

(4) the impact of the expenditure on performance levels and, where relevant, a comparison to targets included in this Act for the affected strategy or strategies; and

(5) the impact of the expenditure on the capital budget.

Additional information requested by the Legislative Budget Board or the Governor should be provided in a timely manner. The request and information provided subsequently shall be prepared and submitted in a format specified by the Legislative Budget Board.

e. The Comptroller of Public Accounts shall not allow the expenditure of funds if the Legislative Budget Board provides notification to the Comptroller of Public Accounts that the requirements of this provision have not been satisfied.

**19. Reimbursement of Advisory Committee Members.** Pursuant to Government Code § 2110.004, reimbursement of expenses for advisory committee members, out of the funds appropriated above, not to exceed the amounts stated below per fiscal year, is limited to the following advisory committees:

| | |
|---|---|
| Parental Advisory Committee | $3,000 |
| Promote Adoption of Minority Children Advisory Committee | $19,200 |

To the maximum extent possible, the department shall encourage the use of videoconferencing and teleconferencing and shall schedule meetings and locations to facilitate the travel of participants so that they may return the same day and reduce the need to reimburse members for overnight stays.

**20. CPS Investigative Pay.** The Department of Family and Protective Services is authorized to continue to provide the amount of $5,000 per fiscal year established by the Seventy-ninth Legislature for child protective services investigation caseworkers and supervisors. The pay shall be paid at the rate of $416.67 per month, or pro-rata portion if a partial month is worked in the position. This pay is in addition to the salary rates stipulated by the General Provisions of this Act relating to the position classifications and assigned salary ranges.

**21. Child and Family Services Review.** None of the funds appropriated above to the Department of Family and Protective Services may be used to pay for federal penalties associated with the Child and Family Services Review process without the prior written approval of the Legislative Budget Board and the Governor.

To request approval, the department shall submit a written request to the Legislative Budget Board and the Governor that includes the following information:

a. a copy of the federal document imposing and/or assessing the penalty;

b. a detailed explanation of the reason for the penalty and the efforts that were undertaken to avoid the penalty;

c. the name of the strategy or strategies affected by the expenditure and the method of financing and FTEs for each strategy by fiscal year;

d. the impact of the expenditure on performance levels and, where relevant, a comparison to targets included in this Act for the affected strategy or strategies; and

e. the impact of the expenditure on the capital budget.

Additional information requested by the Legislative Budget Board or the Governor should be provided in a timely manner. The request and information provided subsequently shall be prepared in a format specified by the Legislative Budget Board.

The request shall be considered to be disapproved unless the Legislative Budget Board and the Governor issue written approvals within 45 calendar days of receipt of the request.

**22. Out-of-State Travel Exemption.** Out-of-state travel expenses incurred by Department of Family and Protective Services staff while transporting children are exempt from the requirements of Article IX, Section 5.08, Limitation on Travel Expenditures, and the limitations on such expenditures as set forth therein. The Department of Family and Protective Services shall work with the Legislative Budget Board and the Comptroller of Public Accounts to determine a revised travel limitation expenditure amount that does not include the travel exempted under this provision.

**23. Contingency Reduction for TANF Supplemental Grant Award.** The Health and Human Services Commission shall inform the Legislative Budget Board within 10 business days that it has received notification from the federal Department of Health and Human Services, Administration on Children and Families, that the State of Texas has been awarded a TANF Supplemental Grant for federal fiscal year 2012 or federal fiscal year 2013. Contingent on notification from the Legislative Budget Board that the State of Texas has received a TANF Supplemental Grant award (estimated to be $51,707,774 for federal fiscal year 2012, and $51,707,774 for federal fiscal year 2013), the Comptroller of Public Accounts shall reduce General Revenue Funds appropriated above in Strategy B.1.1, CPS Direct Delivery Staff, by the amount of the award.

**24. Juvenile Probation Foster Care Candidates.** The Department of Family and Protective Services (DFPS) and the Texas Juvenile Probation Commission (TJPC) shall, to the extent authorized by state and federal law, maximize the use of Title IV-E Federal Funds for administrative costs of the county juvenile probation departments for foster care candidates. It is legislative intent that DFPS and TJPC work together with the county juvenile probation departments to examine changes in

policies and practices needed to meet federal regulations, and move forward with changes that are economical and efficient in order to claim Title IV-E administrative costs for foster care candidates.

**25. Foster Care Redesign.** It is the intent of the Legislature that the Department of Family and Protective Services begin to redesign the foster care system to meet the goals of the *Improving Child and Youth Placement Outcomes: A System Redesign* report dated January 2011.

Out of funds appropriated above, the department may use payment rates for foster care under the redesigned system that are different from those used on the effective date of this Act for 24-hour residential child care. The payment rates for foster care redesign may not result in total expenditures for any fiscal year that exceed the amounts appropriated by this Act for foster care and related family services, except to the extent that any increase in total foster care expenditures is the direct result of caseload growth in foster care.

The department shall report by October 1, 2013, to the Senate Committee on Finance, the House Committee on Appropriations, the Senate Committee on Health and Human Services, the House Committee on Human Services, the Legislative Budget Board, and the Governor expenditures for foster care redesign and progress toward the achievement of improved outcomes for children, youth, and families based on quality indicators identified in the report noted above. The report shall be prepared in a format specified by the Legislative Budget Board.

**26. At-Risk Prevention Programs.** The Department of Family and Protective Services may only use funds appropriated above in Strategy C.1.5, Other At-Risk Prevention Programs, for at-risk prevention services that are competitively procured.

**27. Timely Due Process.** The Department of Family and Protective Services shall use the following amounts to contract for legal staff and pay for other operating expenses necessary to reduce the backlog of appeal cases filed by persons with abuse or neglect findings:

a. $86,465 in General Revenue Funds for fiscal year 2012 and $83,653 in General Revenue Funds for fiscal year 2013, from funds appropriated above in Strategy D.1.2. APS Program Support, and

b. $913,535 in General Revenue Funds for fiscal year 2012 and $916,347 in General Revenue Funds for fiscal year 2013, from funds appropriated above in Strategy E.1.1, Child Care Regulation.

**28. Contingency for Senate Bill 1580.** Included in the amounts appropriated above for Strategy E.1.1, Child Care Regulation, are $3,476,000 in General Revenue and 63.0 FTE positions for fiscal year 2012, and $3,517,000 in General Revenue and 63.0 FTE positions for fiscal year 2013. These amounts are contingent on passage of Senate Bill 1580, or similar legislation relating to an increase in child care licensing fees, by the Eighty-second Legislature, Regular Session.

**29. Rates and Payments.** None of the funds appropriated above to the Department of Family and Protective Services may be used to reimburse a provider for foster care services in an amount that exceeds the applicable foster care reimbursement rate, as established by the Health and Human Services Commission for a child at that service level, unless the Department is unable to locate a provider that is willing and able to provide a safe and appropriate placement at the applicable rate.

**30. Limitation on Appropriations for Day Care Services.** The Department of Family and Protective Services may not spend more than the amounts appropriated above in Strategy B.1.3, TWC Foster Day Care, Strategy B.1.4, TWC Relative Day Care, and Strategy B.1.5, TWC Protective Day Care, without the prior written approval of the Legislative Budget Board and the Governor.

To request approval, the department shall submit a written request to the Legislative Budget Board and the Governor that includes the following information:

a. a detailed explanation of the need for day care services and the steps that have been taken to address the need without exceeding the amounts appropriated above;

b. a five-year history of expenditures for day care services with information on the number of days purchased and the average cost per day;

c. the name of the strategy or strategies affected by the increase in expenditures and the method of financing and FTEs for each strategy by fiscal year;

d. the impact of the expenditure on performance levels and, where relevant, a comparison to targets included in this Act for the affected strategy or strategies; and

e. the impact of the expenditure on the capital budget.

Additional information requested by the Legislative Budget Board or the Governor should be provided in a timely manner. The request and information provided subsequently shall be prepared in a format specified by the Legislative Budget Board.

The request shall be considered to be disapproved unless the Legislative Budget Board and the Governor issue a written approval within 30 business days of the date on which the staff of the Legislative Budget Board concludes its review of the request and forwards its review to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor.

The Comptroller of Public Accounts shall not allow the transfer of funds if the Legislative Budget Board provides notification to the Comptroller of Public Accounts that the requirements of this provision have not been satisfied.

**31. Limitation on Appropriations for Non-Recurring Adoption Subsidy Payments.** Included in the amounts appropriated above in Strategy B.1.12, Adoption Subsidy and Permanency Care Assistance Payments, are the following amounts for non-recurring adoption subsidy payments: $6,146,790 in fiscal year 2012, and $6,146,790 in fiscal year 2013. The Department of Family and Protective Services may not spend more than these amounts without the prior written approval of the Legislative Budget Board and the Governor.

To request approval, the department shall submit a written request to the Legislative Budget Board and the Governor that includes the following information:

a. a detailed explanation of the need for additional funding and the steps that have been taken to address the need without exceeding the amounts appropriated above;

b. the name of the strategy or strategies affected by the increase in expenditures and the method of financing and FTEs for each strategy by fiscal year;

c. the impact of the expenditure on performance levels and, where relevant, a comparison to targets included in this Act for the affected strategy or strategies; and

d. the impact of the expenditure on the capital budget.

Additional information requested by the Legislative Budget Board or the Governor should be provided in a timely manner. The request and information provided subsequently shall be prepared in a format specified by the Legislative Budget Board.

The request shall be considered to be disapproved unless the Legislative Budget Board and the Governor issue a written approval within 30 business days of the date on which the staff of the Legislative Budget Board concludes its review of the request and forwards its review to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor.

The Comptroller of Public Accounts shall not allow the transfer of funds if the Legislative Budget Board provides notification to the Comptroller of Public Accounts that the requirements of this provision have not been satisfied.

**32. At-Risk Prevention Programs and Services.** From the amounts appropriated above in Strategy C.1.5, Other At-Risk Prevention Programs, the Department of Family and Protective Services shall allocate for the state fiscal biennium beginning September 1, 2011, not less than $3,050,000 for one or more competitively procured established statewide networks of community-based prevention programs that provide evidence-based programs delivered by trained full-time staff, and address conditions resulting in negative outcomes for children and youth. Any vendor selected for funding through this strategy must provide dollar-for-dollar matching funds.

## DEPARTMENT OF STATE HEALTH SERVICES

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | | |
| General Revenue Fund | $ 607,806,601 | $ 602,930,577 |
| GR Match for Medicaid | 29,276,593 | 37,558,722 |
| GR for Mental Health Block Grant | 294,780,779 | 294,780,774 |
| GR for Substance Abuse Prevention and Treatment Block Grant | 22,236,747 | 22,236,746 |
| GR for Maternal and Child Health Block Grant | 33,636,956 | 33,636,956 |
| GR for HIV Services | 46,575,088 | 46,575,088 |
| GR Certified as Match for Medicaid | 9,303,287 | 10,887,598 |
| General Revenue - Insurance Companies Maintenance Tax and Insurance Department Fees | 6,851,021 | 6,851,022 |
| Vendor Drug Rebates—Public Health | 12,923,000 | 13,006,000 |
| Subtotal, General Revenue Fund | $ 1,063,390,072 | $ 1,068,463,483 |
| General Revenue Fund - Dedicated | | |
| Vital Statistics Account No. 019 | 4,477,075 | 4,477,075 |
| Hospital Licensing Account No. 129 | 1,632,148 | 1,632,148 |
| Food and Drug Fee Account No. 341 | 1,671,862 | 1,671,864 |
| Bureau of Emergency Management Account No. 512 | 2,312,927 | 2,312,928 |
| Department of Health Public Health Services Fee Account No. 524 | 13,054,812 | 13,054,814 |
| Commission on State Emergency Communications Account No. 5007 | 1,821,575 | 1,821,575 |
| Asbestos Removal Licensure Account No. 5017 | 3,197,088 | 3,197,088 |
| Workplace Chemicals List Account No. 5020 | 632,638 | 632,638 |
| Certificate of Mammography Systems Account No. 5021 | 1,046,176 | 1,046,176 |
| Oyster Sales Account No. 5022 | 252,000 | 252,000 |
| Food and Drug Registration Account No. 5024 | 5,777,985 | 5,777,985 |
| Animal Friendly Account No. 5032 | 187,500 | 187,500 |
| Permanent Fund for Health and Tobacco Education and Enforcement Account No. 5044 | 5,471,500 | 5,471,500 |
| Permanent Fund Children & Public Health Account No. 5045 | 4,867,329 | 4,867,329 |
| Permanent Fund for EMS & Trauma Care Account No. 5046 | 4,741,249 | 4,741,249 |
| Permanent Hospital Fund for Capital Improvements and the Texas Center for Infectious Disease Account No. 5048 | 1,195,500 | 1,195,500 |
| State Owned Multicategorical Teaching Hospital Account No. 5049 | 5,750,000 | 5,750,000 |
| EMS, Trauma Facilities, Trauma Care Systems Account No. 5108 | 2,381,725 | 2,381,725 |
| Trauma Facility and EMS Account No. 5111 | 57,500,808 | 57,500,808 |
| March of Dimes Plates Account No. 5117 | 4,953 | 4,953 |
| Childhood Immunization Account No. 5125 | 144,807 | 144,807 |
| Be a Blood Donor Plates Account No. 5134 | 250 | 250 |
| Health Department Laboratory Financing Fees Account No. 8026 | 2,866,609 | 2,874,719 |
| WIC Rebates Account No. 8027 | 246,840,000 | 246,840,000 |
| Perpetual Care Account No. 8076 | 1,765,240 | 0 |
| Subtotal, General Revenue Fund - Dedicated | $ 369,593,756 | $ 367,836,631 |
| Federal Funds | | |
| Federal Funds | 1,237,464,044 | 1,249,300,196 |
| Federal American Recovery and Reinvestment Fund | 1,601,529 | 0 |
| Subtotal, Federal Funds | $ 1,239,065,573 | $ 1,249,300,196 |
| Other Funds | | |
| Appropriated Receipts | 17,427,807 | 17,427,807 |
| State Chest Hospital Fees and Receipts | 1,818,618 | 1,818,618 |
| DSHS Public Health Medicaid Reimbursements | 51,229,175 | 51,229,175 |
| Interagency Contracts | 102,831,617 | 105,463,580 |
| Bond Proceeds - General Obligation Bonds | 13,200,000 | 0 |
| MH Collections for Patient Support and Maintenance | 10,379,037 | 10,379,037 |
| MH Appropriated Receipts | 6,496,500 | 6,496,500 |
| Subtotal, Other Funds | $ 203,382,754 | $ 192,814,717 |
| **Total, Method of Financing** | $ 2,875,432,155 | $ 2,878,415,027 |

| | | | | |
|---|---|---|---|---|
| **Other Direct and Indirect Costs Appropriated Elsewhere in this Act** | $ | 6,052,137 | $ | 6,386,196 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | | | |
| **Number of Full-Time-Equivalents (FTE):** | | 12,464.8 | | 12,468.6 |
| **Number of FTEs in Riders:** | | 12.8 | | 7.5 |
| **Schedule of Exempt Positions:** | | | | |
| Commissioner, Group 7 | | $183,750 | | $183,750 |
| **Items of Appropriation:** | | | | |
| **A. Goal:** PREPAREDNESS AND PREVENTION | | | | |
| Preparedness and Prevention Services. | | | | |
| **A.1.1. Strategy:** PUBLIC HEALTH PREP. & COORD. SVCS | $ | 88,920,278 | $ | 85,108,869 |
| Public Health Preparedness and Coordinated Services. | | | | |
| **A.1.2. Strategy:** REGISTRIES, INFO, & VITAL RECORDS | $ | 29,383,724 | $ | 29,157,194 |
| Health Registries, Information, and Vital Records. | | | | |
| **A.2.1. Strategy:** IMMUNIZE CHILDREN & ADULTS IN TEXAS | $ | 84,870,491 | $ | 84,870,491 |
| Immunize Children and Adults in Texas. | | | | |
| **A.2.2. Strategy:** HIV/STD PREVENTION | $ | 167,583,691 | $ | 166,443,691 |
| **A.2.3. Strategy:** INFECTIOUS DISEASE PREV/EPI/SURV | $ | 40,840,921 | $ | 40,840,921 |
| Infectious Disease Prevention, Epidemiology and Surveillance. | | | | |
| **A.3.1. Strategy:** CHRONIC DISEASE PREVENTION | $ | 7,891,559 | $ | 7,674,085 |
| Health Promotion & Chronic Disease Prevention. | | | | |
| **A.3.2. Strategy:** ABSTINENCE EDUCATION | $ | 556,318 | $ | 562,099 |
| **A.3.3. Strategy:** KIDNEY HEALTH CARE | $ | 24,771,103 | $ | 28,505,928 |
| **A.3.4. Strategy:** CHILDREN WITH SPECIAL NEEDS | $ | 35,631,626 | $ | 35,631,627 |
| Children with Special Health Care Needs. | | | | |
| **A.3.5. Strategy:** EPILEPSY HEMOPHILIA SERVICES | $ | 1,262,591 | $ | 1,262,592 |
| **A.4.1. Strategy:** LABORATORY SERVICES | $ | 42,721,133 | $ | 42,721,135 |
| **Total, Goal A:** PREPAREDNESS AND PREVENTION | $ | 524,433,435 | $ | 522,778,632 |
| **B. Goal:** COMMUNITY HEALTH SERVICES | | | | |
| **B.1.1. Strategy:** WIC/FARMER'S MARKET NUTRITION SVCS | $ | 886,195,920 | $ | 886,186,180 |
| Provide WIC Services: Benefits, Nutrition Education & Counseling. | | | | |
| **B.1.2. Strategy:** WOMEN & CHILDREN'S HEALTH SERVICES | $ | 75,582,258 | $ | 75,066,962 |
| Women and Children's Health Services. | | | | |
| **B.1.3. Strategy:** FAMILY PLANNING SERVICES | $ | 18,950,177 | $ | 18,950,177 |
| **B.1.4. Strategy:** COMMUNITY PRIMARY CARE SERVICES | $ | 10,511,944 | $ | 10,511,944 |
| **B.2.1. Strategy:** MENTAL HEALTH SVCS-ADULTS | $ | 270,615,444 | $ | 282,513,627 |
| Mental Health Services for Adults. | | | | |
| **B.2.2. Strategy:** MENTAL HEALTH SVCS-CHILDREN | $ | 75,537,904 | $ | 77,928,014 |
| Mental Health Services for Children. | | | | |
| **B.2.3. Strategy:** COMMUNITY MENTAL HEALTH CRISIS SVCS | $ | 82,494,196 | $ | 82,459,654 |
| Community Mental Health Crisis Services. | | | | |
| **B.2.4. Strategy:** NORTHSTAR BEHAV HLTH WAIVER | $ | 107,538,940 | $ | 117,686,025 |
| NorthSTAR Behavioral Health Waiver. | | | | |
| **B.2.5. Strategy:** SUBSTANCE ABUSE PREV/INTERV/TREAT | $ | 141,642,850 | $ | 141,642,849 |
| Substance Abuse Prevention, Intervention and Treatment. | | | | |
| **B.2.6. Strategy:** REDUCE USE OF TOBACCO PRODUCTS | $ | 8,133,673 | $ | 7,586,562 |
| Develop a Statewide Program to Reduce the Use of Tobacco Products. | | | | |
| **B.3.1. Strategy:** EMS AND TRAUMA CARE SYSTEMS | $ | 66,653,513 | $ | 66,653,514 |

| | | |
|---|---|---|
| **B.3.2. Strategy:** FQHC INFRASTRUCTURE GRANTS | $ 0 | $ 0 |
| Federally Qualified Health Center (FQHC) Infrastructure Grants. | | |
| **B.3.3. Strategy:** INDIGENT HEALTH CARE REIMBURSEMENT | $ 5,750,000 | $ 5,750,000 |
| Indigent Health Care Reimbursement (UTMB). | | |
| **B.3.4. Strategy:** COUNTY INDIGENT HEALTH CARE SVCS | $ 2,201,880 | $ 2,201,879 |
| County Indigent Health Care Services. | | |
| **Total, Goal B:** COMMUNITY HEALTH SERVICES | $ 1,751,808,699 | $ 1,775,137,387 |
| **C. Goal:** HOSPITAL FACILITIES AND SERVICES | | |
| Hospital Facilities Management and Services. | | |
| **C.1.1. Strategy:** TX CENTER FOR INFECTIOUS DISEASE | $ 10,594,468 | $ 10,594,468 |
| Texas Center for Infectious Disease (TCID). | | |
| **C.1.2. Strategy:** SOUTH TEXAS HEALTH CARE SYSTEM | $ 4,704,283 | $ 4,704,282 |
| **C.1.3. Strategy:** MENTAL HEALTH STATE HOSPITALS | $ 394,061,469 | $ 389,339,514 |
| **C.2.1. Strategy:** MENTAL HEALTH COMMUNITY HOSPITALS | $ 53,703,096 | $ 53,703,096 |
| **Total, Goal C:** HOSPITAL FACILITIES AND SERVICES | $ 463,063,316 | $ 458,341,360 |
| **D. Goal:** CONSUMER PROTECTION SERVICES | | |
| **D.1.1. Strategy:** FOOD (MEAT) AND DRUG SAFETY | $ 24,224,475 | $ 24,227,682 |
| **D.1.2. Strategy:** ENVIRONMENTAL HEALTH | $ 7,995,342 | $ 7,995,342 |
| **D.1.3. Strategy:** RADIATION CONTROL | $ 10,441,630 | $ 8,676,388 |
| **D.1.4. Strategy:** HEALTH CARE PROFESSIONALS | $ 7,599,617 | $ 7,599,619 |
| **D.1.5. Strategy:** HEALTH CARE FACILITIES | $ 9,641,693 | $ 9,648,232 |
| **D.1.6. Strategy:** TEXASONLINE | $ 1,146,140 | $ 1,146,140 |
| TexasOnline. Estimated and Nontransferable. | | |
| **D.1.7. Strategy:** SEX OFFENDER TREATMENT/SUPERVISION | $ 4,037,687 | $ 4,766,511 |
| Sex Offender Treatment and Supervision. | | |
| **Total, Goal D:** CONSUMER PROTECTION SERVICES | $ 65,086,584 | $ 64,059,914 |
| **E. Goal:** INDIRECT ADMINISTRATION | | |
| **E.1.1. Strategy:** CENTRAL ADMINISTRATION | $ 17,260,621 | $ 17,134,225 |
| **E.1.2. Strategy:** IT PROGRAM SUPPORT | $ 20,292,236 | $ 20,709,678 |
| Information Technology Program Support. | | |
| **E.1.3. Strategy:** OTHER SUPPORT SERVICES | $ 12,770,580 | $ 12,754,153 |
| **E.1.4. Strategy:** REGIONAL ADMINISTRATION | $ 1,526,409 | $ 1,525,544 |
| **Total, Goal E:** INDIRECT ADMINISTRATION | $ 51,849,846 | $ 52,123,600 |
| **F. Goal:** CAPITAL ITEMS | | |
| **F.1.1. Strategy:** LABORATORY (AUSTIN) BOND DEBT | $ 2,866,609 | $ 2,874,719 |
| **F.1.2. Strategy:** REPAIR & RENOVATION: MH FACILITIES | $ 16,323,666 | $ 3,099,415 & UB |
| Capital Repair and Renovation: Mental Health Facilities. | | |
| **Total, Goal F:** CAPITAL ITEMS | $ 19,190,275 | $ 5,974,134 |
| **Grand Total,** DEPARTMENT OF STATE HEALTH SERVICES | $ 2,875,432,155 | $ 2,878,415,027 |
| **Supplemental Appropriations Made in Riders:** | $ 3,493,416 | $ 2,781,565 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 472,891,075 | $ 472,422,974 |
| Other Personnel Costs | 18,572,329 | 18,598,484 |
| Professional Fees and Services | 107,357,918 | 106,569,238 |
| Fuels and Lubricants | 1,231,267 | 1,225,011 |
| Consumable Supplies | 11,280,663 | 11,276,859 |
| Utilities | 14,885,658 | 14,930,003 |
| Travel | 10,905,781 | 10,747,733 |
| Rent - Building | 1,083,016 | 1,091,496 |

| | | |
|---|---|---|
| Rent - Machine and Other | 9,914,751 | 9,568,600 |
| Other Operating Expense | 376,326,827 | 369,377,033 |
| Client Services | 943,521,526 | 961,152,925 |
| Food for Persons - Wards of State | 9,246,188 | 9,346,187 |
| Grants | 881,966,393 | 888,458,414 |
| Capital Expenditures | 19,742,179 | 6,431,635 |
| **Total, Object-of-Expense Informational Listing** | $ 2,878,925,571 | $ 2,881,196,592 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 26,171,237 | $ 26,302,093 |
| Group Insurance | 104,410,579 | 106,352,715 |
| Social Security | 35,408,906 | 35,585,950 |
| Benefits Replacement | 2,745,699 | 2,567,229 |
| Subtotal, Employee Benefits | $ 168,736,421 | $ 170,807,987 |
| Debt Service | | |
| TPFA GO Bond Debt Service | $ 17,993,366 | $ 15,873,646 |
| Lease Payments | 1,602,976 | 1,528,373 |
| Subtotal, Debt Service | $ 19,596,342 | $ 17,402,019 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 188,332,763 | $ 188,210,006 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Department of State Health Services. 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 State Health Services. In order to achieve the objectives and service standards established by this Act, the Department of State Health Services shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** PREPAREDNESS AND PREVENTION | | |
| **Outcome (Results/Impact):** | | |
| Vaccination Coverage Levels among Children Aged 19 to 35 Months | 78% | 78% |
| Incidence Rate of TB Among Texas Residents | 7.2 | 7.2 |
| **A.1.1. Strategy:** PUBLIC HEALTH PREP. & COORD. SVCS | | |
| **Output (Volume):** | | |
| Number of Educational Hours Provided on Bioterrorism and Public Health Preparedness | 34,500 | 34,500 |
| **A.1.2. Strategy:** REGISTRIES, INFO, & VITAL RECORDS | | |
| **Efficiencies:** | | |
| Average Number of Days to Certify or Verify Vital Statistics Records | 14 | 14 |
| **A.2.1. Strategy:** IMMUNIZE CHILDREN & ADULTS IN TEXAS | | |
| **Output (Volume):** | | |
| Number of Vaccine Doses Administered to Children | 14,576,225 | 14,576,225 |
| **Explanatory:** | | |
| Dollar Value (in Millions) of Vaccine Provided by the Federal Government | 349 | 349 |
| **A.2.2. Strategy:** HIV/STD PREVENTION | | |
| **Output (Volume):** | | |
| Number of Persons Served by the HIV Medication Program | 15,672 | 16,142 |
| **A.2.3. Strategy:** INFECTIOUS DISEASE PREV/EPI/SURV | | |
| **Output (Volume):** | | |
| Number of Communicable Disease Investigations Conducted | 125,000 | 125,000 |
| **A.3.1. Strategy:** CHRONIC DISEASE PREVENTION | | |
| **Output (Volume):** | | |
| Number of Diabetes-related Prevention Activities | 350,000 | 350,000 |

| | | |
|---|---|---|
| **A.3.2. Strategy:** ABSTINENCE EDUCATION | | |
| **Output (Volume):** | | |
| Number of Persons Served in Abstinence Education Programs | 5,322 | 5,322 |
| **A.3.3. Strategy:** KIDNEY HEALTH CARE | | |
| **Output (Volume):** | | |
| Number of Kidney Health Clients Provided Services | 18,313 | 18,313 |
| **A.3.4. Strategy:** CHILDREN WITH SPECIAL NEEDS | | |
| **Output (Volume):** | | |
| Average Monthly Caseload of Children with Special Health Care Needs (CSHCN) Clients Receiving Health Care Benefits | 1,000 | 1,000 |
| **Explanatory:** | | |
| Number of Clients Provided Health Care Benefits at the End of the Year for the Children with Special Health Care Needs (CSHCN) Program | 900 | 900 |
| **B. Goal:** COMMUNITY HEALTH SERVICES | | |
| **Outcome (Results/Impact):** | | |
| Percentage of Eligible WIC Population Served | 81% | 81% |
| Number of Infant Deaths Per Thousand Live Births (Infant Mortality Rate) | 6.3 | 6.3 |
| Percentage of Low Birth Weight Births | 8.6% | 8.6% |
| Number of Pregnant Females Age 13-19 Per Thousand (Adolescent Pregnancy Rate) | 48.5 | 48.5 |
| Percent of Adults Receiving Community Mental Health Services Who Were Admitted to a Level of Care (Service Package) Following Assessment | 92% | 92% |
| Percent of Adults Receiving Community Mental Health Services Whose Functional Level Stabilized or Improved | 83% | 83% |
| Percent of Children Receiving Community Mental Health Services Who Were Admitted to a Level of Care (Service Package) Following Assessment | 88% | 88% |
| Percent of Children Receiving Community Mental Health Services Whose Functional Level Stabilized or Improved | 82% | 82% |
| Percent of Persons Receiving Crisis Services Who Avoid Psychiatric Hospitalization within 30 Days | 87% | 87% |
| Percent of Adults Who Complete Treatment Programs and Report No Past Month Substance Use at Follow-up | 87% | 87% |
| Percent of Youth Who Complete Treatment Programs and Report No Past Month Substance Use at Follow-up | 84% | 84% |
| Prevalence of Tobacco Use among Middle & High School Youth in Target Areas of Texas | 23.6% | 23.6% |
| **B.1.1. Strategy:** WIC/FARMER'S MARKET NUTRITION SVCS | | |
| **Output (Volume):** | | |
| Number of WIC Participants Provided Nutritious Food Supplements Per Month | 1,031,671 | 1,031,671 |
| **Explanatory:** | | |
| Incidence (Percent) of Low Birth Weight Babies Born to Women, Infants and Children (WIC) Nutrition Program Mothers | 5.8 | 5.8 |
| **B.1.2. Strategy:** WOMEN & CHILDREN'S HEALTH SERVICES | | |
| **Output (Volume):** | | |
| Number of Infants <1 and Children Age 1-21 Years Provided Dental and Child Health Services by the Maternal and Child Health Program | 30,223 | 30,223 |
| Number of Women over 21 Provided Services by the Maternal and Child Health Program (Title V) | 18,687 | 18,687 |
| **B.1.3. Strategy:** FAMILY PLANNING SERVICES | | |
| **Output (Volume):** | | |
| Number of Adults and Adolescents Receiving Family Planning Services | 61,135 | 61,135 |
| **B.1.4. Strategy:** COMMUNITY PRIMARY CARE SERVICES | | |
| **Output (Volume):** | | |
| Number of Primary Health Care Eligible Patients Provided Access to Primary Care Services | 65,000 | 65,000 |
| **B.2.1. Strategy:** MENTAL HEALTH SVCS-ADULTS | | |
| **Output (Volume):** | | |
| Average Monthly Number of Adults Receiving Community Mental Health Services | 52,484 | 52,484 |
| Average Monthly Number of Persons Receiving Community Mental Health New Generation Medications | 21,000 | 21,000 |

| | | |
|---|---|---|
| **Efficiencies:** | | |
| Average Monthly Cost Per Adult Receiving Community Mental Health Services | 361 | 361 |
| Average Monthly Cost of New Generation Medications Per Person Receiving Community Mental Health New Generation Medications | 140 | 140 |
| **B.2.2. Strategy:** MENTAL HEALTH SVCS-CHILDREN | | |
| **Output (Volume):** | | |
| Average Monthly Number of Children Receiving Community Mental Health Services | 12,206 | 12,206 |
| **Explanatory:** | | |
| Number of Children and Adolescents Served at the End of the Year - Community Mental Health Services | 19,073 | 19,073 |
| **B.2.3. Strategy:** COMMUNITY MENTAL HEALTH CRISIS SVCS | | |
| **Output (Volume):** | | |
| Number of Persons Receiving Crisis Residential Services Per Year | 16,647 | 16,647 |
| Number of Persons Receiving Crisis Outpatient Services Per Year | 59,935 | 59,935 |
| **Efficiencies:** | | |
| Average Amount of GR Spent Per Person for Crisis Residential Services | 2,500 | 2,500 |
| Average Amount of GR Spent Per Person for Crisis Outpatient Services | 800 | 800 |
| **B.2.4. Strategy:** NORTHSTAR BEHAV HLTH WAIVER | | |
| **Explanatory:** | | |
| Average Monthly Number of Persons Covered by NorthSTAR Behavioral Health Services Waiver | 900,000 | 900,000 |
| **B.2.5. Strategy:** SUBSTANCE ABUSE PREV/INTERV/TREAT | | |
| **Output (Volume):** | | |
| Average Monthly Number of Adults Served in Substance Abuse Prevention Programs | 29,000 | 29,000 |
| Average Monthly Number of Youth Served in Substance Abuse Prevention Programs | 106,640 | 106,640 |
| Average Monthly Number of Adults Served in Substance Abuse Intervention Programs | 12,495 | 12,495 |
| Average Monthly Number of Youth Served in Substance Abuse Intervention Programs | 4,467 | 4,467 |
| Average Monthly Number of Adults Served in Treatment Programs for Substance Abuse | 5,360 | 5,360 |
| Average Monthly Number of Youth Served in Treatment Programs for Substance Abuse | 750 | 750 |
| **B.2.6. Strategy:** REDUCE USE OF TOBACCO PRODUCTS | | |
| **Output (Volume):** | | |
| Number of Texas Communities Implementing Comprehensive Tobacco Prevention Programs | 7 | 7 |
| **B.3.1. Strategy:** EMS AND TRAUMA CARE SYSTEMS | | |
| **Output (Volume):** | | |
| Number of Emergency Health Care Providers (EMS Firms, Hospitals, RACS) Assisted through EMS/Trauma System Funding Programs | 2,587 | 2,587 |
| **Explanatory:** | | |
| Number of Trauma Facilities | 267 | 272 |
| Number of Stroke Facilities | 75 | 85 |
| **C. Goal:** HOSPITAL FACILITIES AND SERVICES | | |
| **Outcome (Results/Impact):** | | |
| Percent of Patients Receiving State Mental Health Facility Services Whose Functional Level Stabilized or Improved | 99% | 99% |
| **C.1.1. Strategy:** TX CENTER FOR INFECTIOUS DISEASE | | |
| **Output (Volume):** | | |
| Number of Inpatient Days, Texas Center for Infectious Disease | 12,327 | 12,327 |
| **C.1.2. Strategy:** SOUTH TEXAS HEALTH CARE SYSTEM | | |
| **Output (Volume):** | | |
| Number of Outpatient Visits, South Texas Health Care System | 51,100 | 51,100 |
| **C.1.3. Strategy:** MENTAL HEALTH STATE HOSPITALS | | |
| **Output (Volume):** | | |
| Average Daily Census of State Mental Health Facilities | 2,477 | 2,477 |
| Average Monthly Number of State Mental Health Facility Consumers Receiving New Generation Medication Services | 2,583 | 2,583 |

| | | |
|---|---|---|
| **Efficiencies:** | | |
| Average Daily Facility Cost Per Occupied State Mental Health Facility Bed | 401 | 401 |
| Average Monthly Cost of New Generation Medications Per Patient Day For State Mental Health Facility Consumer Receiving New Generation Medication Services | 609.82 | 609.82 |
| **C.2.1. Strategy:** MENTAL HEALTH COMMUNITY HOSPITALS | | |
| **Output (Volume):** | | |
| Average Daily Number of Occupied Mental Health Community Hospital Beds | 301 | 301 |
| **Efficiencies:** | | |
| Average Daily Cost Per Occupied Mental Health Community Hospital Bed | 483 | 483 |
| **D. Goal:** CONSUMER PROTECTION SERVICES | | |
| **Outcome (Results/Impact):** | | |
| Percentage of Licenses Issued within Regulatory Timeframe | 98% | 98% |
| **D.1.1. Strategy:** FOOD (MEAT) AND DRUG SAFETY | | |
| **Efficiencies:** | | |
| Average Cost Per Surveillance Activity - Food/Meat and Drug Safety | 178 | 178 |
| **D.1.2. Strategy:** ENVIRONMENTAL HEALTH | | |
| **Efficiencies:** | | |
| Average Cost Per Surveillance Activity - Environmental Health | 151 | 151 |
| **D.1.3. Strategy:** RADIATION CONTROL | | |
| **Efficiencies:** | | |
| Average Cost Per Surveillance Activity - Radiation Control | 298 | 298 |
| **D.1.4. Strategy:** HEALTH CARE PROFESSIONALS | | |
| **Output (Volume):** | | |
| Number of Health Care Professionals and Licensed Chemical Dependency Counselors Licensed, Permitted, Certified, Registered, or Documented | 92,000 | 92,000 |
| **D.1.7. Strategy:** SEX OFFENDER TREATMENT/SUPERVISION | | |
| **Output (Volume):** | | |
| Number of Sex Offenders Provided Treatment and Supervision | 139 | 164 |
| **Efficiencies:** | | |
| Average Cost Per Sex Offender for Treatment and Supervision | 29,048 | 29,064 |
| **Explanatory:** | | |
| Number of New Civil Commitments | 50 | 50 |

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.

| | 2012 | 2013 |
|---|---|---|
| a. Construction of Buildings and Facilities | | |
| (1) Laboratory - Bond Debt Service | $ 2,866,609 | $ 2,874,719 |
| b. Repair or Rehabilitation of Buildings and Facilities | | |
| (1) Repair and Renovation of MH Hospitals - SJR 65/SB 2033 | 13,200,000 | UB |
| c. Acquisition of Information Resource Technologies | | |
| (1) Seat Management | 6,130,414 | 5,508,989 |
| (2) Data Center Consolidation | 10,126,580 | 10,146,522 |
| (3) IT Accessibility | 1,079,943 | 1,079,943 |
| (4) Critical Information Technology Items - MH Hospitals | 1,660,000 | UB |

| | | |
|---|---|---|
| (5) Security Improvements | 1,200,000 | 1,200,000 |
| (6) Upgrade Pharmacy/Medication Applications - MH Hospitals | 1,216,320 | 1,216,320 |
| (7) Enhance Registries | 4,223,585 | 250,000 |
| (8) WIC PC Replacement | 2,948,700 | 2,954,800 |
| (9) Information Systems Improvement | 12,092,440 | 27,098,228 |
| (10) Healthcare Associated Infections (HAI) Reporting System | 303,904 | UB |
| Total, Acquisition of Information Resource Technologies | $ 40,981,886 | $ 49,454,802 |
| d. Acquisition of Capital Equipment and Items | | |
| (1) Laboratory Equipment | 3,090,419 | 1,731,179 |
| (2) Critical Equipment for Hospitals | 6,635,262 | UB |
| (3) MH Hospitals - Consolidated Laundry Operations | 77,604 | UB |
| (4) Mobile Disaster Response Unit | 125,000 | UB |
| Total, Acquisition of Capital Equipment and Items | $ 9,928,285 | $ 1,731,179 |
| e. Other Lease Payments to the Master Lease Purchase Program (MLPP) | | |
| (1) Payment of MLPP - Energy Conservation-MH | 3,123,666 | 3,099,415 |
| (2) Lease Pmts to MLPP MH Facilities Equipment | 222,468 | 0 |
| (3) Lease Pmts to MLPP Communications Equip | 184,809 | 123,333 |
| (4) Lease Pmts to MLPP Vehicles | 424,077 | 90,541 |
| Total, Other Lease Payments to the Master Lease Purchase Program (MLPP) | $ 3,955,020 | $ 3,313,289 |
| Total, Capital Budget | $ 70,931,800 | $ 57,373,989 |
| Method of Financing (Capital Budget): | | |
| General Revenue Fund | | |
| General Revenue Fund | $ 34,006,652 | $ 21,788,644 |
| General Revenue - Insurance Companies Maintenance Tax and Insurance Department Fees | 11,696 | 11,745 |
| Subtotal, General Revenue Fund | $ 34,018,348 | $ 21,800,389 |
| General Revenue Fund - Dedicated | | |
| Vital Statistics Account No. 019 | 31,969 | 32,025 |
| Hospital Licensing Account No. 129 | 3,148 | 3,154 |
| Food and Drug Fee Account No. 341 | 4,793 | 4,802 |
| Bureau of Emergency Management Account No. 512 | 5,402 | 5,412 |
| Department of Health Public Health Services Fee Account No. 524 | 340,204 | 340,892 |
| Commission on State Emergency Communications Account No. 5007 | 61 | 61 |
| Asbestos Removal Licensure Account No. 5017 | 91,683 | 91,872 |
| Workplace Chemicals List Account No. 5020 | 1,672 | 1,673 |
| Certificate of Mammography Systems Account No. 5021 | 733 | 734 |
| Food and Drug Registration Account No. 5024 | 12,237 | 12,249 |
| Permanent Fund for Health and Tobacco Education and Enforcement Account No. 5044 | 20,454 | 20,475 |
| Permanent Fund Children & Public Health Account No. 5045 | 536 | 536 |
| Permanent Fund for EMS & Trauma Care Account No. 5046 | 2,528 | 2,531 |
| EMS, Trauma Facilities, Trauma Care Systems Account No. 5108 | 124 | 124 |
| Trauma Facility and EMS Account No. 5111 | 712 | 713 |
| Health Department Laboratory Financing Fees Account No. 8026 | 2,866,609 | 2,874,719 |
| Subtotal, General Revenue Fund - Dedicated | $ 3,382,865 | $ 3,391,972 |

| | | |
|---|---|---|
| Federal Funds | 18,604,093 | 31,605,532 |
| Other Funds | | |
| Appropriated Receipts | 1,422 | 1,426 |
| DSHS Public Health Medicaid Reimbursements | 549,762 | 549,847 |
| Interagency Contracts | 1,175,310 | 24,823 |
| Bond Proceeds - General Obligation Bonds | 13,200,000 | UB |
| Subtotal, Other Funds | $ 14,926,494 | $ 576,096 |
| Total, Method of Financing | $ 70,931,800 | $ 57,373,989 |

**3. Client Services.** It is the intent of the Legislature that the Department of State Health Services (DSHS) and the Department of Family and Protective Services (DFPS) enter into a Memorandum of Understanding for providing outpatient treatment services by DSHS to referred DFPS clients.

**4. Notification of Intent to Utilize Additional Federal SAPT Block Grant Funds.** The Department of State Health Services (DSHS) shall notify the Legislative Budget Board and the Governor of its intent to use additional federal Substance Abuse Prevention and Treatment (SAPT) block grant funds in excess of the amounts specifically appropriated in the strategies above, which total $133,431,971 for fiscal year 2012 and $133,431,971 for fiscal year 2013. This notification shall explain the services to be provided, the original source of funding for the program or services or indicate that programs or services are being expanded beyond levels assumed in the appropriations act, and the grant and amount of the grant funds to be used. The notification shall be submitted at least 45 days prior to allocations made out of funds appropriated above.

**5. Other Reporting Requirements.**

a. **Federal Reports**. The Department of State Health Services shall submit the following information to the Legislative Budget Board and the Governor no later than the date the respective report is submitted to the federal government:

(1) Notification of proposed State Plan amendments and waivers for the Maternal and Child Health Block Grant (Title V of the Social Security Act), the Special Supplemental Food Program for Women, Infants and Children Program (Child Nutrition Act of 1966), and the Substance Abuse, Prevention and Treatment Block Grant and any other federal grant requiring a state plan. State Plan amendments and waiver submissions shall also be provided to the Senate Health and Human Services, House Human Services, and House Public Health committee.

(2) A copy of each report or petition submitted to the federal government relating to the grants and programs noted above under section a (l).

b. **Federal Issues.** The Department of State Health Services shall notify the Legislative Budget Board and the Governor on a timely basis about emerging issues that could result in the loss of more than $1,000,000 in federal revenue assumed in the appropriations act.

c. **Monthly Financial Reports.** The Department of State Health Services shall submit the following information to the Legislative Budget Board and the Governor, and make available to the public, on a monthly basis:

(1) Information on appropriated, budgeted, expended and projected funds, by strategy and method of finance.

(2) Narrative explanations of significant budget adjustments, ongoing budget issues, and other as appropriate.

(3) Collections, expenditures, and balances for revenues generated by the department as of the last day of the prior month.

(4) Any other information requested by the Legislative Budget Board or the Governor.

d. The monthly financial reports shall be prepared in a format specified by the Legislative Budget Board.

**6. Mental Health Community Hospital Medicaid Services.** The Harris County Psychiatric Center, Lubbock Community Hospital, and Galveston Community Hospital shall certify appropriated state funds to the Health and Human Services Commission or its designee for the state share of Medicaid reimbursement for the following services:

a. Inpatient psychiatric services for children.

b. Inpatient psychiatric services for age 65 and over (Institute for Mental Disease option).

The Department of State Health Services shall report monthly to the Legislative Budget Board and the Governor on the amounts certified by each mental health community hospital.

**7. Performance Contracts.** Funds in Strategy C.2.1, Mental Health Community Hospitals, shall be allocated through performance contracts with local mental health authorities.

**8. Transfers of Appropriation - State Owned Hospitals.** The Department of State Health Services (DSHS) shall transfer from non-Medicaid state appropriated funds the following amounts to the Health and Human Services Commission for the Disproportionate Share Hospital Reimbursement Program:

| | 2012 | 2013 |
|---|---|---|
| State Mental Health Hospitals | $290,022,095 | $ 290,022,095 |
| Texas Center for Infectious Disease | 10,410,309 | 10,410,309 |
| | $300,432,404 | $ 300,432,404 |

The timing and form of such transfers shall be determined by the Comptroller of Public Accounts in consultation with the Health and Human Services Commission. The Legislative Budget Board is authorized to adjust the amounts of such transfers as necessary to match available federal funds. The department shall also transfer non-Medicaid state appropriated funds as necessary for other qualifying state-funded community hospitals including mental health community hospitals. DSHS shall monitor Medicaid utilization rates at these state-owned hospitals to ensure their qualification for the Disproportionate Share Hospital Reimbursement Program.

**9. Disposition of Construction Appropriation.** Construction appropriations may be used to pay salaries and travel expenses of department engineers and architects and administrative expenses of construction projects (but shall not exceed $500,000 in a fiscal year that are paid out of General Obligation Bonds); architect's and engineer's fees; and the actual travel expenses incurred by them or their representatives in making trips of inspection at the discretion of the department during construction, renovation, or repair of buildings and systems or the installation of fixed equipment. Job titles and rates of pay for such salaried positions of department personnel paid from construction appropriations shall conform to the Position Classification Plan and Classification Salary Schedule.

**10. Appropriation of Local Funds.** All funds received by the department from counties, cities, and any other local governmental entities and all balances from such sources as of August 31, 2011, are hereby appropriated for the biennium ending August 31, 2013, for the purpose of carrying out the provisions of this Act. (Estimated to be $0.)

**11. Unexpended Construction Balances.**

a. **Mental Health Facilities.** Any unexpended construction, repair, or renovation balances from previous appropriations, estimated to be $13,200,000 from fiscal year 2011 to fiscal year 2012 and included in the method of finance above as General Obligation Bond proceeds in Strategy F.1.2, Capital Repair and Renovation: Mental Health Facilities, are hereby appropriated to the Department of State Health Services (DSHS) for the same purposes.

b. **Authorization**. Authorization to expend the unexpended construction balances is contingent upon submission of the following reports to the Legislative Budget Board and the Governor. At the same time, the agency shall provide a copy of the reports to the Comptroller of Public Accounts.

(1) a report by September 1, 2011 providing actual expenditures for fiscal years 2010 and 2011, and planned expenditures for fiscal years 2012 and 2013 at the project/mental health state hospital level; and

(2) a report by March 1 and September 1 of each fiscal year reflecting actual expenditures by project/mental health state hospital for the previous six months. Additional information requested by the Legislative Budget Board or the Governor should be provided in a timely manner. The notification and information provided subsequently shall be prepared in a format specified by the Legislative Budget Board.

The planned expenditures shall be considered to be approved unless the Legislative Budget Board or the Governor issues a written disapproval within 15 business days of the date on which the staff of the Legislative Budget Board concludes its review of the proposal to expend the funds and forwards its review to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor.

The Comptroller of Public Accounts shall not allow the use of unexpended balances if the Legislative Budget Board provides notification to the Comptroller of Public Accounts that the requirements of this provision have not been satisfied.

**12. Mental Health Appropriation Transfer Between Fiscal Years.** In addition to the transfer authority provided elsewhere in this Act, the Department of State Health Services may transfer appropriations made for the fiscal year ending August 31, 2013, to the fiscal year ending August 31, 2012, subject to the following conditions provided by this section:

a. Transfers under this section may be made only:

(1) if costs associated with managing the Mental Health State Hospitals exceed the funds appropriated for these services for fiscal year 2012; or

(2) for any emergency expenditure requirements, including expenditures necessitated to ensure the continuation of Medicaid client services to maintain fiscal year 2011 Medicaid caseloads; or

(3) if appropriated receipts generated through MH hospital-related programs required to fund appropriations contained in this Act for fiscal year 2012 are less than those contained in the method of financing for the department for fiscal year 2012.

b. Transfers may not exceed $15,000,000 in General Revenue.

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

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

**13. Limitation: Transfer Authority.**

a. **Notification Regarding Transfers.** Authority granted elsewhere in this Act to transfer funds between any of the Department of State Health Services (DSHS) strategies is contingent upon a written notification from DSHS to the Legislative Budget Board and the Governor at least 30 days prior to the transfer, which includes the following information:

(1) a detailed explanation of the purpose(s) of the transfer and whether the expenditure will be one-time or ongoing;

(2) the name of the originating and receiving strategies and the method of financing and FTEs for each strategy by fiscal year;

(3) an estimate of performance levels and, where relevant, a comparison to targets included in this Act for both the originating and the receiving strategies; and

(4) the capital budget impact.

b. **Transfers that Require Prior Approval.** Transfers to Goal E, Indirect Administration, from other DSHS goals are not permitted without prior written approval. To request

approval the agency shall provide the information listed under section (a) to the Legislative Budget Board and the Governor. At the same time, the agency shall provide a copy of the request to the Comptroller of Public Accounts.

c. **Cost Pools**. Notwithstanding the above limitations, transfers may be made from the appropriation items in section (a) to separate accounts authorized by agency rider and established by the State Comptroller for payment of certain support costs not directly attributable to a single program.

d. **Cash Management**. Notwithstanding the above limitations, DSHS may temporarily utilize funds for cash flow purposes. All funding used in this manner shall be promptly returned to the originating strategy. This authorization is subject to limitations established by the Comptroller of Public Accounts.

The Comptroller of Public Accounts shall not allow the transfer of funds authorized by any of the above subsections if the Legislative Budget Board provides notification to the Comptroller of Public Accounts that the requirements of this provision have not been satisfied.

In the case of disaster or other emergency, this provision is superseded by the emergency-related transfer authority in Article IX of this Act.

**14. Laboratory Funding.**

a. All receipts generated by the Department of State Health Services (DSHS) from laboratory fees during the 2012-13 biennium and deposited in General Revenue-Dedicated Account No. 524 under Revenue Object 3561 are hereby appropriated to the DSHS for transfer to the Texas Public Finance Authority for the payment of debt services on the project revenue bonds.

b. Appropriations made out of the General Revenue Fund to DSHS in Goal E, Indirect Administration, may be transferred for bond debt service payments only if laboratory fees generated by the laboratory during the biennium are insufficient to support the bond debt service, subject to prior approval of the Governor and the Legislative Budget Board and if no funds appropriated to DSHS by this Act have been transferred into Goal E, Indirect Administration.

c. Included in the appropriations made above in Strategy A.4.1, Laboratory Services, is $12,808,118 in fiscal year 2012 and $12,808,119 in fiscal year 2013 from General Revenue-Dedicated Account No. 524. These amounts include an unexpended balance of $0 from the 2010-11 biennium.

**15. Appropriations Limited to Revenue Collections.** The Department of State Health Services (DSHS) shall review all of the fee schedules within its authority on an annual basis. The DSHS shall provide a copy of the report summarizing this review to the Legislative Budget Board and the Governor no later than September 1 of each year in the biennium, with a copy of the final report to be submitted no later than January 1 of each year of the biennium. It is the intent of the Legislature that, to the extent feasible, fees, fines, and other miscellaneous revenues as authorized and generated by the department cover, at a minimum, the cost of the appropriations made for the programs listed in the table below, as well as the "other direct and indirect costs" associated with these programs, appropriated elsewhere in this Act. "Other direct and indirect costs" for these programs are estimated to be $6,052,137 for fiscal year 2012 and $6,386,196 for fiscal year 2013. 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. This rider shall apply to revenues generated in the following strategies and deposited under the following revenue codes or account numbers:

| Strategy | Revenue Code or Account |
|---|---|
| D.1.1. Food (Meat) & Drug Safety | |
| | 341 Food & Drug Retail Fee |
| | 5022 Oyster Sales |
| | 5024 Food & Drug Registration |

Fees deposited into 001 to support D.1.1, Food (Meat) and Drug Safety, including fees deposited under the following Revenue Codes: 3142 (Food Service Worker Training); 3180 (Health Regulation Fees, for Body Piercing and Tattoo Studios, Tanning Facility Fees, and Narcotic Treatment Fees); 3400 (Business Fees-Agriculture, for Renderers Licenses and Milk Industry Products); 3414 (Agriculture Inspection Fees, for Meat Inspection); 3554 (Food and Drug Fees, for Medical Device Wholesalers, Food Drug and Cosmetic Sales, and Frozen Desserts).

D.1.2. Environmental Health

5017 Asbestos Removal Licensure

5020 Workplace Chemical List

Fees deposited into 001 to support D.1.2, Environmental Health, including fees deposited under the following Revenue Codes: 3123 (Volatile Chemical Sales Permit); 3141 (Bedding Permit Fees); 3175 (Professional Fees, for Code Enforcement Officers and Mold Assessors); 3180 (Health Regulation Fees, for Lead-Based Paint Certification Program); 3555 (Hazardous Substance Manufacture); 3562 (Health Related Professional Fees, for Sanitarian Registration and Pesticide Use and Application Program); and 3573 (Health Licenses for Camps, for Youth Camps).

D.1.3. Radiation Control

5021 Certification of Mammography Systems

Fees deposited into 001 to support D.1.3, Radiation Control, including fees deposited under the following Revenue Codes: 3589 (Radioactive Materials and Devices for Equipment Regulation).

D.1.4. Health Care Professionals

Fees deposited into 001 to support D.1.4, Health Care Professionals, including fees deposited under the following Revenue Codes: 3175 (Professional Fees, for Health Services Providers and Athletic Trainers); 3560 (Medical Examination and Registration, for Perfusionists, Medical Radiologic Technicians, and Respiratory Therapists); 3562 (Health Related Professional Fees, for Medical Physicists, Hearing Aid Dispensers, Marriage and Family Therapists, Massage Therapists, Respiratory Care Practitioners, Professional Counselors, Dispensing Opticians, Speech Pathologists, Dieticians, Dyslexia Practitioners, and Chemical Dependency Counselors); 3616 (Social Worker Regulation); and 3727 (Fees for Administrative Services, for Council on Sex Offender Treatment Providers).

D.1.5. Health Care Facilities

129 Hospital Licensing

Fees deposited into 001 to support D.1.5, Health Care Facilities, including fees deposited under the following Revenue Codes: 3180 (Health Regulation

Fees, for Special Care Facilities); and 3557 (Health Care Facilities Fees, for Abortion Clinics, Ambulatory Surgical Centers, Birthing Centers, End Stage Renal Disease Facilities, Chemical Dependency Facilities, Free Standing Emergency Medical Facilities, and Drug Abuse Treatment Facilities).

A.1.2 Health Registries, Information, and Vital Records

019 Vital Statistics

**16. Revolving Fund Services: Canteen Services and Sheltered Workshops.** Out of funds appropriated above in Strategy C.1.3, Mental Health State Hospitals, $795,500 per fiscal year in General Revenue shall be allocated for the operation of canteen and sheltered workshops. The department shall provide information on related revenues, balances, contracts and profits to the Legislative Budget Board, Governor and Comptroller of Public Accounts. These revenues, expenditures and balances shall be reported and included in agency Operating Budgets, Legislative Appropriation Requests, and Annual Financial Reports. The timetable, format and content for additional monthly reports related to canteen operations and sheltered workshops shall be prescribed by the Legislative Budget Board.

**17. Prohibition on Abortions.**

a. It is the intent of the Legislature that no funds shall be used to pay the direct or indirect costs (including overhead, rent, phones and utilities) of abortion procedures provided by contractors of the department.

b. It is also the intent of the legislature that no funds appropriated under Strategy B.1.3, Family Planning Services, shall be distributed to individuals or entities that perform elective abortion procedures or that contract with or provide funds to individuals or entities for the performance of elective abortion procedures.

c. The department shall include in its financial audit a review of the use of appropriated funds to ensure compliance with this section.

**18. Family Planning.** Of funds appropriated under Strategy B.1.3, Family Planning Services, no state funds may be used to dispense prescription drugs to minors without parental consent.

**19. Reporting of Child Abuse.** The Department of State Health Services may distribute or provide appropriated funds only to recipients who show good faith efforts to comply with all child abuse reporting guidelines and requirements set forth in Chapter 261 of the Texas Family Code.

**20. Trauma Formula Distribution.** It is the intent of the Legislature that the Department of State Health Services allocate monies from the emergency medical services and trauma care system fund in accordance with all applicable laws including Health and Safety Code, §773.122(c) and §780.004(d). It is further the intent of the Legislature that the Department of State Health Services weight the statutory criteria in such fashion that, in so far as possible, 40 percent of the funds are allocated to urban counties and 60 percent of the funds are allocated to rural and frontier counties.

**21. Authorization to Receive, Administer, and Disburse Federal Funds.** The appropriations made herein may be used to match Federal Funds granted to the state for the payment of personal services and other necessary expenses in connection with the administration and operation of a state program of health services. Notwithstanding the General Provisions of this Act, the Executive Commissioner of Health and Human Services, the Commissioner of State Health Services, or the designee under statute or by rule is hereby authorized to receive and disburse in accordance with plans acceptable to the responsible federal agency, all federal monies that are made available (including grants, allotments, and reimbursements) to the state and retain their character as Federal Funds for such purposes, and to receive, administer, and disburse Federal Funds for federal regional programs in accordance with plans agreed upon by the Department of State Health Services and the responsible federal agency, and such other activities as come under the authority of the Executive Commissioner of Health and Human Services, the Commissioner of

State Health Services, or the designee under statute or by rule, and such monies are hereby appropriated to the specific purpose or purposes for which they are granted or otherwise made available. Earned Federal Funds are not considered to be Federal Funds for the purpose of this section.

**22. Accounting of Support Costs.** The Comptroller of Public Accounts shall establish separate accounts from which certain support costs shall be paid. The Department of State Health Services is hereby authorized to make transfers into these separate accounts from line item strategies in order to pay for these expenses in an efficient and effective manner. Only costs not directly attributable to a single program may be budgeted in or paid from these accounts. Items to be budgeted in and paid from these accounts include but are not limited to: postage, occupancy costs, equipment repair, telephones, office printing costs, supplies, freight and transport costs, telephone system costs and salary and travel costs of staff whose function supports several programs. The department shall be responsible for quarterly allocations of these costs to the original strategies.

**23. Medical Treatment.** The Department of State Health Services may distribute funds for medical, dental, psychological, or surgical treatment provided to a minor only if consent to treatment is obtained pursuant to Chapter 32 of the Texas Family Code or other state law. In the event that compliance with this rider would result in the loss of Federal Funds to the state, the department may modify, or suspend this rider to the extent necessary to prevent such loss of funds, provided that 45-day prior notification is provided to the Governor and the Legislative Budget Board.

**24. Appropriation: WIC (Special Supplemental Nutrition Program for Women, Infants, and Children) Rebates.** The Department of State Health Services (DSHS) is authorized to receive and expend WIC rebates and interest earnings associated with WIC rebates and such funds are appropriated to DSHS. The department shall only expend WIC rebates and interest earnings for the purposes of the WIC program.

**25. State Health Care Facility Provisions.** The State Health Care Facilities operated by the Department of State Health Services are the South Texas Health Care System (formerly known as the South Texas Hospital) and the Texas Center for Infectious Disease. The provisions applying to the State Health Care Facilities are as follows:

a. The Texas Center for Infectious Disease shall provide utilities and inpatient treatment and care services to the San Antonio State Hospital and the San Antonio State School without reimbursement.

b. Out of the funds appropriated above, the South Texas Health Care System shall support medical education through the South Texas Family Practice Residency Program-McAllen with the cooperation of the University of Texas Health Science Center at San Antonio.

c. Third party collections (appropriated receipts) collected by the Department of State Health Services State Health Care Facilities are hereby appropriated to Strategy C.1.1, Texas Center for Infectious Disease, and Strategy C.1.2, South Texas Health Care System, for the provision of services.

**26. Immunization of Employees.** Monies appropriated above may be expended for any immunization which is required of employees at risk in the performance of their duties.

**27. Reimbursement of Advisory Committee Members.** Pursuant to Government Code §2110.004, or the statute authorizing the specific committee for those committees not subject to Government Code §2110.004, reimbursement of expenses for advisory committee members, out of funds appropriated above not to exceed $200,000 per fiscal year, is limited to the following advisory committees: State Preventive Health Advisory Committee, Texas Radiation Advisory Board, Preparedness Coordinating Council, the Texas Organ, Tissue, and Eye Donor Council, Governor's Emergency Medical Services and Trauma Advisory Council, and Local Authority Network Advisory Committee.

Pursuant to Government Code §2110.004, or the statute authorizing the specific committee for those committees not subject to Government Code §2110.004, reimbursement of expenses for advisory committee members, out of funds appropriated above, is limited to any advisory committee member who represents either the general public or consumer on the following advisory committees: Texas HIV Medication Program Advisory Committee, Registered Sanitarian Advisory Committee, Code Enforcement Officer's Advisory Committee, Promotora Community Health Worker Training and Certification Committee, Medical Radiological Technologist

Advisory Committee, Respiratory Care Practitioner's Advisory Committee, Governor's Emergency Medical Services and Trauma Advisory Council, Drug Demand Reduction Advisory Committee, Texas State Perfusionist Advisory Committee, Youth Camp Advisory Committee, Dyslexia Practitioners Advisory Committee, Newborn Screening Advisory Committee, Worksite Wellness Advisory Board, Texas Medical Child Abuse Resources and Education System Advisory Committee, the Advisory Panel on Health Care Associated Infections, and School Health Advisory Committee.

Pursuant to Government Code, §2110.004, reimbursement of expenses for advisory committee members, out of funds appropriated above not to exceed $18,978 per year, is limited to the Mental Health Planning and Advisory Committee.

To the maximum extent possible, the department shall encourage the use of videoconferencing and teleconferencing and shall schedule meetings and locations to facilitate the travel of participants so that they may return the same day and reduce the need to reimburse members for overnight stays.

**28. Reimbursement of Advisory Council Members.** Pursuant to Health and Safety Code, §1001.027, reimbursement of travel expenses for the State Health Services Advisory Council members, out of funds appropriated above, is hereby authorized such that the sum total of all reimbursements for members of the Council shall not exceed $25,000 per fiscal year, at the rate specified in the general provisions of this Act.

**29. Unexpended Balances - Preparedness and Prevention, and Consumer Protection Services.** All unexpended balances, including General Revenue and All Funds, not otherwise restricted from appropriations to Goal A, Preparedness and Prevention Services, and Goal D, Consumer Protection Services, at the close of the fiscal year ending August 31, 2012, are hereby appropriated for the fiscal year beginning September 1, 2012 only upon prior written approval by the Legislative Budget Board and Governor.

For authorization to expend the funds, the agency shall submit a written request to the Legislative Budget Board and the Governor by August 1, 2012. At the same time, the agency shall provide a copy of the request to the Comptroller of Public Accounts. The request must be organized by fiscal year as follows:

a. The following information shall be provided for the fiscal year with an unexpended balance:

(1) an explanation of the causes of the unexpended balance(s);

(2) the amount of the unexpended balance(s) by strategy; and

(3) an estimate of performance levels and, where relevant, a comparison to targets in this Act.

b. The following information shall be provided for the fiscal year receiving the funds:

(1) an explanation of purpose for which the unexpended balance(s) will be used and whether the expenditure will be one-time or ongoing;

(2) the amount of the expenditure by strategy;

(3) an estimate of performance levels, and where relevant, a comparison to targets in this Act; and

(4) the capital budget impact.

The request shall be considered to be disapproved unless the Legislative Budget Board and the Governor issue written approvals within 30 business days of the date on which the staff of the Legislative Budget Board concludes its review of the proposal to transfer the funds and forwards its review to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor.

The Comptroller of Public Accounts shall not allow the use of unexpended balances authorized by any of the above subsections if the Legislative Budget Board provides notification to the Comptroller of Public Accounts that the requirements of this provision have not been satisfied.

**30. State Health Programs Drug Manufacturer Rebates.** The Department of State Health Services is authorized to receive and expend drug rebates and interest earnings associated with Kidney Health Care (KHC) drug rebates and Children with Special Health Care Needs (CSHCN) drug rebates. The department shall expend the drug rebates and interest earnings, appropriated above, only for the purpose of client services for the KHC and CSHCN programs.

**31. Performance of Licensing Entities.** The Department of State Health Services (DSHS) shall provide performance information to the Legislative Budget Board and the Governor no later than December 1 of each year for each board or other entity that licenses, certifies, or registers health professionals attached to or within the purview of DSHS. For each board or other entity, the department shall provide the following for the previous fiscal year:

a. Number of Professionals Licensed/Certified/Placed on a Registry;

b. Number of New License/Certificate Applications Received;

c. Total Number of Complaints Received;

d. Total Number of Jurisdictional Complaints Resolved; and

e. Total Number and Type of Disciplinary Actions Taken.

**32. Performance Reporting for Texas Center for Infectious Disease and South Texas Health Care Center System.** The Department of State Health Services shall submit to the Legislative Budget Board and the Governor the following information on an annual basis regarding hospital performance: revenue collections at the hospital, by payor mix; direct and non-direct patient care expenditures; number of inpatient patients served on a monthly basis, by type of service provided; and number of outpatient patients served on a monthly basis, by type of service provided.

**33. Notification of Regional Funds Distribution.** The Department of State Health Services shall notify the Legislative Budget Board and the Governor of the allocation methodology or formula used to allocate funds and provide an impact analysis of any changes from the previous year's formula or percentage allocations, by public health region, at least 30 days prior to allocations made out of funds appropriated above in Strategy B.1.2, Women and Children's Health Services.

**34. State Owned Multicategorical Teaching Hospital Account.**

a. Out of funds appropriated above in Strategy B.3.3, Indigent Health Care Reimbursement (UTMB), from the State Owned Multicategorical Teaching Hospital Account No. 5049 ("Account"), and contingent upon $11,500,000 being collected and deposited in the Account for the 2012-13 biennium, the amount of $11,500,000 is allocated to the Department of State Health Services (DSHS) for reimbursement to the University of Texas Medical Branch at Galveston (UTMB) for the provision of health care services provided to indigent patients according to the terms set out in subsection (b). Any additional unexpended balances on hand in the accounts as of August 31, 2012 are appropriated to the agency for the fiscal year beginning September 1, 2012 for the same purpose, subject to the department notifying the Legislative Budget Board and the Governor in writing at least 30 days prior to budgeting and expending these balances.

b. Funds in the account may be used to reimburse UTMB for the provision of health care services provided to indigent patients from all counties, except that it may be used for indigent patients from Galveston, Brazoria, Harris, Montgomery, Fort Bend, and Jefferson counties only if those counties' County Indigent Health Care income eligibility levels, or those counties' hospital district income eligibility levels, exceed the statutory minimum set for the County Indigent Health Care Program.

c. Upon presentation of information supporting UTMB's claim, DSHS shall reimburse UTMB for the health care services provided to indigent patients from the Account established for this purpose. The reimbursement from the Account shall be based upon a rate equal to 90 percent of the Medicaid fee-for-service rate in effect at the time of service for UTMB. This reimbursement shall be made monthly upon the submission to DSHS of a statement of the care provided by UTMB to indigent patients, according to the terms set out in subsection (b). UTMB is authorized to charge patient co-payment amounts for providing health care services, however, UTMB is not entitled to reimbursement from the Account for these co-

payment amounts. The Office of the State Auditor may periodically review the statements submitted to DSHS for reimbursement from the Account, as well as the disbursement therefrom, to verify compliance with the criteria established herein.

**35. Appropriation of License Plate Revenue.** Out of funds appropriated above, the Department of State Health Services shall allocate $187,500 in fiscal year 2012 and $187,500 in fiscal year 2013 from revenues deposited in the General Revenue-Dedicated Animal Friendly Plates Account No. 5032, under Health and Safety Code, §828.014 for the purpose of awarding grants for animal sterilization. Any unexpended balances as of August 31, 2012, from the amounts appropriated may be carried forward and expended in fiscal year 2013 for the same purposes.

**36. Informational Listing - Permanent Funds and Endowments.** The following is an informational list of the amounts used to capitalize Permanent Funds and Endowments created by House Bill 1676, Seventy-sixth Legislature, and does not make appropriations.

| | | |
|---|---|---|
| Permanent Fund for Children and Public Health | $ | 100,000,000 |
| Permanent Fund for Health and Tobacco Education and Enforcement | $ | 200,000,000 |
| Permanent Fund for Emergency Medical Services and Trauma Care | $ | 100,000,000 |
| Permanent Hospital Fund for Capital Improvements and the Texas Center for Infectious Disease | $ | 25,000,000 |

**37. Estimated Appropriation and Unexpended Balance: Permanent Tobacco Funds.** The estimated amounts appropriated above out of the Permanent Fund for Children and Public Health, the Permanent Fund for Emergency Medical Services and Trauma Care, and the Permanent Hospital Fund for Capital Improvements and the Texas Center for Infectious Disease are out of the available earnings of the funds. Available earnings in excess of the amounts estimated above are appropriated to the Department of State Health Services. In the event that amounts available for distribution or investment returns are less than the amounts estimated above, this Act may not be construed as appropriating funds to make up the difference. Any additional unexpended balances on hand in the accounts as of August 31, 2012 are appropriated to the agency for the fiscal year beginning September 1, 2012 for the same purposes, subject to the department notifying the Legislative Budget Board and the Governor in writing at least 30 days prior to budgeting and expending these balances.

**38. Administration of Public Health Funds.** Funds are appropriated above out of the , the Permanent Fund for Children and Public Health, the Permanent Fund for Emergency Medical Services and Trauma Care, and the Permanent Hospital Fund for Capital Improvements and the Texas Center for Infectious Disease for the purpose of implementing Government Code §§403.105, 403.1055, 403.106, and 403.1066. In no event may the administrative costs to implement the provisions of the statute exceed 3 percent. Grants and program costs must compose at least 97 percent of the expenditures to implement the provisions of the statute.

**39. Transfer for Health Professions Council.** Out of funds appropriated above in Strategy D.1.4, Health Care Professionals, an amount equal to $11,846 in fiscal year 2012 and $11,846 in fiscal year 2013 shall be used for transfer to, and expenditure by, the Health Professions Council as the pro-rated assessment of the Professional Licensing and Certification Unit of the Department of State Health Services.

**40. Children with Special Health Care Needs.**

a. Amounts appropriated above to DSHS in Strategy A.3.4, Children with Special Health Care Needs, may only be transferred if such a transfer would not result in a loss of, or reduction in, services or a loss of, or reduction in, persons otherwise eligible for CSHCN services or that results in higher cost projections for the next fiscal biennium.

b. DSHS may exceed the performance measure targets identified above for the Number of CSHCN Clients Receiving Medical Services to the extent funding is available to do so.

c. DSHS is directed to:

(1) Maintain provider reimbursement rates for Title V providers that mirror reductions in provider reimbursement rates for Medicaid providers.

(2) Continue 6 month continuous eligibility limitations consistent with the 6 month continuous eligibility limitations in effect in the Medicaid program.

d. DSHS shall submit to the Legislative Budget Board and the Governor the following information on an annual basis (no later than September 30 of each fiscal year) regarding the demographics of the clients served by this program, including income levels, insured status and citizenship.

**41. Nuisance Surveys for the Economically Disadvantaged Communities Program.** The Texas Commission on Environmental Quality (TCEQ) and the Water Development Board (WDB) shall reimburse the Department of State Health Services (DSHS) for costs incurred by the agency in conducting nuisance surveys for applicants for financial assistance through the Economically Disadvantaged Communities program administered by the Water Development Board. TCEQ and WDB shall each reimburse such costs through Interagency Contracts with DSHS in an amount not to exceed a total of $125,000 per agency for the biennium beginning on September 1, 2011.

**42. Medically Fragile Children.** It is the intent of the Legislature that the Department of State Health Services provides appropriate General Revenue funding in fiscal years 2012 and 2013 in Strategy A.3.4, Children with Special Health Care Needs, for programs specifically designed for medically fragile children, the most critical of the children with special health care needs.

**43. SAPT Maintenance of Effort Calculation.** The Department of State Health Services shall submit by September 1 of each year of the biennium to the Legislative Budget Board and the Governor a detailed analysis of all funds used for the calculation of the Substance Abuse Prevention and Treatment Block Grant Maintenance of Effort requirement for fiscal years 2011, 2012, and 2013. The report shall be in a format prescribed by the Legislative Budget Board and shall be accompanied by any supporting documentation detailing the sources and methodologies utilized in the calculation.

**44. Appropriation: Contingent Revenue.** The Department of State Health Services (DSHS) is appropriated for the purposes identified below any additional revenue generated by DSHS above the amounts identified in fiscal year 2012 or fiscal year 2013 in the Comptroller of Public Account's Biennial Revenue Estimate (BRE) for each of the accounts or revenue objects identified below. An appropriation from an account or revenue object shall be made available to the department once the amount in the BRE for the account or revenue object for the given fiscal year has been exceeded. An appropriation is limited to revenue generated in fiscal year 2012 or fiscal year 2013 and does not include any balances that have accrued in the account or revenue object code.

a. Account No. 341, Food and Drug Retail Fees, for restaurant inspections.

b. Account No. 524, Public Health Services Fee, excluding any amounts deposited into Revenue Object 3561, which are statutorily dedicated for laboratory debt service. Any additional revenues are appropriated for laboratory operations.

c. Revenue Object 3175, Account No. 5017, Asbestos Removal Licensure, for asbestos inspections and regulatory activities.

d. Account No. 5021, Certification of Mammography Systems, for the purpose of certification of mammography facilities.

e. Revenue Objects 3616, 3560, and 3562 in the General Revenue Fund for the purpose of regulating health professionals.

f. Account No. 5024, Food and Drug Registration Fees, for food and drug inspections.

g. Account No. 5022, Oyster Sales, for oyster plant inspections.

h. Revenue Object 3589 in the General Revenue Fund for Radiation Control regulatory activities.

i. Revenue Objects 3123, 3141, 3175, 3555, and 3573 in the General Revenue Fund for environmental regulation.

j. Account No. 19, Vital Statistics, for processing birth and death certificates and other vital records.

k. Account No. 512, Bureau of Emergency Management, for licensing Emergency Medical Services personnel and providers.

**45. Mentally Ill Offender Screening.** Pursuant to Health and Safety Code §§614.013 and 614.017, the Department of State Health Services and local mental health or mental retardation authorities shall, through a memorandum of understanding, identify offenders with mental impairments in the criminal justice system, collect and report prevalence data, and accept and disclose information relating to a special needs offender if the disclosure serves the purpose of Chapter 614, Health and Safety Code.

The Department shall report to the Legislative Budget Board no later than September 1 of each fiscal year its efforts to facilitate the exchange of information between agencies pursuant to Health and Safety Code §614.017. The report shall include, but is not limited to: the manner in which information is exchanged between agencies, the frequency with which information is exchanged, the type of information most frequently exchanged, and the agencies most frequently involved in the exchange of information.

**46. TexasOnline Authority Appropriation.**

a. The Department of State Health Services (DSHS) is authorized in accordance with § 2054.252 of the Government Code to increase the occupational license, permit, and registration fees imposed on licensees by an amount sufficient to cover the cost of the subscription fee charged by the TexasOnline Authority.

b. Amounts appropriated above to DSHS include $1,146,140 in fiscal year 2012 and $1,146,140 in fiscal year 2013 in fee revenue in Strategy D.1.6, TexasOnline, for the purpose of paying TexasOnline Authority subscription fees.

c. In the event that actual and/or projected revenue collections from fee increases to cover the cost of TexasOnline subscription fees are insufficient to offset the costs identified above, the Comptroller is hereby directed to reduce the appropriation authority provided by this Act to DSHS to be within the amount of fee revenue expected to be available.

d. For new licensing applications, DSHS is hereby appropriated the additional revenue generated from occupational license, permit, or registration fees in excess of the Comptroller's biennial revenue estimate for 2012-13 for the sole purpose of payment to the TexasOnline Authority contractor of subscription fees for implementing and maintaining electronic services for the department. DSHS, upon completion of necessary actions to access or increase fees, shall furnish an annual schedule of the number of license issuances or renewals and associated annual fee total, and any other supporting documentation to the Comptroller. If the Comptroller finds the information sufficient to support the projection of increased revenues, a notification letter will be issued and the contingent appropriation made available for the intended purposes.

e. DSHS shall notify the Legislative Budget Board and the Comptroller of Public Accounts in writing upon receiving an exemption from participating in TexasOnline. Within 45 days of receiving an exemption, the department shall provide the Legislative Budget Board and the Comptroller with a report of the effective date, the reason for exemption, and all estimated expenditures for TexasOnline costs in the fiscal year in which the exemption is made.

**47. School Cafeteria Inspections.** Amounts appropriated above to the Department of State Health Services include fee revenue (General Revenue) estimated to be $350,000 in fiscal year 2012 and $350,000 in fiscal year 2013 from school districts for the purpose of conducting inspections of school cafeterias to achieve compliance with federal regulations issued pursuant to Section 111(2)(A) of Public Law 108-265, 118 Stat. 747 (Child Nutrition and WIC Reauthorization Act of 2004).

**48. Estimated Appropriations: Perpetual Care Account.** General Revenue-Dedicated Perpetual Care Account 8076 funding of $1,765,240 in fiscal year 2012 and $0 in fiscal year 2013 appropriated above to Strategy D.1.3, Radiation Control, includes an unexpended balance (estimated to be $1,715,240) from the 2010-11 biennium. Any additional unexpended balance on hand in the account as of August 31, 2011 is appropriated to the agency for the fiscal year

beginning September 1, 2011 for the same purpose, subject to the department notifying the Legislative Budget Board and the Governor in writing at least 30 days prior to budgeting and expending these balances.

**49. Unexpended Balances - Community Mental Health Crisis Services.** Any unexpended balances remaining at August 31, 2012 in Strategy B.2.3, Community Mental Health Crisis Services, are hereby appropriated for the same purposes in fiscal year 2013.

For authorization to expend the funds, the agency shall submit a written request to the Legislative Budget Board and the Governor. At the same time, the agency shall provide a copy of the request to the Comptroller of Public Accounts. The request must be organized by fiscal year as follows:

a. The following information shall be provided for the fiscal year with an unexpended balance:

(1) an explanation of the causes of the unexpended balance(s);

(2) the amount of the unexpended balance(s) by strategy; and

(3) the associated incremental change in service levels compared to performance targets in this Act for that fiscal year.

b. The following information shall be provided for the fiscal year receiving the funds:

(1) an explanation of purpose for which the unexpended balance(s) will be used and whether the expenditure will be one-time or ongoing;

(2) the amount of the expenditure by strategy;

(3) the incremental change in service levels compared to performance targets in this Act for that fiscal year; and

(4) the capital budget impact.

The request shall be considered to be approved unless the Legislative Budget Board or the Governor issues a written disapproval within 15 business days of the date on which the staff of the Legislative Budget Board concludes its review of the proposal to expend the funds and forwards its review to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor.

The Comptroller of Public Accounts shall not allow the use of unexpended balances authorized by any of the above subsections if the Legislative Budget Board provides notification to the Comptroller of Public Accounts that the requirements of this provision have not been satisfied.

**50. County Indigent Health Care.** The Department of State Health Services may not allocate more than 10 percent of the total funds appropriated for the County Indigent Health Care program strategy to any single county. The total distribution of funds to any county may exceed the 10 percent allocation limit if there are no counties below the limit eligible for additional funding.

**51. Revolving Account for the Consolidated Health and Human Services Print Shop.** It is the intent of the Legislature that the Department of State Health Services establish and maintain the "Revolving Account for the Consolidated Health and Human Services Print Shop" to account for the expenditures, revenues, and balances of managing a full-cost recovery Consolidated Print Shop. The expenditures, revenues, and balances included above for this operation shall be maintained separately by the Department of State Health Services within its accounting system. These funds can only be used for the purpose of managing the consolidated print shop. For the purpose of meeting cash flow needs, the Department of State Health Services may temporarily transfer funds from Strategy E.1.3, Other Support Services, to the revolving account. Transfers must be returned by the end of the fiscal year.

**52. Family Planning Affiliate Requirements.** An entity otherwise eligible to receive funds distributed under Strategy B.1.3, Family Planning Services, (the "family-planning affiliate") will not be disqualified from receipt of such funds because of its affiliation with an entity that performs elective abortions (the "abortion-services affiliate") provided that such affiliation satisfies the following requirements:

a. **Legal separation**. The family-planning and abortion-services affiliates must be legally separate corporations, with separate articles of incorporation and separate bylaws. State or local governmental entities that are family-planning and abortion-services affiliates must be legally separate organizations and must have separate governing structures.

b. **Easily distinguishable names**. The family-planning and abortion-services affiliates must have easily distinguishable names.

c. **Separate boards of directors and governing bodies**. The family-planning and abortion-services affiliates must have separate boards of directors or governing bodies which meet separately and maintain separate records.

d. **No direct or indirect subsidy**. The family-planning affiliate may not transfer any funds distributed under Strategy B.1.3, Family Planning Services, to its abortion-services affiliate. The affiliated entities must apportion fair value for any shared expenses or costs (including overhead, rent, phones, equipment, and utilities) in accordance with generally accepted accounting principles.

e. **Detailed employee timekeeping**. Any person employed part-time by the family-planning affiliate or part-time by the abortion-service affiliate must maintain detailed time records clearly reflecting the work performed for each affiliate.

f. **Clear signage**. If the family-planning and abortion-services affiliates are located at the same physical location, the existence and separate nature of the affiliate relationship must be clearly reflected by appropriate signage in areas accessible to the public.

g. **Separate books**. The family-planning and abortion-services affiliates must each maintain records adequate to show compliance with these requirements.

**Annual audit of family planning services providers**. At least once every two years, the Executive Commissioner of the Health and Human Services Commission or his agent shall conduct an audit of each family planning affiliate to determine if the affiliate and the Contract Management Branch of the Department of State Health Services, the Bureau of Women's Health of the Department of State Health Services, and the Prevention and Primary Care Unit of the Department of State Health Services have complied with this requirement. The Executive Commissioner of the Health and Human Services Commission shall make the audits available to the Governor, the Lieutenant Governor, the Speaker of the Texas House of Representatives, and the members of the State Legislature.

No later than June 30 of each year, the Executive Commissioner of the Health and Human Services Commission shall submit a report to the Chairman of the Senate Finance Committee and to the Chairman of the House Appropriations Committee regarding the audits filed or conducted pursuant to this section, including the number and findings of such audits, the adequacy of the documentation submitted, and any recommendations to revise the verification process.

**53. Pandemic Flu Preparedness.** Using funds appropriated to the agencies elsewhere under this Act, the Department of State Health Services in conjunction with the Texas Division of Emergency Management in the Department of Public Safety shall identify and seek any necessary approvals for federal or other funds available for the purchase of antivirals for pandemic flu preparedness.

**54. Exemption from Article IX, Sec. 8.03 (e), Reimbursements and Payments.** The Department of State Health Services is hereby exempted from the provisions contained in Article IX, Sec. 8.03 (e), Reimbursements and Payments, of the General Appropriations Act for the 2012-13 biennium.

**55. Limitation: Expenditure and Transfer of Additional Public Health Medicaid Reimbursements.**

a. **Appropriations**. Included in the amounts appropriated above for the Department of State Health Services (DSHS) are the following amounts of Public Health Medicaid Reimbursements (Account 709):

(1) Strategy A.2.1, Immunize Children and Adults in Texas: $341,686 in each fiscal year;

(2) Strategy A.4.1, Laboratory Services: $14,750,618 in each fiscal year;

(3) Strategy C.1.3, Mental Health State Hospitals: $35,464,586 in each fiscal year (funding represents all additional Account 709 revenue anticipated to be available in the 2012-13 biennium ($70,929,172) based on the agency's estimate; the additional revenue is associated with an anticipated increase in laboratory fee revenue due to a rate change to align with Medicare rates); and

(4) Strategy E.1.1, Central Administration: $672,285 in each fiscal year.

b. **Limitation on Use of Public Health Medicaid Reimbursements (Account 709).**

(1) In the event that Public Health Medicaid Reimbursement revenues exceed the amounts noted above, the department may spend the Public Health Medicaid Reimbursement funds thereby made available only to the extent authorized in writing by the Legislative Budget Board and the Governor.

(2) Notwithstanding any other provisions contained in this Act, transfers of Public Health Medicaid Reimbursement revenues shall be made only to the extent authorized in writing by the Legislative Budget Board and the Governor.

c. **Request for Approval to use Additional Public Health Medicaid Reimbursements Funds**. To request approval pursuant to section (b-1) above, the department shall submit a written request to the Legislative Budget Board and the Governor. At the same time, the agency shall provide a copy of the request to the Comptroller of Public Accounts. The request shall include the following information:

(1) the reason for and the amount of Public Health Medicaid Reimbursement revenue that exceeds the amounts noted in section (a) above, and whether this additional revenue will continue in future years;

(2) a detailed explanation of the purpose(s) of the expenditure and whether the expenditure will be one-time or ongoing;

(3) the name of the strategy or strategies affected by the expenditure and the FTEs for each strategy by fiscal year;

(4) the impact of the expenditure on performance levels and, where relevant, a comparison to targets included in this Act for the affected strategy or strategies; and

(5) the impact of the expenditure on the capital budget.

d. **Requests to Transfer Additional Public Health Medicaid Reimbursements Funds.** To request a transfer pursuant to section (b-2) above, DSHS shall submit a written request to the Legislative Budget Board and the Governor. At the same time, the agency shall provide a copy of the request to the Comptroller of Public Accounts. The request shall include the following information:

(1) a detailed explanation of the purpose(s) of the transfer and whether the expenditure will be one-time or ongoing;

(2) the name of the originating and receiving strategies and the method of financing and FTEs for each strategy by fiscal year;

(3) an estimate of performance levels and, where relevant, a comparison to targets included in this Act for both the originating and the receiving strategies; and

(4) the capital budget impact.

The requests pursuant to sections (c) and (d) shall be considered to be disapproved unless the Legislative Budget Board and the Governor issue written approvals within 30 business days of the date on which the staff of the Legislative Budget Board concludes its review of the proposal to expend the funds and forwards its review to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor.

Additional information requested by the Legislative Budget Board or the Governor should be provided in a timely manner. The request and information provided subsequently shall be prepared in a format specified by the Legislative Budget Board.

The Comptroller of Public Accounts shall not allow the expenditure or transfer of funds authorized by any of the above subsections if the Legislative Budget Board provides notification to the Comptroller of Public Accounts that the requirements of this provision have not been satisfied.

**56. Texas Cancer Registry.** Contingent on the enactment of legislation authorizing the Cancer Prevention and Research Institute of Texas to issue bonds on an as needed basis by the Eighty-second Legislature, Regular Session, the Department of State Health Services (DSHS) shall use $2,969,554 in fiscal year 2012 and $2,969,554 in fiscal year 2013 from an Interagency Contract (Other Funds) with the Cancer Prevention and Research Institute of Texas (CPRIT) in Strategy A.1.2, Health Registries, Information, and Vital Records, for the purpose of maintaining the infrastructure of the cancer registry.

In the event the legislation authorizing CPRIT to issue bonds on an as needed basis does not pass DSHS shall use $2,969,554 in fiscal year 2012 and $2,969,554 in fiscal year 2013 from an Interagency Contract (Other Funds) with the Higher Education Coordinating Board and/or the Health-Related Institutions of Higher Education in Strategy A.1.2, Health Registries, Information, and Vital Records, to maintain the cancer registry.

**57. Use of Appropriated Funds for Reports on School-based Health Centers.** Money appropriated to the Department of State Health Services may be used by the department to prepare and submit a report to the legislature regarding school-based health centers only if the report:

a. is submitted not more frequently than once every two years;

b. is limited to information relating to school-based health centers that receive funding from the department; and

c. contains only information that the department determines may be provided:

(1) in compliance with federal law regarding confidentiality of medical information; and

(2) without imposing excessive reporting requirements on school districts.

**58. Synar Results Notification for Local Communities.** Out of funds appropriated above in Strategy B.2.6, Reduce Use of Tobacco Products, the Department of State Health Services or the contracted vendor conducting the federally-required Synar survey shall notify the applicable Comptroller of Public Accounts tobacco law enforcement grantee and the applicable local sheriff's department in writing when a Synar violation occurs during the administration of the annual federal Synar survey. The notification shall include a copy of the Synar survey document with documentation of the violation and any additional details of the violation, such as the name of the clerk and actual cigarettes and/or tobacco product sold. Notification shall occur no later than 30 days after the last Synar survey inspection is conducted for the current Synar survey year.

**59. Regulatory Programs.** Under the supervision of the Executive Commissioner of the Health and Human Services Commission, the Department of State Health Services (DSHS) is directed to evaluate regulatory programs in Goal D, Consumer Protection Services, to determine where new fees can be assessed or existing fees increased in order to equal or exceed the appropriations to these programs and the associated "other direct and indirect costs" appropriated in this Act. This evaluation shall include a thorough analysis of the business operations and administrative processes used by DSHS to operate these programs and recommendations for increasing efficiencies and decreasing costs within the programs. DSHS is also directed to identify those regulatory programs in Goal D, Consumer Protection Services, for which a reduction in the number of inspections and investigations would have the least impact on public and consumer safety.

DSHS shall submit the results of the evaluation to the Legislative Budget Board and the Governor for review and shall work to implement any of the cost reductions throughout the interim.

**60. Laboratory Fee Schedules.** Based on the State Auditor's Office report, *The Department of State Health Services' Public Health Laboratories*, the Department of State Health Services (DSHS) is

directed to develop a reasonable cost allocation methodology on which to base its fee schedules for tests that its laboratories conduct, to use this new methodology to update DSHS laboratories' fee schedules, and, where possible, to increase fees sufficient to cover the costs for laboratory tests.

**61. Limitation: Reclassification of General Revenue Associated with Maintenance of Effort.** Authority to reclassify Department of State Health Services (DSHS) General Revenue associated with Maintenance of Efforts (MOEs) for the Community Mental Health Services, Maternal and Child Health Services, and Substance Abuse Treatment and Prevention block grants from amounts specified above is contingent upon submission and approval of a written request to the Legislative Budget Board and the Governor. The request shall include the following information:

a. a detailed explanation of the need for reclassification of the funds; and

b. the impact the reclassification will have on current and future MOE requirements.

DSHS is also directed to provide annual federal reports associated with the MOEs for the aforementioned block grants to the Legislative Budget Board and the Governor.

Further, DSHS shall not take action or inaction to increase the state's MOE requirement for any federal grant without prior approval of the Legislative Budget Board and the Governor.

**62. Community and State Hospitals Bed Capacity.** It is the intent of the Legislature that out of funds appropriated in Goal C, Hospital Facilities and Services, the Department of State Health Services shall maintain current civil and forensic bed levels by increasing efficiencies, implementing step-down units, reducing reimbursements for acute care, and increasing efforts to better manage lengths of stay.

**63. Request for Proposal to Privatize a State Mental Health Hospital.** Out of funds appropriated above in Strategy C.1.3, Mental Health State Hospitals, the Department of State Health Services (DSHS) is directed to develop a request for proposal (RFP) to privatize one state mental health hospital by September 1, 2012.

a. DSHS shall prepare a plan to oversee the privatization of the hospital that takes into account feedback from relevant internal and external stakeholders to the Governor and Legislative Budget Board by November 30, 2011. The report shall include, but not be limited to the following:

(1) milestones for the privatization and a schedule of their implementation;

(2) strategies to minimize adverse effects on hospital residents and staff; and

(3) strategies to determine which hospitals to privatize.

b. Implementation of the privatization of a state hospital is contingent upon approval of the final privatization contract by the Legislative Budget Board and Governor. It is the intent of the Legislature that the approved contract generate at least a 10 percent savings annually compared to fiscal year 2011 levels and be for a minimum of four years.

c. DSHS shall submit status reports on the implementation of the RFP and privatization process on January 31, 2012, April 30, 2012, and July 31, 2013 to the Governor and Legislative Budget Board which shall include but not be limited to:

(1) progress implementing privatization milestones and any revisions to the schedule of implementation;

(2) progress implementing strategies to minimize adverse effects of privatization on hospital residents and staff; and,

(3) identification of barriers DSHS is encountering in the privatization process.

**64. Unexpended Balances: General Obligation Bond Proceeds.** Included in the amounts appropriated above in Strategy F.1.2, Repair and Renovation: MH Facilities, are unexpended and unobligated balances of general obligation bond proceeds that have been approved under the

provisions of Article IX, Section 17.11 of Senate Bill 1, Eighty-first Legislature, Regular Session, 2009, remaining as of August 31, 2011, (estimated to be $13,200,000), for the Department of State Health Services for the 2012-13 biennium.

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 balances in general obligation bond proceeds described herein and remaining as of August 31, 2012, are hereby appropriated for the same purposes for the fiscal year beginning September 1, 2012.

**65. Behavioral Health Data Collection and Reporting.** Out of funds appropriated above in Goal B, Community Health Services, the Department of State Health Services shall improve the measurement, collection, and reporting of outcome data for medically indigent and Medicaid clients who receive publicly-funded behavioral health services according to criteria developed by the Legislative Budget Board. The department shall submit a report on efforts planned or implemented to improve the measurement, collection, and reporting of behavioral health client outcome data to the Legislative Budget Board and the Governor by December 1 of each year of the biennium. The department shall, in consultation with the Health and Human Services Commission, conduct a comparative analysis of publicly-funded behavioral health systems in Texas that serve medically indigent persons and Medicaid clients, and submit a report on the study findings to the Legislative Budget Board and the Governor by December 1, 2012.

**66. Food Manufacturers Licensing Report.** Beginning September 1, 2011, the Department of State Health Services (DSHS) shall request a report every six months of the food manufacturers who apply for a Sales Tax License and/or Franchise Tax License from the Comptroller of Public Accounts. DSHS shall reconcile the report with the manufacturers who apply for a Food Manufacturers License from DSHS. DSHS is to investigate the need for licensure of any manufacturer that is on the Comptroller's report and not in the DSHS database.

**67. Contingency for Bottled Water Regulation.** Contingent on the enactment of legislation by the Eighty-second Legislature, Regular Session, transferring Bottled Water Regulation from Department of State Health Services to the Texas Commission on Environmental Quality, $30,000 in General Revenue in each fiscal year of the biennium is transferred from Strategy D.1.1, Food (Meat) and Drug Safety, from the Department of State Health Services to Strategy B.1.1, Safe Drinking Water, of the Texas Commission on Environmental Quality.

**68. Contingency for Regulating Urgent Care Centers.** Contingent on passage of legislation relating to the licensure of urgent care centers, by the Eighty-second Legislature, Regular Session, the Department of State Health Services is appropriated $1,273,416 for fiscal year 2012 and $561,565 for fiscal year 2013 from the fees collected and deposited in the Urgent Care Center Licensing Fund. The number of "Full-Time Equivalents (FTE)" is increased by 12.8 FTEs in fiscal year 2012 and 7.5 FTEs in fiscal year 2013.

**69. Federally Funded Capital Projects.** The Department of State Health Services is authorized to transfer from a non-capital budget item to an existing capital budget item or a new capital budget item not present in the agency's bill pattern contingent upon:

a. implementation of a new, unanticipated project that is 100 percent federally funded; or

b. the unanticipated expansion of an existing project that is 100 percent federally funded; and

c. notification to the State Auditor's Office and the Comptroller of Public Accounts, and approval from the Legislative Budget Board and Governor.

The request shall be considered to be approved unless the Legislative Budget Board or the Governor issue a written disapproval within 30 business days of the date on which the staff of the Legislative Budget Board concludes its review of the proposal to expend the funds and forwards its review to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor.

**70. Billing and Collection of Department of Health Public Health Services Fee Account No. 524.** Out of funds appropriated above the Department of State Health Services (DSHS) shall publish an interim report to the Legislature addressing the corrective actions being undertaken with regards to

the billing and collection of the Department of Health Public Health Services Fee Acct. No. 524. The report shall address the specific recommendations outlined in the report on the DSHS' Public Health Laboratories (Report No. 11-001) published by the State Auditor's Office in September 2010. This report shall be made available to the Legislature on or before July 1, 2012.

**71. Study of the State Mental Health System.** Out of funds appropriated above the Department of State Health Services (DSHS) shall contract with an independent entity not later than December 1, 2011, to review the state's public mental health system and make recommendations to improve access, service utilization, patient outcomes, and system efficiencies. The study shall review current service delivery models for outpatient and inpatient care, the funding levels, financing methodologies, services provided, and community-based alternatives to hospitalization. The review should look to other states for best practices or models that may be successful in Texas. The study shall also review and recommend "best value" practices that the state's public mental health system may implement that will maximize the use of federal, state and local funds. DSHS shall submit the final report to the Legislative Budget Board, the Governor, Senate Health and Human Services Committee, and House Public Health Committee not later than September 1, 2012.

**72. Evaluate Security of Birth Records.** Out of funds appropriated above in Strategy A.1.2, Health Registries, Information, and Vital Records, and in order to protect Texas residents from identity theft and reduce fraud in vital records, the Department of State Health Services (DSHS) shall establish a work group to evaluate the security of birth records. DSHS shall consult with, and include in the group, a representative of the Governor's Office, Department of Homeland Security, the Department of Public Safety, local registrars, the State Auditor's Office, the identity management solutions industry, and other government entities as necessary. The work group shall review the following:

a. evaluate the effectiveness and security of the state's birth record information system;

b. evaluate the feasibility of restructuring and upgrading the birth record information system and documents with advanced technology to prevent fraud and reduce inefficiency;

c. identify the roles and responsibilities of the department, local governments, and others in a central issuance birth record information system; and

d. identify ways to leverage private sector investment and user fees to restructure and upgrade the birth record information system and documents without the use of General Revenue Funds.

Not later than September 1, 2012, DSHS shall submit to the Governor, the Lieutenant Governor, the Speaker of the House of Representatives, and the appropriate standing committees of the Legislature a report regarding the results of the study and recommendations for legislation for the Regular Session of the Eighty-third Legislature, along with recommendations for changes to the Texas Administrative Code needed to implement a recommended birth record information system and more secure document.

**73. Purchase of Pandemic Flu Vaccines.** Out of funds appropriated above, the Department of State Health Services (DSHS) shall examine the latest generation of cell culture-derived pandemic flu vaccine. DSHS is strongly encouraged to consider purchasing the latest generation of cell culture-derived pandemic flu vaccine that is available out of state, federal, or other funds.

**74. Parkland Senior Care Project.** It is the intent of the Legislature that a total of $302,100 for the 2012-13 biennium appropriated in Strategy B.1.4, Community Primary Care Services, be expended exclusively for the Parkland Senior Care Project.

**75. Available Earnings from the Permanent Fund for Health and Tobacco Education and Enforcement in Excess of the Biennial Revenue Estimate.** In the event that the Comptroller of Public Accounts estimates that the actual and or projected revenue of available earnings, as determined under Government Code §403.1068, of the Permanent Fund for Health and Tobacco Education and Enforcement exceeds the amount projected by 2012-13 Biennial Revenue Estimate as eligible for distribution in a fiscal year in the 2012-13 biennium, the additional revenue is appropriated to the Department of State Health Services for the 2012-13 biennium from the Permanent Fund for Health and Tobacco Education and Enforcement Account No. 5044 for the purposes of supplementing amounts appropriated under Strategy B.2.6, Reduce Use of Tobacco, and supporting programs established under Government Code §403.105(c). This appropriation

may not exceed a total of $20,000,000 for the fiscal biennium and is subject to written certification by the Comptroller's Office that revenue collections for the 2012-13 biennium have or will exceed the Biennial Revenue Estimate.

**76. Contingency: Expand Physician Trauma Fellowship Slots.** Contingent on passage of legislation to fund the expansion of physician and nursing trauma fellowships by the Department of State Health Services (DSHS), or similar legislation, by the Eighty-second Legislature, Regular Session, $4,500,000 is appropriated to DSHS in the 2012-13 biennium out of General Revenue-Dedicated Account 5111, Designated Trauma Facility and EMS, for this purpose.

**77. Family Planning Service.** Department of State Health Services shall allocate funds appropriated above in Strategy B.1.3, Family Planning Services using a methodology that prioritizes distribution and reallocation to first award public entities that provide family planning services, including state, county, local community health clinics, Federally Qualified Health Centers, and clinics under the Baylor College of Medicine; secondly, non-public entities that provide comprehensive primary and preventative care as a part of their family planning services; and thirdly, non-public entities that provide family planning services but do not provide comprehensive primary and preventative care. The Department shall in compliance with federal law ensure the distribution and allocation methodology for funds in Strategy B.1.3 does not severely limit or eliminate access to services to any region.

Out of funds appropriated above in Strategy B.1.3, Family Planning Services, up to $1,000,000 per year may be allocated to clinics for core family planning services provided under the auspices of Baylor College of Medicine.

**78. Outpatient Competency Restoration Pilot Programs.** Out of the funds appropriated above in Strategy B.2.3, Community Mental Health Crisis Services, the Department of State Health Services shall allocate out of the General Revenue Fund $4,000,000 for the state fiscal year ending August 31, 2012, and $4,000,000 for the state fiscal year ending August 31, 2013, to support outpatient competency restoration pilot programs. It is the intent of the Legislature that the department use the money to fund four existing pilot programs in Travis, Bexar, Tarrant, and Dallas Counties and to fund the development of five additional pilot programs.

**79. Funding for Abstinence Sexual Education.** It is the intent of the Legislature that funds appropriated in Strategy A.3.2, Abstinence Education, including $1,118,417 in General Revenue, be utilized for the purpose of implementing abstinence sexual education programs to reduce the need for future family planning services for unwed minors. Any Federal Funds received by the agency for abstinence education are appropriated to the agency for this purpose. Abstinence education means materials and instruction which:

a. Present abstinence from sexual activity as the preferred choice of behavior for unmarried persons; and

b. Emphasize that abstinence from sexual activity, used consistently and correctly, is the only method that is 100 percent effective in preventing pregnancy, sexually transmitted disease, and infection with human immunodeficiency virus or acquired immunodeficiency syndrome.

**80. Texas Center for Infectious Disease Services and Billing.** The Department of State Health Services shall pursue reimbursement, in cases where funding is available, from county governments for tuberculosis services provided to new county indigent patients served at TCID. Any appropriated receipts collected from county governments are hereby appropriated to DSHS in Strategy C.1.1, Texas Center for Infectious Disease.

**81. Epilepsy Services.** Out of funds appropriated above, the Department of State Health Services (DSHS) shall allocate $936,850 in All Funds in fiscal year 2012 and $936,850 in All Funds in fiscal year 2013 for epilepsy services.

**82. Local Service Area Planning.** Pursuant to Health and Safety Code §533.0352, the Department of State Health Services (DSHS) shall develop performance agreements with Local Mental Health Authorities (LMHAs) out of funds allocated in Strategies B.2.1, Mental Health Services for Adults, B.2.2, Mental Health Services for Children, and B.2.3, Community Mental Health Crisis Services, that give regard to priorities identified by the community through a local needs assessment process and expressed in a local service plan.

Subject to existing transfer authority in Article IX, Sec. 14.01, Appropriation Transfers, DSHS is granted flexibility to transfer funds between Strategies B.2.1, B.2.2, and B.2.3. in the approval of

the local service plan. The performance agreements must include outcomes established in the General Appropriations Act for programs administered by the local authority and financed with General Revenue Funds. Performance related to outcomes must be verifiable by DSHS. Measures relating to outputs and units of service delivered, which may be included in the performance agreement, shall be recorded and submitted as required by DSHS.

**83. End Stage Renal Disease Prevention Program.** Out of funds appropriated above in Strategy A.3.1, Health Promotion and Chronic Disease Prevention, the Department of State Health Services shall allocate $100,000 in General Revenue for fiscal year 2012 and $100,000 in General Revenue for fiscal year 2013 to reduce the health and economic burdens of chronic kidney disease end-stage renal disease through the End Stage Renal Disease Prevention Program model, Love Your Kidneys. The program shall work in collaboration with the Texas Renal Coalition and the State Chronic Kidney Disease Task Force to educate the medical community and at-risk patients on the importance of early diagnosis and treatment of chronic kidney disease to prevent premature death from cardiovascular disease and other co-morbid conditions, and to delay progression to kidney failure necessitating expensive renal replacement therapy by dialysis or transplantation.

**84. Contingency for Senate Bill 166: Transfer of the Sex Offender Treatment and Supervision Program.** Contingent upon the passage of Senate Bill 166 or similar legislation, relating to the sex offender civil commitment program and to the creation of a state agency to perform the functions relating to the sex offender civil commitment program that are currently performed by the Council on Sex Offender Treatment by the Eighty-second Legislature, Regular Session, the obligations, property, full-time equivalents positions, performance measures, rights, powers and duties of the Council on Sex Offender Treatment (CSOT) at the Department of State Health Services (DSHS) related to the treatment and supervision of civilly committed sex offenders are transferred to the Office of Violent Sex Offender Management, a new agency created by Senate Bill 166. Included in this transfer is $4,037,687 in fiscal year 2012 and $4,766,511 in fiscal year 2013 in Interagency Contract Funds, and 19.5 FTEs in fiscal year 2012 and 23.5 FTEs in fiscal year 2013.

Should legislation transferring the functions related to sex offender treatment and supervision performed by the CSOT to the newly created Office of Violent Sex Offender Management not be enacted by the Eighty-second Legislature, Regular Session, it is the intent of the Legislature that functions related to sex offender treatment and supervision continue to be performed by the CSOT and all associated appropriations, obligations, property, full-time equivalents positions, and performance measures remain at DSHS.

## HEALTH AND HUMAN SERVICES COMMISSION

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| GR for Medicaid | | |
| Medicaid Program Income, estimated | $ 40,000,000 | $ 40,000,000 |
| Vendor Drug Rebates—Medicaid, estimated | 399,142,420 | 419,353,549 |
| GR Match for Medicaid | 6,892,556,426 | 3,945,613,358 |
| Tobacco Settlement Receipts Match for Medicaid | 157,697,879 | 139,760,115 |
| Cost Sharing - Medicaid Clients, estimated | 68,611 | 68,611 |
| Vendor Drug Rebates-Supplemental Rebates, estimated | 32,225,251 | 33,857,021 |
| Medicare Giveback Provision | 359,758,353 | 215,994,031 |
| GR for CHIP | | |
| Premium Co-Payments, Low Income Children, estimated | 4,826,835 | 4,792,053 |
| GR Match for Title XXI (CHIP) | 18,005,936 | 17,607,986 |
| Tobacco Settlement Receipts Match for CHIP | 280,284,121 | 289,700,885 |
| Experience Rebates-CHIP, estimated | 2,267,136 | 2,339,139 |
| Vendor Drug Rebates—CHIP, estimated | 6,354,666 | 6,567,594 |
| Other GR | | |
| General Revenue Fund | 34,339,112 | 41,157,573 |
| GR MOE for Temporary Assistance for Needy Families | 62,851,931 | 62,851,931 |

| | | |
|---|---|---|
| GR Match for Food Stamp Administration | 196,138,293 | 187,105,119 |
| Subtotal, General Revenue Fund | $ 8,486,516,970 | $ 5,406,768,965 |
| GR Dedicated - Compensation to Victims of Crime Account No. 469 | 7,543,914 | 543,914 |
| Federal Funds | | |
| Federal Funds | 11,843,020,738 | 7,450,915,670 |
| Federal American Recovery and Reinvestment Fund | 16,149,975 | 11,303,425 |
| Subtotal, Federal Funds | $ 11,859,170,713 | $ 7,462,219,095 |
| Other Funds | | |
| Appropriated Receipts - Match for Medicaid | 42,381,151 | 42,381,151 |
| Appropriated Receipts | 10,587,826 | 10,714,683 |
| Interagency Contracts | 212,272,312 | 202,904,059 |
| Medicaid Subrogation Receipts (State Share), estimated | 59,349,552 | 59,349,552 |
| Subtotal, Other Funds | $ 324,590,841 | $ 315,349,445 |
| **Total, Method of Financing** | $ 20,677,822,438 | $ 13,184,881,419 |
| **This bill pattern represents an estimated 78.9% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 12,370.2 | 12,353.7 |
| **Schedule of Exempt Positions:** | | |
| Executive Commissioner, Group 8 | $210,000 | $210,000 |
| **Items of Appropriation:** | | |
| **A. Goal:** HHS ENTERPRISE OVERSIGHT & POLICY | | |
| HHS Enterprise Oversight and Policy. | | |
| **A.1.1. Strategy:** ENTERPRISE OVERSIGHT & POLICY | $ 42,540,855 | $ 42,474,747 |
| Enterprise Oversight and Policy. | | |
| **A.1.2. Strategy:** INTEGRATED ELIGIBILITY & ENROLLMENT | $ 818,141,992 | $ 814,514,401 |
| Integrated Eligibility and Enrollment (IEE). | | |
| **A.2.1. Strategy:** CONSOLIDATED SYSTEM SUPPORT | $ 110,283,387 | $ 96,365,940 |
| **Total, Goal A:** HHS ENTERPRISE OVERSIGHT & POLICY | $ 970,966,234 | $ 953,355,088 |
| **B. Goal:** MEDICAID | | |
| **B.1.1. Strategy:** MEDICARE AND SSI | $ 2,075,365,269 | $ 1,240,281,198 |
| Medicare and Supplemental Security Income Risk Groups. | | |
| **B.1.2. Strategy:** TANF ADULTS & CHILDREN | $ 921,120,225 | $ 548,203,929 |
| Temp Asst for Needy Families Adults & Children Risk Groups. | | |
| **B.1.3. Strategy:** PREGNANT WOMEN | $ 1,106,994,589 | $ 620,519,774 |
| Pregnant Women Risk Group. | | |
| **B.1.4. Strategy:** CHILDREN & MEDICALLY NEEDY | $ 4,245,139,091 | $ 2,434,630,369 |
| Children & Medically Needy Risk Groups. | | |
| **B.1.5. Strategy:** MEDICARE PAYMENTS | $ 1,215,335,796 | $ 711,448,377 |
| For Clients Dually Eligible for Medicare and Medicaid. | | |
| **B.1.6. Strategy:** STAR+PLUS (INTEGRATED MANAGED CARE) | $ 2,241,840,698 | $ 1,390,140,979 |
| **B.2.1. Strategy:** COST REIMBURSED SERVICES | $ 626,173,104 | $ 398,868,056 |
| **B.2.2. Strategy:** MEDICAID VENDOR DRUG PROGRAM | $ 3,032,696,823 | $ 1,774,657,375 |
| **B.2.3. Strategy:** MEDICAL TRANSPORTATION | $ 238,118,364 | $ 148,342,010 |
| **B.2.4. Strategy:** MEDICAID FAMILY PLANNING (FFS) | $ 40,695,270 | $ 23,104,188 |
| Medicaid Family Planning - Fee for Service Only. | | |
| **B.2.5. Strategy:** UPPER PAYMENT LIMIT | $ 0 | $ 0 |
| **B.3.1. Strategy:** HEALTH STEPS (EPSDT) MEDICAL (FFS) | $ 116,842,576 | $ 73,005,261 |
| Health Steps (EPSDT) Medical - Fee for Service Only. | | |
| **B.3.2. Strategy:** HEALTH STEPS (EPSDT) DENTAL | $ 1,541,982,735 | $ 900,225,858 |

| | | |
|---|---|---|
| **B.3.3. Strategy:** EPSDT COMPREHENSIVE CARE PROG (FFS) | $ 805,287,089 | $ 488,005,674 |
| Health Steps (EPSDT) Comprehensive Care Program - Fee for Service Only. | | |
| **B.4.1. Strategy:** STATE MEDICAID OFFICE | $ 31,903,522 | $ 31,903,424 |
| **Total, Goal B:** MEDICAID | $ 18,239,495,151 | $ 10,783,336,472 |
| **C. Goal:** CHIP SERVICES | | |
| Children's Health Insurance Program Services. | | |
| **C.1.1. Strategy:** CHIP | $ 617,469,753 | $ 623,718,347 |
| Children's Health Insurance Program (CHIP). | | |
| **C.1.2. Strategy:** IMMIGRANT HEALTH INSURANCE | $ 13,445,881 | $ 13,579,161 |
| Immigrant Children Health Insurance. | | |
| **C.1.3. Strategy:** SCHOOL EMPLOYEE CHILDREN INSURANCE | $ 24,083,040 | $ 24,321,243 |
| **C.1.4. Strategy:** CHIP PERINATAL SERVICES | $ 184,947,238 | $ 184,949,281 |
| **C.1.5. Strategy:** CHIP VENDOR DRUG PROGRAM | $ 157,343,732 | $ 158,584,549 |
| **Total, Goal C:** CHIP SERVICES | $ 997,289,644 | $ 1,005,152,581 |
| **D. Goal:** ENCOURAGE SELF SUFFICIENCY | | |
| **D.1.1. Strategy:** TANF (CASH ASSISTANCE) GRANTS | $ 113,717,477 | $ 117,257,206 |
| Temporary Assistance for Needy Families Grants. | | |
| **D.1.2. Strategy:** REFUGEE ASSISTANCE | $ 40,163,886 | $ 40,163,886 |
| **D.2.1. Strategy:** FAMILY VIOLENCE SERVICES | $ 25,546,858 | $ 25,546,857 |
| **D.2.2. Strategy:** ALTERNATIVES TO ABORTION | $ 4,150,000 | $ 4,150,000 |
| Alternatives to Abortion. Nontransferable. | | |
| **Total, Goal D:** ENCOURAGE SELF SUFFICIENCY | $ 183,578,221 | $ 187,117,949 |
| **E. Goal:** PROGRAM SUPPORT | | |
| **E.1.1. Strategy:** CENTRAL PROGRAM SUPPORT | $ 14,680,529 | $ 14,926,648 |
| **E.1.2. Strategy:** IT PROGRAM SUPPORT | $ 14,721,420 | $ 13,776,887 |
| Information Technology Program Support. | | |
| **E.1.3. Strategy:** REGIONAL PROGRAM SUPPORT | $ 125,343,589 | $ 125,427,859 |
| **Total, Goal E:** PROGRAM SUPPORT | $ 154,745,538 | $ 154,131,394 |
| **F. Goal:** INFORMATION TECHNOLOGY PROJECTS | | |
| **F.1.1. Strategy:** TIERS & ELIGIBILITY TECHNOLOGIES | $ 85,105,576 | $ 56,129,758 |
| Texas Integrated Eligibility Redesign System & Supporting Tech. | | |
| **G. Goal:** OFFICE OF INSPECTOR GENERAL | | |
| **G.1.1. Strategy:** OFFICE OF INSPECTOR GENERAL | $ 46,642,074 | $ 45,658,177 |
| **Grand Total,** HEALTH AND HUMAN SERVICES COMMISSION | $ 20,677,822,438 | $ 13,184,881,419 |
| **Supplemental Appropriations Made in Riders:** | $ 6,700,000 | $ 0 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 482,328,298 | $ 481,374,742 |
| Other Personnel Costs | 19,130,573 | 19,256,108 |
| Professional Fees and Services | 665,644,348 | 635,428,968 |
| Fuels and Lubricants | 237,543 | 237,543 |
| Consumable Supplies | 17,301,183 | 17,301,907 |
| Utilities | 56,876,102 | 55,980,848 |
| Travel | 15,144,842 | 14,884,689 |
| Rent - Building | 80,578,855 | 79,898,514 |
| Rent - Machine and Other | 25,732,692 | 25,269,211 |
| Other Operating Expense | 185,639,319 | 168,138,167 |
| Client Services | 19,035,311,885 | 11,586,617,484 |
| Food for Persons - Wards of State | 5,269,000 | 5,269,000 |
| Grants | 91,726,374 | 91,726,373 |
| Capital Expenditures | 3,601,424 | 3,497,865 |
| **Total, Object-of-Expense Informational Listing** | $ 20,684,522,438 | $ 13,184,881,419 |

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

| | | |
|---|---|---|
| Employee Benefits | | |
| Retirement | $ 24,927,556 | $ 24,671,106 |
| Group Insurance | 94,829,548 | 95,315,094 |
| Social Security | 36,469,793 | 36,094,501 |
| Benefits Replacement | 3,034,675 | 2,837,421 |
| Subtotal, Employee Benefits | $ 159,261,572 | $ 158,918,122 |
| Debt Service | | |
| Lease Payments | $ 2,202,929 | $ 2,186,995 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 161,464,501 | $ 161,105,117 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Health and Human Services 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 Health and Human Services Commission. In order to achieve the objectives and service standards established by this Act, the Health and Human Services Commission shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** HHS ENTERPRISE OVERSIGHT & POLICY | | |
| **Outcome (Results/Impact):** | | |
| Average Medicaid and CHIP Children Recipient Months Per Month | 3,166,648 | 3,224,726 |
| **A.1.2. Strategy:** INTEGRATED ELIGIBILITY & ENROLLMENT | | |
| **Output (Volume):** | | |
| Average Monthly Number of Eligibility Determinations | 891,406 | 941,406 |
| **Efficiencies:** | | |
| Average Cost Per Eligibility Determination | 47.64 | 45.7 |
| **Explanatory:** | | |
| Percent of Poverty Met by TANF, Food Stamps, and Medicaid Benefits | 87.61% | 87.59% |
| Total Value of Food Stamps Distributed | 5,561,000,000 | 5,573,000,000 |
| **B. Goal:** MEDICAID | | |
| **Outcome (Results/Impact):** | | |
| Average Medicaid Acute Care (Includes STAR+PLUS) Recipient Months Per Month | 3,620,829 | 3,709,990 |
| **B.1.4. Strategy:** CHILDREN & MEDICALLY NEEDY | | |
| **Output (Volume):** | | |
| Average Number of Legal Permanent Resident Recipient Months per Month | 83,812 | 84,581 |
| **B.1.5. Strategy:** MEDICARE PAYMENTS | | |
| **Output (Volume):** | | |
| Average Supplemental Medical Insurance Part B (SMIB) Recipient Months Per Month | 558,424 | 573,056 |
| **Efficiencies:** | | |
| Average Supplemental Medical Insurance Benefits (SMIB) Premium Per Month | 118.82 | 124.06 |
| **B.1.6. Strategy:** STAR+PLUS (INTEGRATED MANAGED CARE) | | |
| **Output (Volume):** | | |
| Average Aged and Medicare-eligible Recipient Months Per Month: STAR+PLUS | 132,224 | 135,725 |
| Average Disabled and Blind Recipient Months Per Month: STAR+PLUS | 131,072 | 138,711 |
| **Efficiencies:** | | |
| Average Cost Per Aged and Medicare-eligible Recipient Month: STAR+PLUS Acute Care | 162.78 | 162.78 |
| **B.2.1. Strategy:** COST REIMBURSED SERVICES | | |
| **Output (Volume):** | | |
| Average Number of Non-citizens Recipient Months Per Month | 10,051 | 10,126 |
| **B.2.2. Strategy:** MEDICAID VENDOR DRUG PROGRAM | | |
| **Output (Volume):** | | |
| Total Medicaid Prescriptions Incurred | 34,682,808 | 35,329,701 |

| | | |
|---|---|---|
| **B.3.3. Strategy:** EPSDT COMPREHENSIVE CARE PROG (FFS) | | |
| **Output (Volume):** | | |
| Average Number of Texas Health Steps (EPSDT) Comprehensive Care Program Recipient Month per Month (Fee-for-Service Only) | 554,929 | 572,883 |
| **B.4.1. Strategy:** STATE MEDICAID OFFICE | | |
| **Output (Volume):** | | |
| Medicaid Acute Care Recipient Months Per Month: Managed Care | 2,705,372 | 2,768,083 |
| **C. Goal:** CHIP SERVICES | | |
| **Outcome (Results/Impact):** | | |
| Average CHIP Programs Recipient Months Per Month (Includes all CHIP Programs) | 584,161 | 588,476 |
| Average CHIP Programs Benefit Cost with Prescription Benefit Per Recipient Month (Includes all CHIP Programs) | 122.61 | 122.84 |
| **C.1.4. Strategy:** CHIP PERINATAL SERVICES | | |
| **Output (Volume):** | | |
| Average Perinate Recipient Months Per Month | 36,981 | 36,981 |
| **C.1.5. Strategy:** CHIP VENDOR DRUG PROGRAM | | |
| **Output (Volume):** | | |
| Total Number of CHIP Prescriptions (Includes all CHIP Programs) | 2,490,354 | 2,509,993 |
| **Efficiencies:** | | |
| Average Cost Per CHIP Prescription (Includes all CHIP Programs) | 63.18 | 63.18 |
| **D. Goal:** ENCOURAGE SELF SUFFICIENCY | | |
| **D.1.1. Strategy:** TANF (CASH ASSISTANCE) GRANTS | | |
| **Output (Volume):** | | |
| Average Number of TANF Recipients Per Month | 118,829 | 119,750 |
| Average Number of State Two-Parent Cash Assistance Program Recipients Per Month | 5,402 | 5,402 |
| **Efficiencies:** | | |
| Average Monthly Grant: Temporary Assistance for Needy Families (TANF) | 71.24 | 73.08 |
| Average Monthly Grant: State Two-Parent Cash Assistance Program | 68.49 | 70.01 |
| **D.1.2. Strategy:** REFUGEE ASSISTANCE | | |
| **Output (Volume):** | | |
| Number of Refugees Receiving Contracted Social Services, Financial Assistance, or Medical Assistance | 20,000 | 20,000 |
| **D.2.1. Strategy:** FAMILY VIOLENCE SERVICES | | |
| **Output (Volume):** | | |
| Number of Persons Served by Family Violence Programs/Shelters | 80,940 | 80,940 |
| **Efficiencies:** | | |
| Health and Human Services Average Cost Per Person Receiving Emergency Shelter Services through the Family Violence Program | 811.1 | 865.18 |
| **D.2.2. Strategy:** ALTERNATIVES TO ABORTION | | |
| **Output (Volume):** | | |
| Number of Persons Receiving Pregnancy Support Services as an Alternative to Abortion | 16,000 | 16,000 |

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 the provision as appropriations either for "Lease Payments to the Master Equipment 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.

| | 2012 | 2013 |
|---|---|---|
| a. Acquisition of Information Resource Technologies | | |
| (1) Data Center Consolidation | $ 44,194,961 | $ 26,383,053 |
| (2) Seat Management Services (PCs, Laptops, & Servers) | 11,698,298 | 11,718,756 |
| (3) Compliance with Federal HIPAA (Health Insurance Portability and Accountability Act) Regulations | 4,635,366 | 0 |

| | | |
|---|---|---|
| (4) Enterprise Telecom Management Services | 12,438,387 | 12,391,063 |
| (5) Enterprise Info & Asset Mgt (Data Warehouse) | 11,906,354 | 12,095,609 |
| (6) Texas Integrated Eligibility Redesign System | 68,426,440 | 53,294,645 |
| (7) Medicaid Eligibility and Health Information | 7,558,449 | 7,175,391 |
| (8) Technology Support for State Hospital & State Living Centers | 4,930,800 | 1,150,800 |
| (9) Improve Security for IT Systems | $ 2,484,250 | $ 3,040,461 |
| Total, Acquisition of Information Resource Technologies | $ 168,273,305 | $ 127,249,778 |
| b. Other Lease Payments to the Master Lease Purchase Program (MLPP) | | |
| (1) TIERS Lease Payments to Master Lease Program | $ 2,119,499 | $ 2,102,175 |
| Total, Capital Budget | $ 170,392,804 | $ 129,351,953 |
| Method of Financing (Capital Budget): | | |
| General Revenue Fund | | |
| General Revenue Fund | $ 2,456,207 | $ 2,391,641 |
| GR Match for Medicaid | 27,535,504 | 20,752,227 |
| GR Match for Title XXI (CHIP) | 1,436,916 | 1,124,530 |
| GR Match for Food Stamp Administration | 26,721,897 | 17,992,151 |
| Subtotal, General Revenue Fund | $ 58,150,524 | $ 42,260,549 |
| Federal Funds | 84,471,187 | 65,010,610 |
| Interagency Contracts | 27,771,093 | 22,080,794 |
| Total, Method of Financing | $ 170,392,804 | $ 129,351,953 |

3. **Budget Authority for Estimated Pass-through Funds.** In addition to the amounts appropriated above for the Health and Human Services Commission, the commission may establish additional budget authority with the Comptroller of Public Accounts to reflect other estimated income except from the General Revenue Fund.

4. **Reimbursement of Advisory Committee Members.** Pursuant to Government Code § 2110.004, reimbursement of expenses for advisory committee members, out of funds appropriated above - not to exceed $63,200 per year, is limited to the following advisory committees: Hospital Payment Advisory Committee, Medical Care Advisory Committee, Physician Payment Advisory Committee, Drug Use Review Board, Pharmaceutical and Therapeutics Committee, Public Assistance Health Benefits Review and Design Committee, Guardianship Advisory Board, Children's Policy Council, and Volunteer Advocate Program Advisory Committee.

   To the maximum extent possible, the commission shall encourage the use of videoconferencing and teleconferencing and shall schedule meetings and locations to facilitate the travel of participants so that they may return the same day and reduce the need to reimburse members for overnight stays.

5. **Vendor Drug Rebates - Medicaid and CHIP.** All references in this rider to rebate revenue refer to vendor drug rebates as well as supplemental rebates earned via the preferred drug lists (methods of finance include Vendor Drug Rebates-Medicaid, Vendor Drug Rebates-CHIP, and Vendor Drug Rebates-Supplemental Rebates).

   a. **Medicaid.** The Health and Human Services Commission is authorized to expend Medicaid rebate revenues appropriated above in Strategy B.2.2, Medicaid Vendor Drug Program, pursuant to the federal requirements of the Omnibus Budget and Reconciliation Act of 1990 as well as rebates collected in excess of federal requirements pursuant to state law.

   b. **CHIP.** The Health and Human Services Commission is authorized to expend CHIP rebate revenues and related interest earnings appropriated above in Strategy C.1.5, CHIP Vendor Drug Program.

c. **Rebates as a First Source of Funding.** Expenditures for the Medicaid and CHIP Vendor Drug Programs shall be made from rebates received in fiscal years 2012 and 2013. As rebates are generated, expenditures to support the Medicaid and CHIP Vendor Drug Programs shall be made from rebate revenues. In the event rebate revenues are not available for expenditure, General Revenue may be used to support both Vendor Drug Programs until rebate revenues are available.

d. **Appropriation.** In addition to rebate revenues appropriated above in Strategy B.2.2, Medicaid Vendor Drug Program, and Strategy C.1.5, CHIP Vendor Drug Program, the Health and Human Services Commission is appropriated Medicaid and CHIP vendor drug rebates generated in excess of those amounts, subject to the following requirements:

(1) Vendor drug rebates shall be expended prior to utilization of any General Revenue available for the purpose of the CHIP or Medicaid Vendor Drug Programs.

(2) In the event General Revenue has been expended prior to the receipt of vendor drug rebates, the commission shall reimburse General Revenue. The commission shall reimburse the General Revenue Fund with vendor drug rebates on a monthly basis in order to prevent accumulation of vendor drug rebates.

(3) Program Benefit Agreement revenues collected in lieu of state supplemental rebates will be expended prior to utilization of any General Revenue available for the purpose of the Medicaid program specified in the Agreement.

e. **Limited Use of Rebates**. Rebates generated by the Medicaid program shall only be used for the Medicaid program. Rebates generated by the CHIP program shall only be used for the CHIP program.

**6. Medicaid Subrogation Receipts (State Share).** For the purposes of this provision, Medicaid Subrogation Receipts are defined as tort settlements related to the Medicaid program. Amounts defined as Medicaid Subrogation Receipts are to be deposited into the General Revenue Fund, Object No. 3802. The Health and Human Services Commission is authorized to receive and expend Medicaid Subrogation Receipts. Expenditures shall be made from recoupments and interest earnings received in fiscal year 2012 and fiscal year 2013. The use of the state's share of Medicaid Subrogation Receipts is limited to funding services for Medicaid clients. Medicaid Subrogation Receipts shall be expended as they are received as a first source, and General Revenue shall be used as a second source, to support the Medicaid program. In the event that these revenues should be greater than the amounts identified in the method of finance above as Medicaid Subrogation Receipts (State Share), the commission is hereby appropriated and authorized to expend these Other Funds thereby made available, subject to the following requirements:

a. Amounts available shall be expended prior to utilization of any General Revenue available for the same purposes.

b. In the event General Revenue has been expended prior to the receipt of the state's share of Medicaid Subrogation Receipts, the commission shall reimburse General Revenue. This process shall be completed on a monthly basis in order to prevent accumulation of Medicaid Subrogation Receipt balances.

The preceding paragraph shall be the exclusive appropriation authority for receipts from the above identified sources, and none of these receipts shall be appropriated by a provision of Article IX of this Act.

**7. Appropriation Transfers between Fiscal Years.** In addition to the transfer authority provided elsewhere in this Act and in order to provide for unanticipated events that increase costs associated with providing Medicaid or CHIP services for eligible clients, the Health and Human Services Commission is authorized to transfer General Revenue from funds appropriated in Medicaid or CHIP strategies in fiscal year 2013 to fiscal year 2012 and such funds are appropriated to the commission for fiscal year 2012. Such transfers may only be made subject to the following:

a. Transfers under this section may be made only:

(1) if costs associated with providing Medicaid or CHIP services exceed the funds appropriated for these services for fiscal year 2012, or

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

b. A transfer authorized by this section must receive the prior written 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.

**8. Reporting of Child Abuse.** The Texas Health and Human Services Commission may distribute or provide appropriated funds only to recipients who show good-faith efforts to comply with all child abuse reporting guidelines and requirements set forth in Chapter 261 of the Texas Family Code.

**9. Authorization to Receive, Administer, and Disburse Federal Funds.** The appropriations made herein may be used to match or to meet maintenance of effort requirements for Federal Funds granted to the state for the payment of personal services and other necessary expenses in connection with the administration and operation of state programs of health and public welfare services. Notwithstanding the General Provisions of this Act, the Health and Human Services Commission is hereby authorized to receive and disburse in accordance with plans acceptable to the responsible federal agency, all federal moneys that are made available (including grants, allotments, and reimbursements) to the state and retain their character as Federal Funds for such purposes, and to receive, administer, and disburse Federal Funds for federal regional programs in accordance with plans agreed upon by the Health and Human Services Commission and the responsible federal agency, and such other activities as come under the authority of the Commissioner of Health and Human Services, and such moneys are hereby appropriated to the specific purpose or purposes for which they are granted or otherwise made available. Earned Federal Funds are not considered to be Federal Funds for the purpose of this section.

**10. Accounting of Support Costs.** The Comptroller of Public Accounts shall establish separate accounts from which certain support costs shall be paid. The Health and Human Services Commission is hereby authorized to make transfers into these separate accounts from line item strategies in order to pay for these expenses in an efficient and effective manner. Only costs not directly attributable to a single program may be budgeted in or paid from these accounts. Items to be budgeted in and paid from these accounts include but are not limited to: postage, occupancy costs, equipment repair, telephones, office printing costs, supplies, freight and transport costs, telephone system costs and salary and travel costs of staff whose function supports several programs. The commission shall be responsible for quarterly allocations of these costs to the original strategies.

**11. Disposition of Appropriation Transfers from State-owned Hospitals.** The Health and Human Services Commission shall use the sums transferred from state owned hospitals as provided elsewhere in the Act as necessary to apply for appropriate matching Federal Funds and to provide the state's share of disproportionate share payments and upper payment limit payments due to state-owned hospitals. Any amounts of such transferred funds not required for these payments shall be deposited by the Health and Human Services Commission to the General Revenue Fund as unappropriated revenue. By October 1 of each fiscal year, the Health and Human Services Commission shall present a schedule of projected transfers and payments to the Comptroller of Public Accounts, the Governor, and the Legislative Budget Board. The Comptroller of Public Accounts shall process all payments and transfers, unless disapproved or modified by the Legislative Budget Board or the Governor.

**12. Transfers: Authority and Limitations.**

a. **Limitations on Transfers within/between Goals.** Notwithstanding the transfer provisions in the General Provisions (general transfer provisions) and other transfer provisions of this Act (including Article II Special Provisions, Sec. 10), funds appropriated by this Act to the Health and Human Services Commission (HHSC) for the following goals shall be governed by the specific limitations included in this provision.

(1) **Goal B (Medicaid)**. Transfers may be made between Medicaid appropriation items in Goal B. Transfers may not be made from appropriation items in Goal B to appropriation items in other goals without prior written approval from the Legislative

Budget Board and the Governor. HHSC shall provide notification of all transfers pursuant to subsection (b) of this provision, and any transfer approval requests shall be submitted pursuant to subsection (c) of this provision.

(2) **Goal C (CHIP Services).** Transfers may be made between CHIP appropriation items in Goal C. Transfers may not be made from appropriation items in Goal C to appropriation items in other goals without prior written approval from the Legislative Budget Board and the Governor. HHSC shall provide notification of all transfers pursuant to subsection (b) of this provision, and any transfer approval requests shall be submitted pursuant to subsection (c) of this provision.

(3) **Other Goals.** Funds appropriated by this Act to the Health and Human Services Commission (HHSC) in Goals A, D, E, F, and G may be transferred from one appropriation item to another appropriation item within or between Goals A, D, E, F, and G in amounts not to exceed 25 percent of the originating appropriation item's All Funds amount for the fiscal year. HHSC shall provide notification of all transfers pursuant to subsection (b) of this provision.

b. **Notification Regarding Transfers that Do not Require Approval.** Authority granted by this provision to transfer funds is contingent upon a written notification from HHSC to the Legislative Budget Board and the Governor at least 30 days prior to the transfer, which includes the following information:

(1) a detailed explanation of the purpose(s) of the transfer and whether the expenditure will be one-time or ongoing;

(2) the names of the originating and receiving strategies and the method of financing and FTEs for each strategy by fiscal year;

(3) an estimate of performance levels and, where relevant, a comparison to targets included in this Act for both the originating and the receiving strategies; and

(4) the capital budget impact.

c. **Requests for Transfers that Require Approval.** To request a transfer, HHSC shall submit a written request to the Legislative Budget Board and the Governor. At the same time, the agency shall provide a copy of the request to the Comptroller of Public Accounts. The request shall include the following information:

(1) a detailed explanation of the purpose(s) of the transfer and whether the expenditure will be one-time or ongoing;

(2) the names of the originating and receiving strategies and the method of financing and FTEs for each strategy by fiscal year;

(3) an estimate of performance levels and, where relevant, a comparison to targets included in this Act for both the originating and the receiving strategies; and

(4) the capital budget impact.

A transfer request shall be considered to be disapproved unless the Legislative Budget Board and the Governor issue written approvals within 45 calendar days of receipt of the request.

d. **Transfers into Items of Appropriation.** Transfers may be made from any appropriation item to the appropriation items in section (a), subject to the limitations established in section (a) for each appropriation item.

e. **Cost Pools.** Notwithstanding the above limitations, transfers may be made from Medicaid and CHIP appropriation items (Goals B and C) to separate accounts authorized by agency rider and established by the State Comptroller for payment of certain support costs not directly attributable to a single program.

f. **Cash Management.** Notwithstanding the above limitations, HHSC may temporarily utilize funds appropriated to Medicaid and CHIP (Goals B and C) for cash flow purposes. All funding used in this manner shall be promptly returned to the originating strategy. This authorization is subject to limitations established by the Comptroller of Public Accounts.

The Comptroller of Public Accounts shall not allow the transfer of funds authorized by any of the above subsections if the Legislative Budget Board provides notification to the Comptroller of Public Accounts that the requirements of this provision have not been satisfied.

In the case of disaster or other emergency, this provision is superseded by the emergency-related transfer authority in Article IX of this Act.

**13. Use of Additional Medicaid Program Income.** For the purposes of this provision, Medicaid program income is defined as: 1) refunds/rebates of previously paid premiums and interest earnings generated in relationship to accounts listed below; 2) refunds/rebates received from the Medicaid claims payment contractor or other sources; and 3) managed care rebates as described below. Amounts defined as program income are to be deposited into the General Revenue Fund, Object No. 3639. The Health and Human Services Commission is authorized to receive and spend program income and interest earnings generated from fund balances with the Disbursement Account, and the STAR (Managed Care) Account, as defined in the contractual agreement with the fiscal agent and/or insurance carrier for purchased health services except for those interest earnings related to the Cash Management Improvement Act (CMIA). The commission is also authorized to receive and spend experience rebates generated in accordance with its contractual agreements with health maintenance organizations who participate in Medicaid managed care. Expenditures shall be made from credits, managed care rebates, and interest earnings received in fiscal years 2012 and 2013. The use of the credits, managed care rebates, and interest earnings is limited to funding services for Medicaid clients. Medicaid program income shall be expended as they are received as a first source, and General Revenue shall be used as a second source, to support the Medicaid program. In the event that these revenues should be greater than the amounts identified in the method of finance above as Medicaid Program Income, the commission is hereby appropriated and authorized to expend these General Revenue Funds thereby made available, subject to the following requirements:

a. Amounts available shall be expended prior to utilization of any General Revenue available for the same purposes; and

b. In the event General Revenue has been expended prior to the receipt of program income, the commission shall reimburse General Revenue. This process shall be completed on a monthly basis in order to prevent accumulation of program income balances.

The preceding paragraph shall be the exclusive appropriation authority for receipts from the above identified sources and none of these receipts shall be appropriated by a provision of Article IX of this Act.

**14. Use of Additional CHIP Experience Rebates.** For the purposes of this provision, CHIP Experience Rebates are defined as: 1) refunds/rebates of previously paid CHIP premiums and related interest earnings; and 2) managed care rebates and related interest earnings as described below. Amounts defined as CHIP Experience Rebates are to be deposited into the General Revenue Fund. The Health and Human Services Commission is authorized to receive and spend experience rebates generated in accordance with its contractual agreements with managed care organizations and other providers who participate in the CHIP, Immigrant Health Insurance, School Employee Health Insurance, and CHIP Perinatal programs. Expenditures shall be made from CHIP Experience Rebates generated in fiscal years 2012 and 2013. The method of financing item, Experience Rebates - CHIP, for appropriations made above, includes unexpended and unobligated balances of Experience Rebates - CHIP remaining as of August 31, 2011, and receipts earned in fiscal years 2012 and 2013.

The use of CHIP Experience Rebates is limited to health care services for CHIP clients. CHIP Experience Rebates shall be expended as they are received as a first source, and General Revenue shall be used as a second source, to support CHIP-related programs. In the event that these revenues should be greater than the amounts identified in the method of finance above as Experience Rebates - CHIP, the department is hereby appropriated and authorized to expend these General Revenue Funds thereby made available, subject to the following requirements:

a. Amounts available shall be expended prior to utilization of any General Revenue available for the same purposes; and

b. In the event General Revenue has been expended prior to the receipt of CHIP Experience Rebates, the Commission shall reimburse General Revenue. This process shall be completed on a monthly basis in order to prevent accumulation of CHIP Experience Rebate balances.

The preceding paragraph shall be the exclusive appropriation authority for receipts from the above identified sources and none of these receipts shall be appropriated by a provision of Article IX of this Act.

**15. CHIP: Unexpended Balances and Allocation of Funds.**

a. **Unexpended Balances between Biennia.** Unexpended balances in General Revenue Funds appropriated for Goal C (CHIP) strategies to the Health and Human Services Commission (HHSC) for the fiscal year ending August 31, 2011 (estimated to be $0) are appropriated to the agency and included above for the fiscal year beginning September 1, 2011, only upon prior written approval by the Legislative Budget Board and the Governor. These General Revenue Funds are contingent on an unexpended balance from fiscal year 2011. The amount of the appropriation is limited to the amount of the unexpended balance.

b. **Unexpended Balances within the Biennium.** Unexpended balances in General Revenue Funds appropriated for Goal C (CHIP) strategies to HHSC for the fiscal year ending August 31, 2012 (estimated to be $0) are appropriated to the agency for the fiscal year beginning September 1, 2012, only upon prior written approval by the Legislative Budget Board and the Governor.

c. For authorization to expend the funds, HHSC shall submit a written request to the Legislative Budget Board and the Governor. At the same time, the agency shall provide a copy of the request to the Comptroller of Public Accounts. The request must be organized by fiscal year as follows:

(1) The following information shall be provided for the fiscal year with an unexpended balance:

(i) an explanation of the causes of the unexpended balance(s);

(ii) the amount of the unexpended balance(s) by strategy; and

(iii) the associated incremental change in service levels compared to performance targets in this Act for that fiscal year.

(2) The following information shall be provided for the fiscal year receiving the funds:

(i) an explanation of purpose for which the unexpended balance(s) will be used and whether the expenditure will be one-time or ongoing;

(ii) the amount of the expenditure by strategy;

(iii) the incremental change in service levels compared to performance targets in this Act for that fiscal year; and

(iv) the capital budget impact.

The request shall be considered to be approved unless the Legislative Budget Board or the Governor issues a written disapproval within 15 business days of the date on which the staff of the Legislative Budget Board concludes its review of the proposal to expend the funds and forwards its review to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor.

The Comptroller of Public Accounts shall not allow the use of unexpended balances authorized by any of the above subsections if the Legislative Budget Board provides notification to the Comptroller of Public Accounts that the requirements of this provision have not been satisfied.

d. It is the intent of the Legislature that tobacco settlement receipts appropriations made above in Goal C, CHIP Services, include $280.3 million for fiscal year 2012 and $289.7 million for fiscal year 2013 in tobacco settlement receipts paid to the State pursuant to the Comprehensive Tobacco Settlement and Release. In the event that the state has not received a tobacco settlements payment for fiscal year 2012 and fiscal year 2013 by September 1 of each year of the biennium, the Comptroller of Public Accounts is hereby authorized to use general revenue funds as needed for program expenditures for cash flow purposes between the beginning of the fiscal year and the receipt by the state of the tobacco settlement payment for the fiscal year. Upon receipt of the tobacco settlement payment, the general revenue fund shall be reimbursed with tobacco settlement receipts for all expenditures made pursuant to this provision.

**16. Cash Basis Expenditures Authorization.** Notwithstanding any other provision of this Act, the Health and Human Services Commission is authorized to expend Medicaid appropriations in a fiscal year without regard to date of service. The authorization herein is limited to expenditures for claims payments, premiums, cost settlements and other related expenses for Medicaid client services.

**17. Cost Sharing - Medicaid Clients.** The Health and Human Services Commission is authorized to collect and is hereby appropriated all cost sharing revenues generated by Medicaid clients as authorized in Section 32.064 of the Human Resources Code. These revenues may include enrollment fees, deductibles, coinsurance, and portions of the managed care plan premiums.

**18. Supplemental Nutritional Assistance Program Funds Appropriated.** The Health and Human Services Commission is hereby designated as the state agency to establish and operate a statewide Supplemental Nutritional Assistance Program and to accept all moneys appropriated for this purpose by the federal or state governments, by the Commissioners' Court of any county, by any political subdivisions of the state, or received from any other source as provided for herein and in Chapter 33, Human Resources Code. The Health and Human Services Commission is authorized to expend such funds for welfare purposes, including the cost of distributing foods to needy people, institutions, school lunch programs, or otherwise as provided by the laws of the United States and the rules and regulations issued pursuant thereto, for the establishment and operation of a statewide Supplemental Nutritional Assistance Program, and for the employment of essential personnel who shall be employed under a merit system basis comparable to the merit principles or standards applicable to all other personnel of the commission.

**19. Additional Funding Sources, Medicaid.** Notwithstanding any other provisions of this Act, if the appropriations provided for a Medicaid program are not sufficient to provide for expenditures mandated by either state or federal law, after accounting for any appropriations made to the agency operating the Medicaid program, and available for transfer to the Medicaid program, the Legislative Budget Board and the Governor may provide for and are hereby authorized to direct the transfer of sufficient amounts of funds to the Health and Human Services Commission from appropriations made elsewhere in this Act.

**20. Temporary Emergency Assistance for Families at Risk of Welfare Dependency.** Out of funds appropriated above in Strategy D.1.1, TANF (Cash Assistance) Grants, the commission shall provide a one-time emergency assistance payment to applicants for a TANF (Cash Assistance) grant who are likely to be employed within a short period of time, without referral to the Choices program. It is the intent of the Legislature that the commission expands the use of one-time emergency payments as a cost-effective deterrence from the ongoing cash assistance grant programs.

**21. High Performance Bonus for Administration of the Supplemental Nutritional Assistance Program (SNAP).** High Performance Bonuses are annual incentive payments to state agencies that meet standards for high or most improved performance established by the Secretary of the U.S. Department of Agriculture. The authority to receive and expend high performance bonuses is provided in Article IX, Sec. 6.22, Definition, Appropriation, Reporting and Audit of Earned Federal Funds and is subject to the following additional conditions:

a. A portion of these funds, in each year of the biennium, shall be used by the Health and Human Services Commission for the development and operation of a nutrition education and outreach program, or for activities that otherwise improve low-income consumers' access to basic nutrition and healthy foods.

b. The commission shall prepare annual reports by October 1 of each year of the biennium summarizing the commission's progress in implementing the outreach program and file those reports with the standing committees of the Senate and House of Representatives having primary jurisdiction over health and human services.

c. A portion of these funds, in each year of the biennium, shall be used by the Health and Human Services Commission to provide bonuses to position classifications whose efforts directly contributed to meeting these performance standards, or to position classifications who meet or exceed customer service performance measures developed by the commission, or whose efforts directly contributed to increasing the percentage of eligible persons who receive SNAP benefits.

(1) Before an employee can be eligible for a bonus, the employee must have been employed in the program for the related twelve months, remain employed in the program, and demonstrate performance that meets expectations.

(2) The commission has the authority to determine whether employees who have received bonuses under this provision are eligible for merit salary increases during a twelve-month period prior to or after receipt of the bonus.

**22. Temporary Assistance for Needy Families (TANF) Maintenance of Effort.** It is the intent of the Legislature that all General Revenue appropriated above for TANF maintenance of effort shall be expended within the appropriate fiscal year for that purpose in order to secure the TANF federal block grant for the state. Out of funds appropriated above in Strategy D.1.1, TANF (Cash Assistance) Grants, $62,851,931 in General Revenue is appropriated for TANF maintenance of effort for fiscal year 2012, and $62,851,931 in General Revenue is appropriated for TANF maintenance of effort for fiscal year 2013. None of the General Revenue appropriated for TANF maintenance of effort in Strategy D.1.1, TANF (Cash Assistance) Grants, may be transferred to any other item of appropriation or expended for any purpose other than the specific purpose for which the funds are appropriated. However, General Revenue appropriated for TANF maintenance of effort may be transferred to Strategy A.1.2, Integrated Eligibility and Enrollment, subject to the following limitations:

a. Declines or shifts in TANF caseloads prevent the Health and Human Services Commission from expending all General Revenue appropriated for TANF maintenance of effort in Strategy D.1.1, TANF (Cash Assistance) Grants, within the appropriate fiscal year;

b. The amount of TANF MOE General Revenue transferred from Strategy D.1.1, TANF Cash Assistance) Grants, shall be expended as TANF maintenance of effort within Strategy A.1.2, Integrated Eligibility and Enrollment, for TANF program operating costs, within the appropriate fiscal year; and

c. At least 30 days prior to transferring General Revenue Funds between Strategy D.1.1, TANF (Cash Assistance) Grants, and Strategy A.1.2, Integrated Eligibility and Enrollment, the Health and Human Services Commission shall notify the Legislative Budget Board and the Governor.

**23. Earned Income Disregard.** Out of amounts appropriated above to Strategy D.1.1, TANF (Cash Assistance) Grants, the Health and Human Services Commission shall maintain the earned income disregard for working TANF families. When determining eligibility and benefits, the commission shall exclude $120 of earnings and 90 percent of the remaining earnings for each of the first four months of employment by a recipient. After the first four months of employment, the commission shall exclude $120 of a recipient's earnings each month.

**24. Performance Reporting for the Prescription Drug Rebate Program.** The Commission shall report on an annual basis the following information to the Legislative Budget Board, the State Auditor's Office and the Governor: the outstanding prescription drug rebate balances for the Medicaid, CHIP, Kidney Health, and Children with Special Health Care Needs programs. The report shall include rebate principal and interest outstanding, age of receivables, and annual collection rates. The reports shall specify amounts billed, dollar value of pricing and utilization adjustments, and dollars collected. The Commission shall report these data on each year for which the Prescription Drug Rebate program has collected rebates and also on a cumulative basis for all years.

**25. TANF (Cash Assistance) Grants.** Out of funds appropriated above in Strategy D.1.1, TANF (Cash Assistance) Grants, the commission shall adjust the TANF grant amount each year to ensure that the maximum monthly grant for a family of three is at least 17 percent of the federal poverty level and provide a one-time per year grant of up to $30 for each TANF child on August 1 of each year.

**26. Texas Integrated Eligibility Redesign Systems (TIERS).** To fund the debt related to TIERS, the commission may seek funding from the most cost-effective type of financing, including but not limited to cash acquisition, commercial financing, and financing provided by the Texas Public Finance Authority. From any funds appropriated to the Health and Human Services Commission for the purpose of implementing the project, an amount not to exceed $4,221,674 (amounts needed for Master Lease Purchase Program) for the biennium in All Funds may be transferred to the Texas Public Finance Authority for lease payments to the Texas Public Finance Authority to pay debt service on the obligations issued by the Texas Public Finance Authority on behalf of the commission for the above-mentioned project.

**27. Capital Purchases on Behalf of other Government Entities or Service Providers.** Any capital items purchased by the Health and Human Services Commission (HHSC) for use by local governmental entities for which the commission is reimbursed do not apply to the commission for the purpose of the capital budget rider limitations specified in Article IX, Sec. 14.03, Limitation on Expenditures - Capital Budget, of the General Provisions of this Act, nor to HHSC Rider 2, Capital Budget.

**28. Reimbursement of Advisory Council Members.** Pursuant to Government Code §531.408, reimbursement of travel expenses for Health and Human Services Council members, out of funds appropriated above, is hereby authorized such that the sum total of all reimbursements for members of the Council shall not exceed $13,200 per fiscal year, at the rates specified in the general provisions of this Act.

**29. Other Reporting Requirements.**

a. Federal Reports. The Health and Human Services Commission shall submit the following information to the Legislative Budget Board, the Governor, and all Members of the Texas Legislature no later than the date the respective report is submitted to the federal government:

(1) Notification of proposed State Plan amendments or waivers for Medicaid, CHIP, TANF, and any other federal grant requiring a state plan. State Plan amendments and waiver submissions shall also be provided to the Senate Health and Human Services, House Human Services, and House Public Health committees.

(2) A copy of each report or petition submitted to the federal government relating to Medicaid, CHIP, and TANF.

b. Federal Issues. The Health and Human Services Commission shall notify the Legislative Budget Board and the Governor on a timely basis about emerging issues that could result in the loss of more than $1 million in federal revenue assumed in the appropriations act.

c. Monthly Financial Reports. The Health and Human Services Commission shall submit the following information to the Legislative Budget Board and the Governor on a monthly basis:

(1) Information on appropriated, budgeted, expended, and projected funds and full-time-equivalents, by strategy and method of finance.

(2) Information on appropriated, budgeted, expended, and projected revenues, including program income, interest earnings, experience rebates, vendor drug rebates (Medicaid, CHIP and supplemental), Medicaid subrogation receipts, premium co-payments, earned federal funds, cost sharing - Medicaid clients, and appropriated receipts used as match for federal funds.

(3) Narrative explanations of significant budget adjustments, ongoing budget issues, and other items as appropriate.

(4) Description of specific provisions of managed care contracts and resulting increases or decreases in revenue.

(5) Narrative and tabular explanation of adjustments made to translate actuarial forecasts of incurred claims into budgeted/expended amounts on a cash basis for the Medicaid program.

(6) Any other information requested by the Legislative Budget Board or the Governor.

d. Additional Monthly Reports. The Health and Human Services Commission shall provide monthly enrollment totals in all the programs for which there is a performance measure target for the Commission.

e. Notification. The Health and Human Services Commission shall electronically notify the Members of the Legislature that information provided in the sections above is available on the agency's website and shall provide copies as requested.

The monthly financial reports shall be prepared in a format specified by the Legislative Budget Board.

**30. Prohibition on Abortions.**

a. It is the intent of the Legislature that no funds shall be used to pay the direct or indirect costs (including overhead, rent, phones and utilities) of abortion procedures provided by contractors of the commission.

b. It is also the intent of the Legislature that no funds appropriated for Medicaid Family Planning, shall be distributed to individuals or entities that perform elective abortion procedures or that contract with or provide funds to individuals or entities for the performance of elective abortion procedures.

c. The commission shall include in its financial audit a review of the use of appropriated funds to ensure compliance with this section.

**31. Family Planning.** Of funds appropriated for Medicaid Family Planning, no state funds may be used to dispense prescription drugs to minors without parental consent. An exemption shall be allowed for emancipated 16- and 17-year old parents.

**32. CHIP Enrollment.** In the event that appropriations are insufficient to sustain enrollment at authorized eligibility and benefit levels in CHIP, it is the intent of the legislature that the Executive Commissioner transfer necessary funds to Goal C, CHIP Services, pursuant to the notification and approval requirements contained in other provisions, and request additional appropriation authority from the Legislative Budget Board prior to establishing a waiting list and suspending enrollment pursuant to Health and Safety Code § 62.101.

**33. Children's Health Insurance Program Priority.** In the event that the Health and Human Services Commission receives less CHIP Federal Funds than are anticipated above in Goal C, CHIP Services, the commission is authorized to prioritize services to recipients of the traditional CHIP program. Serving those eligible for the CHIP Perinatal program may be a secondary priority.

**34. Medical Treatments.** The Health and Human Services Commission may distribute funds for medical, dental, psychological or surgical treatment provided to a minor only if consent to treatment is obtained pursuant to Chapter 32 of the Texas Family Code. In the event that compliance with this rider would result in the loss of Federal Funds to the state, the department may modify, or suspend this rider to the extent necessary to prevent such loss of funds, provided that 45-day prior notification is provided to the Governor and the Legislative Budget Board.

**35. Unexpended Balance Authority for Eligibility Determination Services.** Unexpended balances in General Revenue Funds appropriated in Strategy A.1.2, Integrated Eligibility and Enrollment, for the fiscal year ending August 31, 2012, are appropriated to the agency for the following fiscal year only upon prior written approval by the Legislative Budget Board and the Governor.

For authorization to expend the funds, an agency shall submit a written request to the Legislative Budget Board and the Governor. At the same time, the agency shall provide a copy of the request to the Comptroller of Public Accounts. The request must be organized by fiscal year as follows:

a. The following information shall be provided for the fiscal year with an unexpended balance:

(1) an explanation of the causes of the unexpended balance(s);

(2) the amount of the unexpended balance(s) by strategy; and

(3) the associated incremental change in service levels compared to performance targets in this Act for that fiscal year.

b. The following information shall be provided for the fiscal year receiving the funds:

(1) an explanation of purpose for which the unexpended balance(s) will be used and whether the expenditure will be one-time or ongoing;

(2) the amount of the expenditure by strategy;

(3) the incremental change in service levels compared to performance targets in this Act for that fiscal year; and

(4) the capital budget impact.

The request shall be considered to be approved unless the Legislative Budget Board or the Governor issues a written disapproval within 15 business days of the date on which the staff of the Legislative Budget Board concludes its review of the proposal to expend the funds and forwards its review to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor.

The Comptroller of Public Accounts shall not allow the use of unexpended balances authorized by any of the above subsections if the Legislative Budget Board provides notification to the Comptroller of Public Accounts that the requirements of this provision have not been satisfied.

**36. Continued Medicaid Coverage for Clients Unable to Access Medicare Part D Benefit and for Certain Excluded Medicare Part D Drug Categories.** It is the intent of the Legislature that from funds appropriated above in Strategy B.2.2, Medicaid Vendor Drug Program, the Health and Human Services Commission shall continue to provide Medicaid coverage for dual eligible clients who are unable to access their Medicare Part D drug benefit. The Health and Human Services Commission shall recoup funds for these expenditures from Part D drug plans that are determined to be responsible for the dual eligible clients' drug costs. It is also the intent of the Legislature that from funds appropriated above in Strategy B.2.2, Medicaid Vendor Drug Program, the Health and Human Services Commission shall continue to provide Medicaid coverage for certain categories of drugs not covered under the federal Medicare Part D program, under Section 1935(d)(2) of the Social Security Act, for full dual eligible clients. This coverage is limited to only those categories of excluded Medicare Part D drugs that continue to be eligible for federal Medicaid matching funds and that are currently covered under the Medicaid Vendor Drug Program (e.g., prescribed over-the-counter medications, barbiturates, and benzodiazepines).

**37. Hospital Uncompensated Care.** No funds appropriated under this Article for medical assistance payments may be paid to a hospital if the Health and Human Services Commission determines that the hospital has not complied with the Commission's reporting requirements. The Commission shall ensure that the reporting of uncompensated care (defined to include bad debt, charity care and unreimbursed care) by Texas hospitals is consistent for all hospitals and subjected to a standard set of adjustments that account for payments to hospitals that are intended to reimburse uncompensated care. These adjustments are to be made in such a way that a reliable determination of the actual cost of uncompensated care in Texas is produced. In pursuing this objective, the commission, in coordination with the Attorney General, and with advice from representatives from the hospital industry, will:

a. review the current instruments for reporting uncompensated care by Texas hospitals to ensure that accounting for uncompensated care as well as its reporting is consistent across hospitals;

b. coordinate the different instruments for reporting uncompensated care in Texas, e.g., Statement of Community Benefits, Annual Hospital Survey, and DSH Survey, so that there is consistency in reporting among these instruments while maintaining the integrity of each instrument's purpose;

c. identify the sources of funding to hospitals that are intended to offset uncompensated care;

d. develop a standard set of adjustments that apply the funding sources to reported uncompensated care in such a manner that a reliable determination of the actual cost to a hospital for uncompensated care can be made; and

e. identify a standard ratio of cost to charges (RCC) to standardize the conversion of reported charges to costs.

The commission shall conduct an appropriate number of audits to assure the accurate reporting of the cost of uncompensated hospital care.

The commission shall submit a biennial report on uncompensated care costs, which considers the impact of patient specific and lump sum funding as offsets to uncompensated costs, to the Governor and Legislative Budget Board no later than December 1, 2012. The commission may report by hospital type.

The commission shall also review the impact of health care reform efforts on the funding streams that reimburse uncompensated care, assess the need for those funding streams in future biennia, and consider which funds might be redirected to provide direct health coverage.

**38. Hospital Reimbursement.** Contingent upon federal approval, and to the extent allowed by law, no funds appropriated under this Article for the payment of inpatient hospital fees and charges under the medical assistance program may be expended, except under a prospective payment methodology for all Medicaid inpatient claims that employs sound cost reimbursement principles and:

a. enhances the Health and Human Services Commission's ability to be a prudent purchaser of health care;

b. reflects costs that are allowable, reasonable and medically necessary to deliver health care services to the state's Medicaid population;

c. reduces the variability in the Medicaid reimbursement rates paid to hospitals for treating patients with the same diagnoses;

d. promotes and rewards increased efficiency in the operation of hospitals;

e. emphasizes and rewards quality of outcomes and improves the treatment of Medicaid patients through pay-for-performance principles;

f. recognizes, through add-on payments or other methods, the unique needs of rural hospitals; and

g. reformulates the Disproportionate Share Hospital (DSH) supplemental payment methodology to increase its focus on paying hospitals for uncompensated care and reduces the existence of the inpatient Medicaid shortfall that prevents the State from achieving this objective.

**39. Payments to Health Centers for Medicaid Family Planning.** It is the intent of the Legislature that the Health and Human Services Commission shall, to the extent allowed by federal law, reimburse Federally Qualified Health Centers for family planning services under Medicaid, including the Women's Health Program, using a prospective payment system at a per visit rate, not to exceed three payments during a calendar year.

**40. Payments to Hospital Providers.** Until the Health and Human Services Commission (HHSC) implements a new inpatient reimbursement system for Fee-for-Service (FFS) and Primary Care Case Management (PCCM) or managed care, including but not limited to health maintenance organizations (HMO) inpatient services, hospitals that meet one of the following criteria: 1) located in a county with 50,000 or fewer persons according to the U.S. Census, or 2) is a Medicare-designated Rural Referral Center (RRC) or Sole Community Hospital (SCH), that is not located in a metropolitan statistical area (MSA) as defined by the U.S. Office of Management and Budget, or 3) is a Medicare-designated Critical Access Hospital (CAH), shall be reimbursed based on the cost-reimbursement methodology authorized by the Tax Equity and Fiscal Responsibility

Act of 1982 (TEFRA) using the most recent data. Hospitals that meet the above criteria, based on the 2000 decennial census, will be eligible for TEFRA reimbursement without the imposition of the TEFRA cap for patients enrolled in FFS and PCCM. For patients enrolled in managed care other than PCCM, including but not limited to health maintenance organizations (HMO), inpatient services provided at hospitals meeting the above criteria will be reimbursed at the Medicaid reimbursement calculated using each hospital's most recent FFS rebased full cost Standard Dollar Amount for the biennium.

**41. Staffing and Capital Authorization in Lieu of Contracted Responsibilities.** Notwithstanding any other provisions in this Act, if the executive commissioner of the Health and Human Services Commission (HHSC) determines that a service performed under a contract as of the effective date of this Act would be more effectively performed by state personnel, the executive commissioner is authorized to adjust the agency's full-time equivalent (FTE) and/or capital authority limitation to the extent necessary to ensure the successful assumption of such contracted duties and to comply with federal performance standards.

Authority granted by this provision is contingent upon a written notification from HHSC to the Legislative Budget Board and the Governor at least 30 days prior to adjusting budgeted FTE levels and/or acquiring capital equipment that includes the following information:

a. a detailed explanation of the adjustments to the affected contract and the reason(s) for the adjustment;

b. the estimated reduction in spending in All Funds on the contract by fiscal year;

c. the increase in both the annual average and end-of-year FTEs by fiscal year;

d. the estimated increase in expenditures by object of expense and method of financing for each fiscal year; and

e. the estimated increase in capital expenditures by method of financing by fiscal year for each increased or new project.

The Comptroller of Public Accounts shall not allow the adjustment of FTE or capital authority limitations authorized by this provision if the Legislative Budget Board provides notification to the Comptroller of Public Accounts that the requirements of this provision have not been satisfied.

**42. Graduate Medical Education.** The Health and Human Services Commission is authorized to spend Appropriated Receipts - Match for Medicaid and matching Medicaid Federal Funds out of Strategy B.2.1, Cost Reimbursed Services, for Graduate Medical Education payments to state-owned teaching hospitals, contingent upon receipt of allowable funds from state-owned teaching hospitals to be used as the non-federal share for Medicaid Graduate Medical Education. Appropriated Receipts - Match for Medicaid shall be the only source of funds used for the non-federal share for Medicaid Graduate Medical Education, and the Health and Human Services Commission shall develop a payment methodology for Medicaid Graduate Medical Education payments to state-owned teaching hospitals.

**43. Enterprise Data Warehouse.** Out of funds appropriated above in Strategy A.2.1, Consolidated System Support, the Health and Human Services Commission (HHSC) may expend $4,212,954 in General Revenue and any associated matching Federal Funds to develop/implement an enterprise data warehouse for data related to Medicaid services, human services, and public health services. In order to ensure maximum accountability, HHSC shall contract with a single vendor for the data warehouse.

HHSC shall submit reports to the Legislative Budget Board and the Governor on September 1, 2011 and September 1, 2012 reflecting actual expenditures and accomplishments to date. The reports shall also reflect an estimate of planned expenditures and accomplishments for the remainder of the 2012-13 biennium.

**44. SAVERR to TIERS.** Out of funds appropriated above in Strategy F.1.1, TIERS & Eligibility Supporting Technologies, the Health and Human Services Commission will convert all the remaining SAVERR cases into the TIERS system, contingent upon receipt of required approval by federal funding partners, no later than December 31, 2011.

**45. FTE Authority during Federally-Declared Disasters.** In the event the Health and Human Services Commission determines a need for additional staff related to providing services for federally-declared disasters, the Commission is hereby authorized to increase the number of FTEs, and adjust the agency limitation on FTEs, for this purpose, contingent upon notification to the Legislative Budget Board and the Governor within 30 days of the intent to hire additional staff and quantify the staffing level. Only federal funds may be used to pay salaries and benefits for the FTEs hired for this purpose.

**46. Local Reporting on UPL, DSH, and Indigent Care Expenditures.** Out of funds appropriated above, and as the state Medicaid operating agency, the Health and Human Services Commission shall develop a report that non-state public hospitals, private hospitals, hospital districts, physicians and private administrators shall use to describe any expenditures they make through the Upper Payment Limit (UPL) program, the Disproportionate Share Hospital (DSH) program, and the Indigent Care program. The commission shall determine the format of the report, which must include expenditures by method of finance per year. In addition, the commission annually shall require contracted hospital providers to report payments to entities who provide consultative services regarding revenue maximization under the medical assistance program and any other governmentally funded program, including UPL and DSH. Information included in the reports of payments to entities providing consultative services from contracted hospitals shall include:

a. the total amount of aggregated payments to all such entities by county;

b. the purpose of the payment(s);

c. the source of the payment(s);

d. the program for which consultative services were provided; and

e. any other information the commission believes pertinent.

**47. Nurse Family Partnership Federal Funding.** Contingent on receipt of additional Federal Funding specifically for nurse home visitations to families with young children, the Health and Human Services Commission shall budget these funds for the Nurse Family Partnership program in Strategy A.1.1, Enterprise Oversight and Policy.

**48. Women's Health Services Demonstration Project: Savings and Performance Reporting.** It is the intent of the Legislature that the Health and Human Services Commission submit an annual report to the Legislative Budget Board and the Governor that includes the following information:

a. enrollment levels of targeted low-income women, including service utilization by geographic region, delivery system, and age;

b. savings or expenditures attributable to enrollment levels as reported in section (a) and;

c. descriptions of all outreach activities undertaken for the reporting period.

**49. Medication Therapy Management.** Out of funds appropriated above to the Health and Human Services Commission in strategy B.2.2, Medicaid Vendor Drug Program, the commission shall allocate up to $170,000 in General Revenue Funds for the 2012-13 biennium to establish a medication therapy management pilot program created to reduce adverse drug events and related medical costs for a subset of high-risk Texas Medicaid clients. The commission shall use existing resources to determine the effectiveness of the medication therapy management pilot program in reducing adverse drug events and related medical costs for high-risk Medicaid clients, and submit a report to the Governor and the Legislative Budget Board by December 1, 2012.

**50. Use of PARIS Data and Appropriation of Savings to the Texas Veterans Commission Realized from the Use of PARIS Data.** Out of funds appropriated above in Goal B, Medicaid, the Health and Human Service Commission shall:

a. Submit information quarterly to the U.S. Health and Human Services Department's Administration for Children and Families for participation in the federal Public Assistance Reporting Information System's (PARIS) Veterans and Federal Files information exchange. The Health and Human Services Commission Office of the Inspector General shall submit the necessary state data from all state health and human services programs that may serve veterans

to receive results from the federal PARIS system and shall forward the necessary information received from the PARIS system to the appropriate state agencies for follow up and further investigation.

b. Transfer $50,000 of General Revenue Funds in fiscal year 2012 and $50,000 in fiscal year 2013 to the Texas Veterans Commission to partially fund 2.0 full-time equivalents who will work as veteran benefit counselors to investigate and analyze the information/data received from the federal Public Assistance Reporting Information System (PARIS). The PARIS information will be used by the Texas Veterans Commission to assist and facilitate claims for veterans receiving Medicaid or other state public benefits for which veterans are entitled from the Department of Veterans Affairs.

c. Develop a method to calculate savings and costs avoided from information/data received from the PARIS which results in Medicaid beneficiaries or other state public assistance beneficiaries receiving benefits/compensation for which veterans are entitled from the U.S. Department of Veterans Affairs.

d. Ten percent of the General Revenue savings during fiscal year 2012 that was the result of pursuing information from the Public Assistance Reporting Information System (PARIS) as calculated by the Health and Human Services Commission (HHSC) according to procedures or rules for making the calculations adopted by HHSC shall be credited by the Comptroller to the Texas Veterans Commission Veterans' Assistance Fund Account No. 368 from which expenditures were originally made and such funds are hereby appropriated to the Texas Veterans Commission in fiscal year 2013.

**51. Managed Care Expansion.** Included in appropriations to the Health and Human Services Commission (HHSC) above in Goal B, Medicaid, is a net $60,556,875 in General Revenue ($149,537,984 All Funds) in fiscal year 2012 and $110,693,789 in General Revenue ($272,508,811 All Funds) in fiscal year 2013 to expand the managed care model for the provision of Medicaid and CHIP services. The appropriation also assumes a transfer of $184,163,492 in General Revenue in fiscal year 2012 and $359,005,944 in General Revenue in fiscal year 2013 from the Department of Aging and Disability Services to the HHSC.

The expansion assumes a savings to be realized in client services at HHSC of $123,606,617 in General Revenue ($291,466,116 All Funds) in fiscal year 2012 and $248,312,155 in General Revenue ($569,545,340 All Funds) in fiscal year 2013.

The full appropriation and transfer amounts are contingent on the enactment of Senate Bill 23, or similar legislation authorizing the use of managed care in the south Texas counties of Cameron, Hidalgo and Maverick. If Senate Bill 23 or similar legislation is not enacted, the appropriation above in Goal B, Medicaid, is reduced by $57,370,186 General Revenue and $87,670,192 in Federal Funds in fiscal year 2012 and $121,680,697 in General Revenue and $185,809,691 in Federal Funds in fiscal year 2013. Also, if Senate Bill 23 is not enacted, the transfer from the Department of Aging and Disability Services is reduced by $143,139,236 in General Revenue in fiscal year 2012 and $297,625,734 in General Revenue in fiscal year 2013.

The expansion of the managed care model is estimated to result in a net savings of $385,661,820 in General Revenue ($889,316,205 All Funds) in Article II in the biennium.

The commission shall provide a report detailing the cost savings in General Revenue and All Funds realized by the expansion of managed care in the biennium. The report shall be submitted to the Legislative Budget Board and the Governor by July 1, 2012.

**52. Unexpended Balances: Social Services Block Grant Funds.** As single state agency for the Social Services Block Grant, the Health and Human Services Commission shall coordinate with other agencies appropriated Social Services Block Grant and shall report to the Legislative Budget Board and the Governor by October 1 of each fiscal year of the 2012-13 biennium the actual amount of federal Social Services Block Grant funds expended and the actual amount of unexpended and unobligated balances. The Health and Human Services Commission shall also report how the unexpended and unobligated balances in Social Services Block Grant funds of each fiscal year of the 2012-13 biennium will be used prior to expending the balances. This provision does not apply to Social Services Block Grant supplemental or emergency funds.

Additional information requested by the Legislative Budget Board or the Governor should be provided in a timely manner. The notification and information provided shall be prepared in a format specified by the Legislative Budget Board.

**53. Medicaid Substance Abuse Treatment.** Out of funds appropriated above in Goal B, Medicaid, the Health and Human Services Commission shall provide coverage for comprehensive substance abuse treatment services under Medicaid to persons who are at least 21 years of age, have a substance abuse disorder, and otherwise qualify for Medicaid. The commission shall analyze data relating to the provision of those treatment services and provide the data to the Legislative Budget Board in a format and at times requested by the Legislative Budget Board. The commission may not provide those treatment services if the Legislative Budget Board determines that the treatment services have resulted in an increase in overall Medicaid spending.

**54. Capitated Managed Care Model of Dental Services Reporting.** Out of funds appropriated above to the Health and Human Services Commission in strategy B.3.2, Health Steps (EPSDT) Dental, contingent on the Health and Human Service Commission changing the service delivery model for dental services from a fee-for-service model to a capitated managed care model, the Health and Human Services Commission shall evaluate the impact of providing dental services through a capitated managed care model on access, quality and cost outcomes. The evaluation shall address issues including but not limited to utilization trends, penetration rates, provider to client ratios, retention of dental providers, services provided, premium insurance revenue and managed care premium cost growth. The Health and Human Services Commission shall submit findings to the Governor and the Legislative Budget Board by March 1, 2013.

**55. Report on Telemonitoring in the Texas Medicaid Program.** Contingent on passage of Senate Bill 967, House Bill 1605 or similar legislation that would expand use of telemonitoring in the Texas Medicaid Program, by the Eighty-second Legislature, Regular Session, the Health and Human Services Commission shall provide a report to the Governor and Legislative Budget Board by September 1, 2012 that includes the following:

a. Either:

(1) a summary of the implementation of telemonitoring services for select diabetes patients within the Texas Health Management Program, if the results from the Medicaid Enhanced Care diabetes telemonitoring pilot program show that it was cost-neutral or cost-saving, or

(2) an analysis of the estimated cost-effectiveness and feasibility of adding a telemonitoring pilot program to the Texas Health Management Program for select diabetes patients, if the results from the Medicaid Enhanced Care diabetes telemonitoring pilot program show that it was not cost-neutral or cost-saving;

b. An analysis of the estimated cost-effectiveness and feasibility of adding telemonitoring pilot programs to the Texas Health Management Program for other conditions (e.g. high-risk pregnancy, congestive heart failure, or chronic obstructive pulmonary disease); and

c. A summary of the telemonitoring activities and their cost-effectiveness used by health maintenance organizations in STAR and STAR+PLUS; and a summary of the steps taken by the Health and Human Services Commission to disseminate that information.

**56. Medicaid Emergency Room Use.** Out of funds appropriated above in Goal B, Medicaid, the Health and Human Services Commission shall take steps to reduce non-emergent use of the emergency room in the Medicaid program. These steps shall include:

a. evaluating whether the cost of the physician incentive programs implemented by the health maintenance organizations participating in the Medicaid STAR and STAR+PLUS managed care programs has been offset by reduced use of the emergency room;

b. determining the feasibility of amending the Texas Medicaid State Plan to permit freestanding urgent care centers to enroll as clinic providers; and

c. using financial incentives and disincentives to encourage the health maintenance organizations participating in the Medicaid STAR and STAR+PLUS managed care programs to reduce non-emergent use of the emergency room among their clients. Financial incentives and disincentives may include adding a performance indicator that measures non-emergent use of

the emergency room to the performance measures for the one percent at-risk premium and the performance measures used to evaluate health maintenance organization performance for purposes of distributing funds under the Quality Challenge Award program.

The Department shall submit a report on steps taken to reduce non-emergent use of the emergency room in the Medicaid program, including findings on the evaluation of the physician incentive programs and the urgent care center feasibility analysis, to the Legislative Budget Board and the Governor by August 31, 2012.

**57. Finger Imaging Contract.** Included in appropriations above in Strategy B.1.4, Children and Medically Needy, is a reduction of $2,800,000 in General Revenue funding for the elimination of a finger imaging contract, contingent upon the enactment of House Bill 710 or similar legislation. It is not the intent of the Legislature to prohibit the use of biometrics in this or any health and human services program.

**58. Contingency for Senate Bill 8.** Contingent on the enactment of Senate Bill 8, or similar legislation relating to creation of an Institute of Health Care Quality and Efficiency and repeal of the Texas Health Care Policy Council, by the Eighty-second Legislature, Regular Session, 2011, appropriations in Strategy A.1.1, Enterprise Oversight and Policy, to the Health and Human Services Commission are increased by $228,800 in fiscal year 2012 and $228,800 in fiscal year 2013 in interagency contracts. The number of "Full-Time Equivalents (FTE)" is increased by 2.0 FTEs in fiscal year 2012 and 2.0 FTEs in fiscal year 2013.

**59. Federal Flexibility.** Included in appropriations above to the Health and Human Services Commission (HHSC) in Strategy B.1.4, Children and Medically Needy, is a reduction of $700,000,000 in General Revenue Funds and $1,666,666,667 in All Funds in fiscal year 2013 related to containing cost growth in the Texas Medicaid and Children's Health Insurance Program (CHIP) programs. It is the intent of the Legislature that, if necessary, HHSC seeks federal approval for waiver(s) that would permit the following:

a. that the state of Texas have greater flexibility in standards and levels of eligibility in Medicaid and CHIP programs;

b. that the state of Texas design and implement benefit packages that target the specific health needs and reflect the geographic and demographic needs of Texas;

c. that the state of Texas Medicaid and CHIP programs foster a culture of individual responsibility through the appropriate use of co-payments;

d. that the state of Texas consolidate funding streams to increase accountability, transparency, and efficiency (consolidated funding streams should be considered for both hospital and long term care);

e. that the federal government assume financial responsibility for 100 percent of the health care services provided to unauthorized immigrants; and

f. that existing state and local expenditures be utilized to maximize federal matching funds.

**60. Upper Payment Limit Reimbursement for Children's Hospitals.** Out of funds appropriated above in Goal B, Medicaid, the Health and Human Services Commission (HHSC) is authorized to provide the state match for a children's hospital participating in the Upper Payment Limit (UPL) reimbursement program based upon the following criteria:

a. The children's hospital shall formally request that HHSC provide the state match. The request should include documentation of the efforts taken by the hospital to participate in the private hospital UPL program, a description of the financial impact to the hospital for the loss of this revenue source, and any impact to the local community.

b. HHSC shall analyze the children's hospital request and determine if there is a critical need to provide state matching funds for UPL reimbursement to that children's hospital.

c. Upon a determination of critical need, HHSC shall notify the Legislative Budget Board and the Governor of the amount of General Revenue Funds to be transferred out of another Medicaid strategy to strategy B.2.5, Upper Payment Limit, for the provision of the state match for the eligible children's hospital and the projected state expenditure for the UPL reimbursement for each fiscal year.

HHSC shall not expend more than $5,000,000 in General Revenue Funds for the purpose of providing the state match for the children's hospital UPL program for the biennium beginning September 1, 2011.

**61. Medicaid Funding Reduction.**

a. Included in appropriations above in Strategy B.1.4, Children and Medically Needy, is a reduction of $225,000,000 in General Revenue Funds in fiscal year 2012 and $225,000,000 in General Revenue Funds in fiscal year 2013, a biennial total of $450,000,000 in General Revenue Funds. The Health and Human Services Commission (HHSC) is authorized to transfer these reductions between fiscal years and to allocate these reductions among health and human services agencies as listed in Chapter 531, Government Code, pursuant to the notification requirements included in Subsection (c) of this rider.

b. This reduction shall be achieved through the implementation of the plan described under subsection (c) which may include any or all of the following initiatives:

(1) Implementing payment reform and quality based payments in fee for service and managed care,

(2) Increasing neonatal intensive care management,

(3) Transitioning outpatient Medicaid payments to a fee schedule,

(4) Developing more appropriate emergency department hospital rates for nonemergency related visits,

(5) Maximizing co-payments in all Medicaid and non-Medicaid programs,

(6) Maximizing federal matching funds through a combination of a Medicaid waiver, full-risk transportation broker pilots, and/or inclusion of transportation services in managed care organizations,

(7) Reducing costs for durable medical equipment and laboratory services through rate reductions, utilization management and consolidation,

(8) Statewide monitoring of community care through telephony in Medicaid fee-for-service and managed care,

(9) Expanding billing coordination to all non-Medicaid programs,

(10) Increasing utilization of over-the-counter medicines,

(11) Renegotiating more efficient contracts,

(12) Equalizing the prescription drug benefit statewide,

(13) Allowing group billing for up to three children at one time in a foster care or home setting who receive private duty nursing services,

(14) Achieving more competitive drug ingredient pricing,

(15) Increasing generic prescription drug utilization,

(16) Improving birth outcomes by reducing birth trauma and elective inductions,

(17) Increasing competition and incentivizing quality outcomes through a statewide Standard Dollar Amount and applying an administrative cap,

(18) Establishing a capitated rate to cover wrap-around services for individuals enrolled in a Medicare Advantage Plan,

(19) Improving care coordination for Children with Disabilities in managed care,

(20) Automatically enrolling clients into managed care plans,

(21) Restricting payment of out-of-State Services to the Medicaid rate and only our border regions,

(22) Increasing utilization management for provider-administered drugs,

(23) Implementing the Medicare billing prohibition,

(24) Increasing the assessment time line for private duty nursing,

(25) Maximizing federal match for services currently paid for with 100 percent general revenue,

(26) Adjusting amount, scope and duration for services,

(27) Increasing fraud, waste and abuse detection and claims,

(28) Strengthening prior authorization when efficient,

(29) Paying more appropriately for outliers, and

(30) Additional initiatives identified by the Health and Human Services Commission.

c. HHSC shall develop a plan to allocate the reductions required by Subsection (a) of this rider by taking actions such as those suggested under Subsection (b) of this rider to the budgets of the health and human services agencies as listed in Chapter 531, Government Code. The plan shall include reduction amounts by strategy and fiscal year and shall be submitted in writing before December 1, 2011 to the Legislative Budget Board, the Governor, and the Comptroller of Public Accounts. The plan must be submitted in a format specified by the Legislative Budget Board.

**62. Contingency for Medicaid Women's Health Program.** Out of funds appropriated above in Goal B, Medicaid, the Health and Human Services Commission, contingent on receiving a waiver under Section 1115 of the Social Security Act, shall provide Women's Health Program services under Medicaid to women. Only women whose income and family size puts them at or below 185% of the Federal Poverty Guidelines and who meet all other Medicaid eligibility requirements are eligible for Women's Health Program services.

**63. Client Assessment for Acute Nursing Services in Medicaid.** Out of funds appropriated above to the Health and Human Services Commission (HHSC) in Goal B, Medicaid, the commission shall develop an objective assessment process to assess Medicaid clients' needs for acute nursing services, including home health skilled nursing, home health aide services, and private duty nursing. HHSC shall use the appropriated funds to pay an employee or a contractor independent of the service provider to conduct these assessments.

The assessment process must include an assessment of specific criteria documented on a standard form and any documents required for prior authorization of nursing services. HHSC shall implement this assessment process within Medicaid fee-for-service, primary care case management; and STAR and STAR+PLUS Medicaid managed care programs.

HHSC shall consider the feasibility and benefit of implementing a similar process for therapy services.

**64. Quality-Based Payment and Delivery Reforms in the Medicaid and Children's Health Insurance Programs.** Out of funds appropriated to the Health and Human Services Commission (HHSC) in Goal B, Medicaid, and Goal C, Children's Health Insurance Program, HHSC may implement the following quality-based reforms in the Medicaid and CHIP programs:

a. develop quality-based outcome and process measures that promote the provision of efficient, quality health care and that can be used to implement quality-based payments for acute and long-term care services across delivery models and payment systems;

b. implement quality-based payment systems for compensating a health care provider or facility participating in the Medicaid and CHIP programs;

c. implement quality-based payment initiatives to reduce potentially preventable readmissions and potentially preventable complications; and

d. implement a bundled payment initiative in the Medicaid program, including a shared savings component for providers that meet quality-based outcomes. The executive commissioner may select high-cost and/or high-volume services to bundle and may consider the experiences of other payers and other state of Texas programs that purchase healthcare services in making the selection.

Required Reporting: The commission shall provide annual reports to the Governor's Office of Budget, Planning, and Policy and Legislative Budget Board on December 1, 2011 and December 1, 2012 that include (1) the quality-based outcome and process measures developed; (2) the progress of the implementation of quality-based payment systems and other related initiatives; (3) outcome and process measures by health service region; and (4) cost-effectiveness of quality-based payment systems and other related initiatives.

**65. Office for the Prevention of Developmental Disabilities.** The Health and Human Services Commission shall expend, from funds otherwise appropriated to the commission by this Act, an amount not to exceed $111,805 each fiscal year for salaries, benefits, travel expenses, and other support of the Office for Prevention of Developmental Disabilities. However, grants and donations received through the authority provided by Article IX Sec. 8.01, Acceptance of Gifts of Money, are not subject to this limit and may be expended by the Office.

**66. Office of Acquired Brain Injury.** Out of Federal Funds appropriated above in strategy A.1.1, Enterprise Oversight and Policy, the Health and Human Services Commission shall use the federal CFDA 93.234 grant amount of $250,000 in each fiscal year of the biennium for the purpose of funding 1.0 FTE and the Office of Acquired Brain Injury in order to assess and serve youth in the Texas juvenile justice system with brain injury and other projects including brain injured veterans.

**67. Statewide Hospital SDA.** It is the intent of the Legislature that out of funds appropriated above in Goal B, Medicaid, the Health and Human Services Commission (HHSC) shall rebase hospital rates using a methodology based on a statewide standard dollar amount (SDA) by September 1, 2011. The commission may consider high cost hospital functions and services, including regional differences, when developing the rate methodology. Included in appropriations above in Goal B, Medicaid, is a reduction of $30,900,000 in General Revenue Funds for the implementation of a statewide SDA methodology for payments to hospitals. Until September 1, 2012, HHSC may use up to $20,000,000 in General Revenue Funds in Goal B, Medicaid, to mitigate disproportionate losses.

**68. Medicaid Cost and Quality: Physician Payment for Quality.** Out of funds appropriated above in Goal B, Medicaid, the Health and Human Services Commission (HHSC) shall establish a committee of Texas physicians and HHSC representatives in order to determine the ten most overused services performed by physicians in Texas Medicaid, using national guidelines related to unnecessary medical procedures as the basis for this determination.

Based on these determinations, HHSC shall decrease Medicaid payments for those services that should not be provided. Physicians will maintain the right to appeal the decision in individual cases.

**69. Medicaid Cost and Quality: Use of Nurse Practitioner/Physician Extenders.** Out of funds appropriated above in Goal B, Medicaid, the Health and Human Services Commission (HHSC) shall expend General Revenue Funds, in an amount not to exceed $1,250,000, to establish a pilot “Grand Aides” program that uses nurse practitioner/physician extenders ("Grand Aides") to serve clients receiving Medicaid services. Grand Aides are senior members of the community, who, as part of a team under close supervision by a nurse practitioner or physician, shall use protocols by

telephone and home visit with "portable telemedicine" for simple conditions such as colds, to reduce inappropriate Emergency Department visits by 25 percent. HHSC shall report the results of this pilot program, including cost and quality measures, to the Senate Finance Committee and the House Appropriations Committee by December 1, 2012.

**70. Supplemental Payments.** It is the intent of the Legislature that when the Health and Human Services Commission calculates supplemental payments, data be collected to provide transparency regarding claims associated with the supplemental payment program. An independent audit of the program, including a review of regional affiliations, uncompensated care claims for both uninsured and insured individuals, and contractual agreements, and a report with findings should be completed and distributed annually on December 1 to the Governor, the Lieutenant Governor, the Speaker of the House of Representatives, the Senate Finance Committee members, the House Appropriations Committee members, and the Legislative Budget Board.

**71. Medicaid Cost and Quality: Comprehensive Follow-up Care for High-risk Infants.** Out of funds appropriated above, the Health and Human Services Commission (HHSC) shall support a comprehensive follow-up program for premature, high-risk infants if the commission determines that such a program is cost effective for the Texas Medicaid program. Similar programs have reduced emergency room visits, pediatric intensive care unit (ICU) admissions, life-threatening illnesses, and total estimated cost. This program should serve infants who were (1) born at or before 30 weeks gestation, or (2) at or below 1000 grams birth weight, or (3) had major complications (e.g., development of chronic lung disease) before discharge from a neonatal ICU. Comprehensive care shall be provided in special follow-up clinics staffed by a small team of pediatricians and nurse practitioners. Expectations are for improved quality of care and reduced cost.

HHSC shall report cost and quality measures to the Senate Finance Committee and House Appropriations Committee by December 1, 2012.

**72. Medicaid Vitamin Coverage.** Contingent upon federal approval of a Texas Medicaid State Plan amendment providing vitamin and mineral supplements to Medicaid-eligible children, out of funds appropriated above in Goal B, Medicaid, the Health and Human Services Commission shall assign prices to vitamins and minerals dispensed at Vendor Drug Program (VDP)-enrolled pharmacies.

**73. Prevent Eligibility Determination Fraud.** It is the intent of the Legislature that to prevent fraud and to maximize efficiencies, the Health and Human Services Commission shall use technology to identify the risk for fraud associated with applications for benefits, upon the completion of the rollout of the Texas Integrated Eligibility Redesign System (TIERS). Within the parameters of state and federal law, the commission shall set appropriate verification and documentation requirements based on the application's risk to ensure agency resources are targeted to maximize fraud reduction and case accuracy.

**74. Improve Efficiencies in Benefit Applications.** In order to improve efficiencies, the Health and Human Services Commission shall promote online submissions of applications for benefits administered by the agency. HHSC shall develop standards and technical requirements within six months following the statewide implementation of the Texas Integrated Eligibility Redesign System (TIERS), to allow organizations to electronically submit applications.

**75. Unexpended Balance Authority for Human Resources Upgrade.**

a. Unexpended Balance between Biennia. Unexpended balances in General Revenue Funds appropriated for the HHS HR/Payroll system upgrade in fiscal year 2011 (estimated to be $6,700,000) in strategy A.2.1, Consolidated Systems Support and B.1.4, Children & Medically Needy, are appropriated to the Health and Human Services Commission (HHSC) for the fiscal year beginning September 1, 2011, only upon prior written approval by the Legislative Budget Board and the Governor. These General Revenue Funds are contingent on an unexpended balance from fiscal year 2011. The amount of the appropriation is limited to the amount of the unexpended balance.

b. For authorization to expend the funds, HHSC shall submit a written request to the Legislative Budget Board and the Governor. At the same time, the agency shall provide a copy of the request to the Comptroller of Public Accounts. The request must be organized by fiscal year as follows:

(1) The following information shall be provided for the fiscal year with an unexpended balance:

(i) an explanation of the causes of the unexpended balance(s);

(ii) the amount of the unexpended balance(s) by strategy; and

(iii) the associated incremental change in service levels compared to performance targets in this Act for that fiscal year.

(2) The following information shall be provided for the fiscal year receiving the funds:

(i) an explanation of purpose for which the unexpended balance(s) will be used and whether the expenditure will be one-time or ongoing;

(ii) the amount of the expenditure by strategy;

(iii) the incremental change in service levels compared to performance targets in this Act for that fiscal year; and

(iv) the capital budget impact.

The request shall be considered to be approved unless the Legislative Budget Board or the Governor issues a written disapproval within 15 business days of the date on which the staff of the Legislative Budget Board concludes its review of the proposal to expend the funds and forwards its review to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor.

The Comptroller of Public Accounts shall not allow the use of unexpended balances authorized by the above subsection if the Legislative Budget Board provides notification to the Comptroller of Public Accounts that the requirements of this provision have not been satisfied.

c. HHSC shall also request the appropriate authority for transfers to other HHS agencies and increased assessments as directed by Article II, Special Provisions Section 10 and Section 46, respectively.

**76. STAR+PLUS.** It is the intent of the Legislature that if federal approval is not granted for protection of hospital Upper Payment Limit (UPL) payments, the Health and Human Services Commission (HHSC) shall implement the STAR+PLUS expansion while keeping hospitals carved out of the model. Further, to the extent allowable by law, HHSC shall achieve the projected savings to the state, estimated to be $28,900,000 in General Revenue Funds, which includes the anticipated increases in premium tax, through rate reductions to inpatient and outpatient hospital rates, selective contracting, or other initiatives proposed by the commission.

**77. STAR.** It is the intent of the Legislature that if federal approval is not granted for protection of hospital Upper Payment Limit (UPL) payments, the Health and Human Services Commission (HHSC) shall not implement the expansion of STAR. Further, to the extent allowable by law, HHSC shall achieve the projected savings to the state, estimated to be $242,700,000 in General Revenue Funds, which includes the anticipated increases in premium tax, through rate reductions to inpatient and outpatient hospital rates, selective contracting, or other initiatives proposed by the commission.

**78. FQHC Affiliate Agreements.** To the extent allowable by law, no funds appropriated under this Act may be expended to reimburse the costs of a federally qualified health center (FQHC) for services performed or provided by a provider or group of providers pursuant to an affiliation agreement executed between the FQHC and provider unless the Health and Human Services Commission determines the reimbursement complies with criteria promulgated by the Secretary of Health and Human Services, the Centers for Medicare and Medicaid Services, or administrative rules adopted by the commission.

**79. FQHC Reimbursement in Managed Care.** To the extent allowable by law, in developing the premium rates for Medicaid and CHIP Managed Care Organizations (MCOs), the Health and Human Services Commission shall include provisions for payment of the FQHC Prospective Payment System (PPS) rate and establish contractual requirements that require MCOs to reimburse FQHCs at the PPS rate.

**80. Durable Medical Equipment Savings Initiatives.** Included in appropriation levels above in Goal B, Medicaid, are General Revenue Funds reductions of $88,300,000 for the following items:

a. targeted rate reductions on durable medical equipment for a savings of $56,700,000 in General Revenue Funds;

b. selective contracting for incontinence supplies for a savings of $12,800,000 in General Revenue Funds;

c. savings from adding Diabetic supplies as a category on the pharmacy preferred drug list for a total of $1,800,000 in General Revenue Funds; and

d. additional cost containment initiatives related to durable medical equipment for a total of $17,000,000 in General Revenue Funds.

**81. Prescription Drug Carve in to Managed Care Organizations.** It is the intent of the Legislature that capitated managed care organizations in STAR, STARHealth, STAR+PLUS and CHIP:

a. manage prior authorization for prescription drugs in a manner that is no more stringent than those prior authorization processes used by the Health and Human Services Commission (HHSC) in its administration of the Medicaid Vendor Drug Program;

b. comply with the prescription drug claims payment requirements in effect September 1, 2011 in the Texas Insurance Code if prescription drugs are a covered benefit provided by managed care organizations in STAR, STARHealth, STAR+PLUS or CHIP;

c. may not require members to obtain prescription drugs from a mail-order pharmacy; and

d. adhere to the HHSC preferred drug list during fiscal years 2012 and 2013.

**82. Dental and Orthodontia Providers in the Texas Medicaid Program.** It is the intent of the Legislature that the Health and Human Services Commission (HHSC) use funds appropriated above in Strategy G.1.1, Office of Inspector General, to strengthen the capacity of the HHSC Inspector General to detect, investigate, and prosecute abuse by dentists and orthodontists who participate in the Texas Medicaid program. Further, it is the intent of the Legislature that HHSC conduct more extensive reviews of medical necessity for orthodontia services in the Medicaid program.

## RETIREMENT AND GROUP INSURANCE

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund, estimated | $ 335,158,596 | $ 360,488,208 |
| General Revenue Dedicated Accounts, estimated | 6,961,797 | 7,588,647 |
| Federal Funds, estimated | 215,555,937 | 234,712,114 |
| Other Special State Funds, estimated | 42,494 | 46,326 |
| **Total, Method of Financing** | $ 557,718,824 | $ 602,835,295 |

## RETIREMENT AND GROUP INSURANCE
(Continued)

| | | |
|---|---|---|
| **Items of Appropriation:** | | |
| **A. Goal:** EMPLOYEES RETIREMENT SYSTEM | | |
| **A.1.1. Strategy:** RETIREMENT CONTRIBUTIONS<br>Retirement Contributions. Estimated. | $ 112,451,674 | $ 120,710,933 |
| **A.1.2. Strategy:** GROUP INSURANCE<br>Group Insurance Contributions. Estimated. | $ 445,267,150 | $ 482,124,362 |
| **Total, Goal A:** EMPLOYEES RETIREMENT SYSTEM | $ 557,718,824 | $ 602,835,295 |
| **Grand Total,** RETIREMENT AND GROUP INSURANCE | $ 557,718,824 | $ 602,835,295 |

## SOCIAL SECURITY AND BENEFIT REPLACEMENT PAY

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund, estimated | $ 101,632,914 | $ 100,218,178 |
| General Revenue Dedicated Accounts, estimated | 3,115,682 | 3,090,929 |
| Federal Funds, estimated | 65,366,513 | 65,358,580 |
| Other Special State Funds, estimated | 13,357 | 13,330 |
| **Total, Method of Financing** | $ 170,128,466 | $ 168,681,017 |
| **Items of Appropriation:** | | |
| **A. Goal:** SOCIAL SECURITY/BENEFIT REPLACEMENT<br>Comptroller - Social Security. | | |
| **A.1.1. Strategy:** STATE MATCH -- EMPLOYER<br>State Match — Employer. Estimated. | $ 158,847,166 | $ 158,133,001 |
| **A.1.2. Strategy:** BENEFIT REPLACEMENT PAY<br>Benefit Replacement Pay. Estimated. | $ 11,281,300 | $ 10,548,016 |
| **Total, Goal A:** SOCIAL SECURITY/BENEFIT REPLACEMENT | $ 170,128,466 | $ 168,681,017 |
| **Grand Total,** SOCIAL SECURITY AND BENEFIT REPLACEMENT PAY | $ 170,128,466 | $ 168,681,017 |

## BOND DEBT SERVICE PAYMENTS

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 22,599,431 | $ 25,415,648 |
| Federal Funds | 3,405,272 | 3,405,272 |
| Other Funds | | |
| MH Collections for Patient Support and Maintenance | 112,122 | 112,122 |
| MH Appropriated Receipts | 15,828 | 15,828 |
| MR Collections for Patient Support and Maintenance | 120,063 | 120,063 |
| MR Appropriated Receipts | 16,949 | 16,949 |
| Subtotal, Other Funds | $ 264,962 | $ 264,962 |
| **Total, Method of Financing** | $ 26,269,665 | $ 29,085,882 |

## BOND DEBT SERVICE PAYMENTS
(Continued)

| | | |
|---|---|---|
| **Items of Appropriation:** | | |
| **A. Goal:** FINANCE CAPITAL PROJECTS | | |
| **A.1.1. Strategy:** BOND DEBT SERVICE | $ 26,269,665 | $ 29,085,882 & UB |
| To Texas Public Finance Authority for Payment of Bond Debt Service. | | |
| **Grand Total,** BOND DEBT SERVICE PAYMENTS | $ 26,269,665 | $ 29,085,882 |

## LEASE PAYMENTS

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 6,364,988 | $ 6,087,757 |
| **Total, Method of Financing** | $ 6,364,988 | $ 6,087,757 |
| **Items of Appropriation:** | | |
| **A. Goal:** FINANCE CAPITAL PROJECTS | | |
| **A.1.1. Strategy:** LEASE PAYMENTS | $ 6,364,988 | $ 6,087,757 & UB |
| To TFC for Payment to TPFA. | | |
| **Grand Total,** LEASE PAYMENTS | $ 6,364,988 | $ 6,087,757 |

## SPECIAL PROVISIONS RELATING TO ALL HEALTH AND HUMAN SERVICES AGENCIES

**Sec. 2. Night Shift and Weekend Differential.**

a. Clinical and Support Personnel. The Department of State Health Services and the Department of Aging and Disability Services are authorized to pay an additional night shift salary differential not to exceed 15 percent of the monthly pay rate to personnel who work the 3:00 p.m. to 11:00 p.m. or the 11:00 p.m. to 7:00 a.m. shift or its equivalent. A weekend shift salary differential not to exceed 5 percent of the monthly pay rate may be paid to persons who work weekend shifts. The evening or night shift salary differential may be paid in addition to the weekend shift salary differential for persons working weekend, evening, or night shifts.

b. Data Processing Personnel. The Department of State Health Services, the Department of Aging and Disability Services, the Department of Family and Protective Services, the Health and Human Services Commission, and the Health and Human Services Consolidated Print Shop may pay an evening or night shift salary differential not to exceed 15 percent of the monthly pay rate to personnel in data processing or printing operations who work the 3:00 p.m. to 11:00 p.m. shift or 11:00 p.m. to 7:00 a.m. shift, or their equivalents. A weekend shift salary differential not to exceed 5 percent of the monthly pay rate may be paid to persons who work weekend shifts. The evening or night shift salary differential may be paid in addition to the weekend shift salary differential for persons working weekend, evening, or night shifts.

c. Statewide Intake Personnel. The Department of Family and Protective Services is authorized to pay an evening or night shift salary differential not to exceed 15 percent of the monthly pay rate to Statewide Intake personnel who work the 3:00 p.m. to 11:00 p.m. shift or 11:00 p.m. to 7:00 a.m. shift, or their equivalents. A weekend shift salary differential not to exceed 5 percent of the monthly pay rate may be paid to persons who work weekend shifts. The evening or night shift salary differential may be paid in addition to the weekend shift salary differential for persons working weekend, evening, or night shifts.

d. Employee Work Assignments. Out of funds appropriated above, the Department of Assistive and Rehabilitative Services is hereby authorized to pay an additional night shift salary differential not to exceed 15 percent of the monthly pay rate to employees assigned to the Criss Cole Rehabilitation Center or to special project facilities operated by the agency, to the extent provided by law. A weekend shift salary differential not to exceed 5 percent of the monthly pay rate may be paid to persons who work weekend shifts. The evening or night shift salary differential may be paid in addition to the weekend shift salary differential for persons working weekend, evening, or night shifts.

**Sec. 3. Services to Employees.** Out of the appropriations authorized, the Department of State Health Services and Department of Aging and Disability Services may expend funds for the provision of first aid or other minor medical attention for employees injured in the course and scope of their employment and for the repair and/or replacement of employees' items of personal property which are damaged or destroyed in the course and scope of their employment so long as such items are medically prescribed equipment. Expenditures for such equipment may not exceed $500 per employee per incident.

**Sec. 4. Charges to Employees and Guests.** Collections for services rendered 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.

As compensation for services rendered and notwithstanding any other provision in this Act, any facility under the jurisdiction of the Department of State Health Services or the Department of Aging and Disability Services 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.

**Sec. 5. New or Additional Facilities.** No funds appropriated may be spent for constructing new or additional facilities or for the purchase of sites without specific authorization of the Legislature. All facilities shall be kept where they are located by the Legislature, and all new buildings to be constructed shall be on these sites unless otherwise specifically authorized by the Legislature. For the purpose of this subsection, specific authorization may be granted either by basic statute or special authorization in this Act.

**Sec. 6. Revolving Petty Cash Funds.** Each facility under the jurisdiction of the Department of State Health Services or the Department of Aging and Disability Services may establish a petty cash fund to be maintained in cash or at a local bank. The petty cash fund, not to exceed $25,000, shall be used only for making emergency payments and small purchases which will increase the efficiency of the operation; for payments to client workers on a regular payday basis; for use as change funds in specific locations where financial activities of the agency require a change fund; and for supplies and equipment purchases for sheltered workshops.

**Sec. 7. Federal Match Assumptions and Limitations on Use of Available General Revenue Funds.**

a. **Federal Match Assumptions.** The following percentages reflect federal match assumptions used in Article II of this Act.

**Federal Medical Assistance Percentage (FMAP)**

| | 2012 | 2013 |
|---|---|---|
| Federal Fiscal Year | 58.22% | 57.29% |
| State Fiscal Year | 58.42% | 57.37% |

**Enhanced Federal Medical Assistance Percentage (EFMAP)**

| | 2012 | 2013 |
|---|---|---|
| Federal Fiscal Year | 70.75% | 70.10% |
| State Fiscal Year | 70.89% | 70.15% |

b. **Limitations on Use of Available General Revenue Funds.** In the event the actual FMAP and EFMAP should be greater than shown in section (a), the health and human services agencies listed in Chapter 531, Government Code, are authorized to expend the General Revenue Funds thereby made available only upon prior written approval from the Legislative Budget Board and Governor.

To request authorization to expend available General Revenue Funds, an agency shall submit a written request to the Legislative Budget Board and the Governor. At the same time, the agency shall provide a copy of the request to the Comptroller of Public Accounts. The request shall include the following information, by fiscal year:

(1) a detailed explanation of the proposed use(s) of the available General Revenue Funds and whether the expenditure(s) will be one-time or ongoing;

(2) the amount available by strategy;

(3) the strategy(ies) in which the funds will be expended and the associated amounts, including any matching federal funds;

(4) an estimate of performance levels and, where relevant, a comparison to targets included in this Act; and

(5) the capital budget and/or full-time equivalent impact.

Additional information requested by the Legislative Budget Board or the Governor should be provided in a timely manner. The request and information provided subsequently shall be prepared in a format specified by the Legislative Budget Board.

The request shall be considered to be approved unless the Legislative Budget Board or the Governor issue a written disapproval within 15 business days of the date on which the staff of the Legislative Budget Board concludes its review of the proposal to expend the funds and forwards its review to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor.

The Comptroller of Public Accounts shall not allow the expenditure of General Revenue Funds made available if the Legislative Budget Board provides notification to the Comptroller of Public Accounts that the requirements of this provision have not been satisfied.

**Sec. 8. Contracts for Purchase of Client Services.** No funds appropriated to an agency covered by this article may be utilized for contracts for the purchase of program-related client services unless:

a. such contracts include clearly defined goals, outputs, and measurable outcomes which directly relate to program objectives;

b. such contracts include clearly defined sanctions or penalties for noncompliance with contract terms and conditions;

c. such contracts specify the accounting, reporting, and auditing requirements applicable to funds received under the contract;

d. the agency has implemented a formal program using a risk assessment methodology to monitor compliance with financial and performance requirements under the contract, including a determination of whether performance objectives have been achieved; and

e. the agency has implemented a formal program to obtain and evaluate program costs information to ensure that all costs, including administrative costs, are reasonable and necessary to achieve program objectives.

**Sec. 9. Attorney General Representation.** The Attorney General and the respective head of the Health and Human Services Commission or a health and human services agency listed in Chapter 531, Government Code, are hereby authorized to use the funds appropriated above to jointly select one or more Assistant Attorneys General to be assigned to the respective agency.

**Sec. 10. Limitations on Transfer Authority.** Notwithstanding the general transfer provisions of this Act, but in concert with agency-specific limitations on transfer authority in this Article, the Executive Commissioner of the Health and Human Services Commission is authorized to make transfers of funding, full-time equivalents (FTEs), and capital budget authority within and between health and

human services agencies as listed in Chapter 531, Government Code, subject to the prior written approval of the Legislative Budget Board and the Governor. No single transfer may exceed 12.5 percent of the originating strategy's appropriation for funding or FTEs for the fiscal year.

To request a transfer, the Executive Commissioner of the Health and Human Services Commission shall submit a written request to the Legislative Budget Board and the Governor. At the same time, the agency shall provide a copy of the request to the Comptroller of Public Accounts. The request shall include the following information:

a. a detailed explanation of the purpose(s) of the transfer, including the following:

   (1) a description of each initiative with funding and FTE information by fiscal year; and

   (2) an indication of whether the expenditure will be one-time or ongoing.

b. the names of the originating and receiving agencies and/or strategies and the method of financing and FTEs for each strategy by fiscal year;

c. an estimate of performance levels and, where relevant, a comparison to targets included in this Act for both the originating and the receiving agencies and/or strategies; and

d. the capital budget impact.

Additional information requested by the Legislative Budget Board or the Governor should be provided in a timely manner. The request and information provided subsequently shall be prepared in a format specified by the Legislative Budget Board.

The Comptroller of Public Accounts shall not allow the transfer of funds if the Legislative Budget Board provides notification to the Comptroller of Public Accounts that the requirements of this provision have not been satisfied.

In the case of disaster or other emergency, this provision is superseded by the emergency-related transfer authority in Article IX of this Act.

**Sec. 11. Payment for Compensatory Time.** It is expressly provided that the Department of State Health Services and the Department of Aging and Disability Services, to the extent permitted by law, may pay FLSA non-exempt employees of state mental health and mental retardation facilities on a straight-time basis for work on a holiday or for regular compensatory time hours when the taking of regular compensatory time off would be disruptive to normal business functions. In addition, any health and human service agency, with the explicit approval of the Health and Human Services Executive Commissioner, to the extent permitted by law, may pay FLSA non-exempt employees required to provide support during a federally declared disaster on a straight-time basis for work on a holiday or for regular compensatory time hours when the taking of regular compensatory time off would be disruptive to normal business functions.

**Sec. 12. Access to Health Care Services.** It is the intent of the Legislature that all agencies administering or responsible for any part of the medical assistance program under Chapter 32, Human Resources Code or listed in Chapter 531, Government Code, use the funds appropriated by this Act to work together to maximize the number of providers, including providers of pediatric care, primary care, nursing home care, and home health services to promote access to quality health care services for all enrollees.

**Sec. 13. Medicaid Informational Rider.** This rider is informational only and does not make any appropriations. The Health and Human Services Commission is the single state agency for Title XIX, the Medical Assistance Program (Medicaid) in Texas. Other agencies receive appropriations for and responsibility for the operations of various Medicaid programs. Appropriations made elsewhere in this Act, related to the Medicaid program include the following:

| Agency Name | FY 2012 | FY 2013 |
|---|---|---|
| Department of Aging and Disability Services | $5,847,330,195 | $3,070,928,341 |

| | | |
|---|---|---|
| Department of Assistive and Rehabilitative Services | 89,628,499 | 89,622,543 |
| Department of Family and Protective Services | 12,924,821 | 12,924,903 |
| Department of State Health Services | 132,052,179 | 158,719,628 |
| Health and Human Services Commission | 18,722,881,770 | 11,252,327,279 |
| **Total, Medical Assistance Program** | **$24,804,817,464** | **$14,584,522,694** |

**Method of Financing:**

| | | |
|---|---|---|
| General Revenue for Medicaid | $10,168,364,244 | $5,979,121,646 |
| Tobacco Settlement Receipts for Medicaid | 157,697,879 | 139,760,115 |
| Subtotal, General Revenue Funds | 10,326,062,123 | 6,118,881,761 |
| General Revenue - Dedicated | 59,821,479 | 59,321,479 |
| Federal Funds | 14,294,624,407 | 8,281,868,366 |
| Interagency Contracts | 2,183,083 | 2,183,083 |
| Medicaid Subrogation Receipts | 59,349,552 | 59,349,552 |
| Appropriated Receipts--Match for Medicaid | 42,381,151 | 42,381,151 |
| Foundation School Funds as Match for Medicaid | 4,840,842 | 4,982,476 |
| MR Collections for Patient Support and Maintenance | 15,554,827 | 15,554,826 |
| Subtotal, Other Funds | 124,309,455 | 124,451,088 |
| **Total, All Funds** | **$24,804,817,464** | **$14,584,522,694** |

**Sec. 14. Caseload and Expenditure Reporting Requirements.**

a. **Quarterly Forecasts**. The Health and Human Services Commission, in cooperation with operating agencies, shall submit to the Legislative Budget Board and the Governor, at the end of each fiscal quarter, reports projecting anticipated caseload and prescription drug data and related expenditure amounts for the 36 month period beginning with the first month after the reports are due, for the following programs:

(1) Medicaid (acute and long-term care);
(2) Medicare;
(3) Children's Health Insurance Program (CHIP) and related programs;
(4) Temporary Assistance for Needy Families;
(5) Children with Special Health Care Needs;
(6) Foster care, adoption assistance, and permanency care assistance;
(7) Early Childhood Intervention Services; and
(8) Other programs upon request of the Legislative Budget Board or the Governor.

The reports shall be prepared in a format specified by the Legislative Budget Board.

b. **Monthly Data.** The Health and Human Services Commission, in cooperation with operating agencies, shall submit to the Legislative Budget Board and the Governor, at the end of each month, caseload and prescription drug data and related expenditure amounts for the programs identified in subsection (a) for at least the preceding 36 months. The data shall be submitted in a format specified by the Legislative Budget Board.

c. Each report submitted to the Legislative Budget Board and the Governor pursuant to this provision must be accompanied by supporting documentation detailing the sources and methodologies utilized to develop any caseload or cost projections contained the report and any other supporting material specified by the Legislative Budget Board and the Governor.

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 Health and Human Services Commission if the Legislative Budget Board and the Governor certify to the Comptroller of Public Accounts that the Health and Human Services Commission is not in compliance with this provision.

In the event that the forecasting function is transferred to another health and human services agency listed in Chapter 531, Government Code, the requirement for the Health and Human Services Commission to provide quarterly forecasts under subsection (a), monthly data under subsection (b), or supporting documentation under subsection (c) shall apply to the other health and human services agency.

**Sec. 15. Rate Limitations and Reporting Requirements.** Notwithstanding other provisions of this Act, the use of appropriated funds for a rate paid by a health and human services agency as listed in Chapter 531, Government Code, shall be governed by the additional specific limitations included in the provisions of this Section 15.

For purposes of the provisions of this Section 15, "rate" is defined to include all provider reimbursements (regardless of methodology) that account for significant expenditures by a health and human services agency as listed in Chapter 531, Government Code. "Fiscal impact" is defined as an increase in expenditures due to either a rate change or establishment of a new rate, including the impact on all affected programs. Additionally, estimates of fiscal impacts should: 1) be based on the most current caseload forecast submitted by the Health and Human Services Commission (HHSC) pursuant to other provisions in this Act, 2) include the impact on all affected programs, and 3) specify General Revenue Funds, TANF Federal Funds, and All Funds.

a. **Rate Increases in this Act**. Included in appropriations made elsewhere in this Act are General Revenue Funds and Federal Funds for the following specific rate increases and new rates:

(1) New premium rates for managed care organizations (MCO) contracting with HHSC for the expansion of the managed care model for the provision of Medicaid services assumed in this Act, such as geographical expansion and inclusion of services to be 'carved in' including, but not limited to, prescription drugs, inpatient hospital services, dental services and transportation. HHSC shall submit a written request pursuant to section (b) below, which should also include information on the rate basis for the MCO reimbursements to providers.

(2) New rates, bundled payments, or increased or reduced rates related to cost-containment initiatives included in HHSC Riders 61, Medicaid Funding Reduction, and 80, Durable Medical Equipment Savings Initiatives, and Article II Special Provisions Section 17, Additional Cost Containment Initiatives. At least 30 calendar days prior to the payment of the proposed new rate, bundled payment, or increased rate related to cost-containment initiatives, HHSC shall submit a written notification to the Legislative Budget Board, the Governor, and the State Auditor with the following information:

(i) a description of the cost-containment initiative;

(ii) a list of each rate for which an increase is proposed or for each new rate;

(iii) an estimate of the fiscal impacts of each rate increase or new rate, by agency and by fiscal year; including the amount of General Revenue Funds, TANF Federal Funds, and All Funds, by fiscal year; and

(iv) the estimated savings to be achieved from the cost containment initiative that is assumed in the appropriation levels included above.

b. **Limitation on Rate Increases Not Authorized in this Act**. Without the prior written approval of the Legislative Budget Board and the Governor, no agency listed in Chapter 531, Government Code, may pay an increased rate or establish a new rate that is not specifically authorized under Subsection (a)(2) above or Subsection (c) below.

To request authorization for such a rate increase or to establish a new rate, the Executive Commissioner of the Health and Human Services Commission shall submit a written request to the Legislative Budget Board and the Governor at least 45 calendar days prior to implementation. At the same time, the Executive Commissioner shall provide a copy of the request to the Comptroller of Public Accounts. The request shall include the following information:

(1) a list of each rate for which an increase is proposed or for each new rate; and

(2) an estimate of the fiscal impacts of each rate increase or new rate, by agency and by fiscal year, including the amount of General Revenue Funds, TANF Federal Funds, and All Funds, by fiscal year.

The request shall be considered to be approved unless the Legislative Budget Board or the Governor issues a written disapproval within 15 business days of the date on which the staff of the Legislative Budget Board concludes its review of the request for authorization for the rate and forwards its review to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor.

Multiple risk groups may be reported at an aggregate level, and acute care services may be reported by rate category.

c. HHSC shall provide notification in a quarterly report that includes a list of each rate change, including the initial rate and the proposed new rate and the estimated biennial fiscal impact of the change by agency, fiscal year, and each method of finance to the Legislative Budget Board, the Governor, and the Comptroller of Public Accounts for the following rate changes:

(1) any rate change that is estimated to have an annual impact of less than $500,000 in General Revenue-Related Funds or TANF Federal Funds;

(2) new rates for new procedure codes required to conform to the federal Healthcare Common Procedure Coding System (HCPCS); and

(3) revised rates occurring as a result of a biennial rate review (Biennial Calendar Fee Review).

The rate changes included in the quarterly report shall be identified under the categories listed above. The report shall include a total for the estimated biennial net impact of all of the changed rates for each agency by method of finance. The rate changes under categories (2) and (3) may be reported at the aggregate level.

d. Additional information requested by the Legislative Budget Board or the Governor should be provided in a timely manner. Notifications, requests and information provided subsequently shall be prepared in a format specified by the Legislative Budget Board.

e. The Office of the State Auditor may review the fiscal impact information provided along with supporting documentation, supporting records, and justification for the rate increase provided by the Health and Human Services Commission and report back to the Legislative Budget Board and the Governor before the rate is implemented by the Health and Human Services Commission or operating agency.

f. The Comptroller of Public Accounts shall not allow the expenditure of funds for a new or increased rate if the Legislative Budget Board provides notification to the Comptroller of Public Accounts that the requirements of this provision have not been satisfied.

**Sec. 16. Provider Rates.** Appropriations made elsewhere in this Act reflect reductions to provider rates for the 2012-13 biennium as identified below. All identified reductions for fiscal years 2012 and 2013 are intended to be calculated based on the rates in effect on August 31, 2010 and are in addition to cumulative rate reductions made during fiscal year 2011, also identified below. Reductions are intended to be applied to all delivery models, including managed care, and are a net overall reduction to the specified provider class. No additional reductions shall be made unless requested and approved according to the process required by Article II Special Provisions, Section 15 (b) for rate increases.

| | FY 2011 | 2012-13 Biennium |
|---|---|---|
| a. **Department of Aging and Disability Services** | | |
| (1) Community Care Entitlement | 0% | 0% |
| (2) Home and Community-based Services (HCS) | -2% | -1% |
| (3) Other Community Care Waivers | 0% | 0% |
| (4) PACE | 0% | 0% |
| (5) Nursing Facilities | -3% | 0% |
| (6) Medicare Copay Skilled Nursing Facility | 0% | 0% |
| (7) Nursing Facility-related Hospice | -1% | -2% |
| (8) Intermediate Care Facilities - MR, excluding state supported living centers | -3% | -2% |
| b. **Health and Human Services Commission** | | |
| (1) CHIP Physicians | -2% | 0% |
| (2) CHIP Dental Providers | -2% | 0% |
| (3) Other CHIP Providers | -2% | -8% |
| (4) Medicaid Physician Services | -2% | 0% |
| (5) Medicaid Hospital Services, excluding those reimbursed under TEFRA | -2% | -8% |
| (6) Medicaid Dental and Orthodontic Services | -2% | 0% |
| (7) Medicaid Durable Medical Equipment | -2% | -10.5% |
| (8) Medicaid Laboratory Services, excluding reimbursements to the Department of State Health Services | -2% | -10.5% |
| (9) Medicaid Pediatric Private Duty Nursing and Home Health | -2% | 0% |
| (10) Other Medicaid Providers | -2% | -5% |

**Sec. 17. Additional Cost Containment Initiatives.** Included in appropriations above to the health and human services agencies in Article II of this Act are reductions for anticipated savings for the following cost containment initiatives:

| | General Revenue Funds | All Funds |
|---|---|---|
| a. **Department of Aging and Disability Services** | | |
| (1) Nursing Facility Cost Change | $58,000,000 | $138,095,238 |
| (2) Wrap Around Services | $15,000,000 | $35,732,856 |
| (3) Equalizing Rates across Waivers | $12,500,000 | $29,761,905 |
| (4) Adjust Amount, Scope, and Duration for All Community Services | $31,000,000 | $73,809,524 |
| (5) Administrative Reductions Related to Requisition | $1,800,000 | $4,285,714 |
| b. **Department of State Health Services** | | |
| (1) Residential Units | $6,000,000 | $6,000,000 |
| (2) NorthSTAR Billing Change | $6,000,000 | $6,000,000 |
| (3) Medicines at Discharge for One Week | $1,900,000 | $1,900,000 |
| (4) Management Changes | $1,000,000 | $1,000,000 |
| c. **Health and Human Services Commission** | | |
| (1) Fee Reductions for Vendor Drug Dispensing Fee and Primary Care Case Management Fee | $34,736,640 | $82,991,338 |
| (2) Optional Benefit Reduction through Changes in Amount, Scope, and Duration of Services | $45,000,000 | $106,985,014 |
| (3) Medicare Equalization* | $295,750,000 | $704,166,667 |
| (4) Reduce Managed Care Administrative Portion of Premiums | $27,000,000 | $64,186,378 |
| (5) More Efficient Managed Care Premium Methodology | $169,300,000 | $402,472,364 |
| **Total, All Agencies** | **$704,986,640** | **$1,657,386,998** |

*includes provisional allowance for HHSC to phase in the policy in an effort to maintain access to dialysis services.

**Sec. 18. Audit of Medicaid Funds.** All transactions involving the payment, transfer, or investment of any funds of the Title XIX Medicaid program for the state by any non-governmental entity shall be subject to audit by the State Auditor's Office.

**Sec. 19. Mental Health (MH) and Mental Retardation (MR) Collections for Patient Support and Maintenance.**

a. **Definitions.** For the purposes of this section and appropriation authority for the Department of State Health Services and the Department of Aging and Disability Services: (1) MH Collections for Patient Support and Maintenance are defined as reimbursements received for health and other services provided to individuals in state hospitals from third party payers including insurance companies, clients, relatives, trusts

and estates, and government retirement benefit programs including the U.S. Civil Service, Federal Railroad, State, Social Security, Teacher and Veteran's Administration and (2) MR Collections for Patient Support and Maintenance are defined as reimbursements received for health and other services provided to individuals in state operated intermediate care facilities for the mentally retarded (ICF-MR) and state supported living centers from third party payers including insurance companies, clients, relatives, trusts and estates, and government retirement benefit programs including the U.S. Civil Service, Federal Railroad, State, Social Security, Teacher and Veteran's Administration.

b. **Classification for depositing revenues and reporting of expenditures.** For the purpose of revenue classification for depositing and expending certain collections related to the support and maintenance of patients in state mental health and mental retardation facilities, the following Revenue Object Codes as defined by the Comptroller of Public Accounts shall be used for recording collections, reporting expenditures, and requesting legislative appropriations by the Department of State Health Services and the Department of Aging and Disability Services:

(1) Revenue Object Codes 3595, 3606, 3614, and 3618 as defined by the Comptroller of Public Accounts shall be used to record collections and deposits from the above defined sources into the General Revenue Fund:

(i) 3595: Medical Assistance Cost Recovery
(ii) 3606: Support and Maintenance of Patients
(iii) 3614: Counseling, Care and Treatment of Outpatients
(iv) 3618: Welfare/MHMR Service Fees (Child Support)

(2) Automated Budget and Evaluation System of Texas (ABEST) Method of Financing Code 8031- MH Collections for Patient Support and Maintenance, and ABEST Method of Financing Code 8095 - MR Collections for Patient Support and Maintenance, shall be used to report expenditures and request legislative appropriations from collections/deposits related to the support and maintenance of patients in state mental health and mental retardation facilities made to Revenue Object Codes 3595, 3606, 3614, and 3618.

c. **Appropriation authority and accounting for expenditures of MH and MR Collections for Patient Support and Maintenance.** The Department of State Health Services and the Department of Aging and Disability Services are authorized to receive and expend MH and MR Collections for Patient Support and Maintenance as a first source, and general revenue shall be used as a second source, to support mental health state hospitals and state-operated intermediate care facilities for the mentally retarded (ICF-MR). In the event that these revenues should be greater than the amounts identified in the method of financing above as MH and MR Collections for Patient Support and Maintenance, the departments are hereby appropriated and authorized to expend these state funds hereby made available. The expenditure of MH and MR Collections for Patient Support and Maintenance is subject to the following requirements:

(1) Amounts available shall be expended prior to utilization of any general revenue available for the same purpose;

(2) In the event general revenue has been expended prior to the receipt of MH and MR Collections for Patient Support and Maintenance, the departments shall reimburse general revenue upon receipt of the revenue. This process shall be completed on a monthly basis in order to maintain a minimum balance on hand in excess MH and MR Collections for Patient Support and Maintenance; and

(3) The departments shall report monthly to the Legislative Budget Board, Comptroller of Public Accounts, and Governor on MH and MR Collections for Patient Support and Maintenance, expenditures and anticipated revenues and balances.

d. **Responsibility for proportionate share of indirect costs and benefits.** The Department of State Health Services and the Department of Aging and Disability Services shall

ensure that MH and MR Collections for Patient Support and Maintenance fund their proportionate share of benefits and statewide allocated indirect costs as required and directed in Article IX of this act.

e. **Exclusive appropriation authority.** The preceding subsections of this rider shall be the exclusive appropriation authority for receipts from the above identified sources and none of these receipts shall be appropriated by a provision of Article IX of this Act.

**Sec. 20. General Revenue Funds for Medicaid Mental Health and Mental Retardation Services.** For the purposes of this section and appropriation authority for the Medicaid mental health and mental retardation program responsibilities of the Department of State Health Services and the Department of Aging and Disability Services, the following subsections provide governance relating to appropriate use, classification and expenditure of funds.

a. **General Revenue Match for Medicaid.** ABEST Method of Financing Code 758 - GR Match for Medicaid shall be used to report general revenue expenditures and request general revenue appropriations for the state's share of Medicaid payments for the following Medicaid mental health and mental retardation services:

(1) Community-based Intermediate Care Facilities for the Mentally Retarded (ICF-MR) that are privately operated through contractual arrangements between private providers and the Department of Aging and Disability Services;

(2) Community-based Intermediate Care Facilities for the Mentally Retarded (ICF-MR), also known as Bond Homes, that are operated by the Department of Aging and Disability Services;

(3) Home and Community-based Services (HCS) authorized by a 1915(c) federal waiver and provided through contractual arrangements between private providers and the Department of Aging and Disability Services;

(4) Home and Community-based Services - Omnibus Budget Reconciliation Act of 1981 (HCS-O) authorized by a 1915(c) federal waiver and provided through contractual arrangements between private providers and the Department of Aging and Disability Services;

(5) Texas Home Living services authorized by a 1915(c) federal waiver and provided through contractual arrangements between private providers and the Department of Aging and Disability Services;

(6) Mental Retardation Local Authority (MRLA) waiver services;

(7) Mental health services provided through contracts with Behavioral Health Organizations as a component of the NorthSTAR Project;

(8) Rehabilitation Services as approved in the State Medicaid Plan which are provided by Mental Health Authorities and Mental Retardation Authorities;

(9) Targeted Case Management Services as approved in the State Medicaid Plan provided by Mental Health Authorities and Mental Retardation Authorities;

(10) Service Coordination Services as approved in the State Medicaid Plan provided by Mental Health Authorities and Mental Retardation Authorities; and

(11) Salaries and operating costs related to direct program administration and indirect administration of the departments.

b. **General Revenue Certified as Match for Medicaid**. The Department of State Health Services and the Department of Aging and Disability Services shall use ABEST Method of Financing code 8032 - General Revenue Certified Match for Medicaid to identify general revenue funds requested and reported as expended for the purpose of drawing

federal funds and to document that State funds have been spent for Medicaid mental health and mental retardation services and administrative expenditures for the following services:

(1) Intermediate care facilities for the mentally retarded that are operated by the State and known as "state supported living centers";

(2) Services delivered in mental health state hospitals operated by the Department of State Health Services including inpatient services for clients under the age of 21 and services that qualify under the federally approved Institutions for Mental Diseases (IMD) option for clients over the age of 65; and

(3) Medicaid Administrative Claims as approved in the State Medicaid Plan which are based on certain activities of Mental Health Authorities and Mental Retardation Authorities.

c. **Reporting requirements related to General Revenue Matching Funds for Medicaid Mental Health and Mental Retardation Services.** The Department of State Health Services and the Department of Aging and Disability Services shall report monthly to the Legislative Budget Board, Comptroller of Public Accounts and Governor on the expenditures of General Revenue for Medicaid federal matching purposes by the method of financing codes identified above and the amounts of local, non-profit expenditures certified as state match for Medicaid federal funds by the departments for services provided by Mental Health Authorities and Mental Retardation Authorities.

d. **Medicaid Federal Funds.** The Department of State Health Services and the Department of Aging and Disability Services shall report their expenditures and request legislative appropriations for federal Medicaid matching funds for client services, program administration and agency indirect administration. Automated Budgeting and Evaluation System of Texas (ABEST) Method of Financing Code (MOF) 555 and Medicaid CFDA 93.778 shall be used for the following:

(1) Federal funds drawn from the U.S. Centers for Medicare and Medicaid Services (CMS) using general revenue funds classified as General Revenue Match for Medicaid (ABEST MOF Code 758), General Revenue Certified as Match for Medicaid (ABEST MOF Code 8032), Tobacco Settlement Receipts Match for Medicaid (ABEST MOF Code 8024) or Tobacco Receipts Certified as Match for Medicaid (ABEST MOF Code 8023);

(2) Federal funds drawn from CMS using the departments' certification of local, non-profit expenditures made by the Mental Health Authorities and Mental Retardation Authorities on behalf of Medicaid-eligible individuals;

(3) Federal funds received from CMS for services rendered to certain Medicaid-eligible individuals over the age of 65 by federally recognized Institutions for Mental Diseases (IMD Medicaid option) based on billings from mental health state hospitals operated by the Department of State Health Services to the claims processing agent for the Texas Medicaid program in its capacity as the State's fiscal agent for certain Medicaid payments; and

(4) Federal funds received from CMS for general Medicaid health services including the Comprehensive Care Program for children based on billings from the state mental health and mental retardation facilities operated by the Department of State Health Services and the Department of Aging and Disability Services to the claims processing agent for the Texas Medicaid program in its capacity as the State's fiscal agent for certain Medicaid payments.

e. **Appropriation authority and accounting for Federal Funds for Medicaid Mental Health and Mental Retardation Services.** Amounts defined as Medicaid Federal Funds shall be used as a first source, and general revenue which was not used as matching funds shall not be used to fund Medicaid-eligible services. In the event that these revenues should be greater than the amounts included above in Federal Funds for mental health and mental retardation services for the Department of State Health Services and the

Department of Aging and Disability Services, the departments are hereby appropriated and authorized to expend these federal funds made available, subject to the following requirements:

(1) Amounts made available shall be expended prior to utilization of any general revenue made available for the same purpose;

(2) In the event general revenue has been expended prior to the receipt of Medicaid Federal Funds, the departments shall reimburse general revenue upon receipt of the revenue. This process shall be completed on a monthly basis in order to not have an excess balance of Medicaid Federal Funds; and

(3) The departments shall report monthly to the Legislative Budget Board, Comptroller of Public Accounts and Governor on the amounts of Medicaid Federal Funds drawn and expended.

f. **Responsibility for proportionate share of indirect costs and benefits**. Nothing in this provision shall exempt the departments from provisions of Article IX of this Act which apply equally to direct recoveries of benefits and indirect costs and to amounts recovered through an approved rate structure for services provided. Specifically, the departments do not have appropriation authority for Medicaid federal funds claimed on behalf of services provided by other agencies, including:

(1) Health and retirement services for active and retired Department of State Health Services and Department of Aging and Disability Services employees paid by the Employee Retirement System;

(2) Social Security payments, salary increases authorized in General Provisions, and Benefit Replacement Pay for Department of State Health Services and Department of Aging and Disability Services employees paid by the Comptroller of Public Accounts;

(3) Debt service amounts paid on behalf of the Department of State Health Services and Department of Aging and Disability Services by the Texas Public Finance Authority; and

(4) Indirect cost allocation plans negotiated with CMS for the purposes of the State-wide Cost Allocation Plan (SWCAP).

g. **Exclusive Appropriation Authority.** The preceding subsections of this provision shall be the exclusive appropriation authority for Medicaid mental health and mental retardation services Federal Fund receipts from the above identified sources, and none of these receipts shall be appropriated by a provision of Article IX of this Act.

**Sec. 21. Mental Health (MH) and Mental Retardation (MR) Appropriated Receipts.**

a. **Definition.** For the purposes of this section and appropriation authority for the Department of State Health Services and the Department of Aging and Disability Services, MH Appropriated Receipts are defined as revenues from state mental health facilities deposited by the Department of State Health Services into the following Revenue Object Codes as defined by the Comptroller of Public Accounts, and MR Appropriated Receipts are defined as revenues from state mental retardation facilities deposited by the Department of Aging and Disability Services into the following Revenue Object Codes as defined by the Comptroller of Public Accounts:

(1) 3628: Dormitory, Cafeteria and Merchandise Sales
(2) 3719: Fees for Copies or Filing of Records
(3) 3722: Conference, Seminar, and Training Registration Fees
(4) 3738: Grants - Cities/Counties
(5) 3739: Grants - Other Political Subdivisions
(6) 3740: Gifts/Grants/Donations-Non-Operating Revenue/Program Revenue - Operating Grants and Contributions

(7) 3747: Rental - Other
(8) 3750: Sale of Furniture and Equipment
(9) 3752: Sale of Publications/Advertising (General)
(10) 3754: Other Surplus or Salvage Property/Material Sales
(11) 3767: Supplies/Equipment/Services - Federal/Other (General)
(12) 3769: Forfeitures
(13) 3773: Insurance Recovery in Subsequent Years
(14) 3802: Reimbursements-Third Party
(15) 3806: Rental of Housing to State Employees

b. **Reporting.** ABEST Method of Financing Code 8033 - MH Appropriated Receipts, and ABEST Method of Financing Code 8096 - MR Appropriated Receipts, shall be used to report expenditures and request legislative appropriations for state mental health and mental retardation facilities from the Revenue Object Codes identified above.

c. **Appropriation authority and accounting for MH and MR Appropriated Receipts.** Amounts defined as MH and MR Appropriated Receipts shall be deposited into the General Revenue Fund according to the identified Revenue Object Codes above. The Department of State Health Services and the Department of Aging and Disability Services are authorized to receive and expend MH and MR Appropriated Receipts as a first source, and General Revenue shall be used as a second source. In the event that these revenues should be greater than the amounts identified in the method of financing above as MH and MR Appropriated Receipts, the departments are hereby appropriated and authorized to expend these state funds hereby made available. The expenditure of MH and MR Appropriated Receipts is subject to the following requirements:

(1) Amounts available shall be expended prior to utilization of any General Revenue available for the same purpose. In the event General Revenue must be expended, the agency will provide prior notification to the Legislative Budget Board and the Governor;

(2) In the event General Revenue has been expended prior to the receipt of MH and MR Appropriated Receipts as defined above, the departments shall reimburse General Revenue upon receipt of the revenue. This process shall be completed on a monthly basis in order to maintain a minimum balance on hand in excess MH and MR Appropriated Receipts; and

(3) The departments shall report monthly to the Legislative Budget Board, Comptroller of Public Accounts and Governor on MH and MR Appropriated Receipts collections by Revenue Object Code, expenditures and anticipated revenues and balances.

d. **Exclusive appropriation authority.** The preceding subsections of this provision shall be the exclusive appropriation authority for Appropriated Receipts from the above identified sources and none of these receipts shall be appropriated by a provision of Article IX of this Act.

**Sec. 22. Texas Capital Trust Fund Account No. 543.**

a. **Definition.** For the purposes of this section and appropriation authority, General Revenue-Dedicated Funds referred to as Texas Capital Trust Fund Account No. 543 (Chapter 2201, Government Code) are defined as revenues deposited by the Department of State Health Services and the Department of Aging and Disability Services into the following Revenue Object Codes as defined by the Comptroller of Public Accounts:

(1) 3340: Land Easements
(2) 3341: Grazing Lease Rental
(3) 3344: Sand, Shell, Gravel,Timber Sales
(4) 3349: Land Sales
(5) 3746: Rental of Lands/Miscellaneous Land Income
(6) 3747: Rental - Other
(7) 3851: Interest on State Deposits and Treasury Investments - General, Non-Program

b. **Appropriation authority and accounting for Texas Capital Trust Fund Account No. 543.** For the purpose of revenue classification for expending and depositing certain collections related to the Texas Capital Trust Fund Account No. 543, ABEST Method of Finance Code 543 shall be used to report expenditures and request legislative appropriations from collections/deposits made by the departments to the identified Revenue Object Codes above. Appropriations of the Texas Capital Trust Fund Account No. 543 are limited to the amounts identified above.

**Sec. 23. Mental Health (MH) and Mental Retardation (MR) Medicare Receipts.**

a. For the purposes of this section and appropriation authority, MH and MR Medicare Receipts are classified as deposits in Revenue Object Code 3634 that are collected by the Department of State Health Services and the Department of Aging and Disability Services as payment for:

(1) hospital, physician and other services rendered to Medicare-eligible individuals in state mental health and mental retardation facilities operated by the departments;

(2) cost settlements for services rendered in state mental health and mental retardation facilities operated by the department as authorized by the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA); and

(3) prescription drugs reimbursed through the Medicare, Part D, prescription drug program.

b. **Accounting and Reporting.** Amounts defined as MH and MR Medicare Receipts shall be deposited into the General Revenue Fund according to the identified Comptroller Revenue Object Code above. The departments shall report monthly to the Legislative Budget Board, Comptroller of Public Accounts and Governor on MH and MR Medicare Receipts collections by Comptroller Revenue Object Code, expenditures and anticipated revenues and balances.

c. **Mental Health Medicare Receipts.** Included in the General Revenue Funds appropriated above to the Department of State Health Services in Strategy C.1.3, Mental Health State Hospitals, is $25,760,748 per year for the 2012-13 biennium, contingent upon generation of funds from MH Medicare Receipts collections. These funds shall be expended as collected and only within Strategy C.1.3, Mental Health State Hospitals. Appropriations made elsewhere in this Act for employee benefits include approximately $2,970,612 per year from MH Medicare Receipts. MH Medicare Receipts collections above $28,731,360 per year (excluding any amounts needed to comply with Article IX, Sec. 6.08, Benefits Paid Proportional by Fund) are hereby appropriated as Method of Financing Code 8034 - MH Medicare Receipts (General Revenue Funds) to the department for expenditures in Strategy C.1.3, Mental Health State Hospitals, pursuant to the limitations of this provision.

d. **Mental Retardation Medicare Receipts.** Included in the GR Match for Medicaid Funds appropriated above to the Department of Aging and Disability Services in Strategy A.8.1, State Supported Living Centers, is $18,316,760 per year for the 2012-13 biennium, contingent upon generation of funds from MR Medicare Receipts collections. These funds shall be expended as collected and only within Strategy A.8.1, State Supported Living Centers. Appropriations made elsewhere in this Act for employee benefits include approximately $625,619 per year from MR Medicare Receipts. MR Medicare Receipts collections above $18,942,379 per year (excluding any amounts needed to comply with Article IX, Sec. 6.08, Benefits Paid Proportional by Fund) are hereby appropriated as Method of Financing Code 8097 - MR Medicare Receipts (General Revenue Funds) to the department for expenditures in Strategy A.8.1, State Supported Living Centers, pursuant to the limitations of this provision.

**Sec. 24. Community Mental Health and Mental Retardation Centers.** Notwithstanding other provisions of this Act, if the Department of State Health Services or the Department of Aging and Disability Services determine that a community mental health and mental retardation center is unable or unwilling to fulfill its contractual obligations to provide services or to exercise adequate control over expenditures and assets, the departments may take necessary steps, including the appointment of a management team as authorized by Health and Safety Code, §§ 534.038 through 534.040 and

recoupment of funds, to protect the funds appropriated under this Act and ensure the continued provision of services. Any recouped funds shall be used to achieve equity. In conjunction with the reallocation of funds, the departments shall provide a report to the Legislative Budget Board and the Governor on the amount of funds, the reasons for the recoupment, the local authorities involved, any performance contract requirements that were not met, and the purposes of the reallocation.

**Sec. 25. Medicaid and Medicare Collections.** The Department of State Health Services and the Department of Aging and Disability Services shall use the funds appropriated by this Act to maximize reimbursement of Medicare and Medicaid funding for all eligible individuals and for all expenditures at the mental health state hospitals, state supported living centers, and state centers.

**Sec. 26. Surplus Property.** In order to conserve funds appropriated, surplus personal property may be transferred from one state mental health or mental retardation facility to another with or without reimbursement. The Department of State Health Services and the Department of Aging and Disability Services may transfer surplus personal property from a state mental health or mental retardation facility to a community MHMR center with or without reimbursement. Surplus personal property belonging to any state mental health or mental retardation facility may be sold; provided, however, that such transfers or sales shall be made under the same procedure as provided by Government Code, Chapter 2175.

**Sec. 27. Employee Meals.** Notwithstanding any other provision in this Act, the Department of State Health Services and the Department of Aging and Disability Services may provide free meals to employees of state mental health and mental retardation facilities who are required to eat meals with clients.

**Sec. 28. Maximum Security Salaries.** As a specific exception to the General Provisions of this Act governing salary rates of classified positions, funds are included above for the Department of State Health Services and the Department of Aging and Disability Services to pay employees working in designated Maximum Security Units or designated specialized Behavioral Management Units of state mental health and mental retardation facilities up to a 6.8 percent increase over those salary rates provided by the General Provisions.

**Sec. 29. Fire Prevention and Safety.** In instances in which regular employees of state mental health and mental retardation facilities located in remote areas are assigned extra duties in fire prevention programs, the following payments are authorized in addition to the salary rates stipulated by the General Provisions of this Act relating to the position classifications and assigned salary ranges:

| | |
|---|---|
| Fire Chief | $ 75 per month |
| Assistant Fire Chief | $ 65 per month |
| Fire Brigade Member | $ 50 per month |

**Sec. 30. Patient or Client Assistance.** Subject to the approval of rules and regulations of the Department of State Health Services and the Department of Aging and Disability Services, patients or clients in any state mental health or mental retardation facility who are assisting in the operation of the facility as part of their therapy, may receive compensation out of any funds available to the respective facilities.

**Sec. 31. Barber and Cosmetology Services.** The Department of State Health Services and the Department of Aging and Disability Services may be reimbursed for barber and cosmetology services in state mental health and mental retardation facilities provided the reimbursement is consistent with an individual's ability to pay. These reimbursements are appropriated above to the departments to offset the cost of providing barber and cosmetology services. The departments may also use patient benefit funds to offset the cost of these services for indigent clients.

**Sec. 32. Language Interpreter Services.** In order to compensate employees of state mental health and mental retardation facilities for assuming the duty of providing interpreter services to consumers whose primary language is not English, facilities of the Department of State Health Services and the Department of Aging and Disability Services, upon written authorization of the commissioner or his/her designee, may, from funds appropriated above, increase the salary of classified employees by an amount equal to a one step increase, or 3.25 percent, so long as the resulting salary rate does not exceed the rate designated as the maximum rate for the applicable salary group. This increase shall be granted only for the regular provision of interpreter services above and beyond the regular duties of the position, and shall be removed when these services are, for whatever reason, no longer provided by the

employee or when they are no longer needed by the facility. Salary increases provided for this purpose are not merit increases and shall not affect an employee's eligibility to receive a merit increase. This authorization also includes employees who provide interpreter services in American Sign Language.

**Sec. 33. State-Owned Housing.** The Superintendent, Medical Director, Assistant Superintendent for Programs, and Director of Plant Maintenance at each state mental health and mental retardation facility are authorized to live in state-owned housing at a rate determined by the Department of State Health Services or the Department of Aging and Disability Services. Other department employees may live in state-owned housing as set forth in Article IX, State Owned Housing - Recover Housing Costs, of this Act. Fees for employee housing are appropriated above to be used for maintaining employee housing.

**Sec. 34. Collection of Fees from the Copyright of Training Materials and Patent of Technologies Developed.** Pursuant to § 12.020 of the Health and Safety Code, the Health and Human Services Commission is hereby authorized to collect the following fees relating to mental health and mental retardation program activities:

a. Fees from the sale of written training materials, video tapes, audio tapes and in the form of electronic media, such materials having been developed in part or whole by the commission; and

b. Licensing fees collected by the department in exchange for allowing individuals and companies to use any patented technology developed, in part or in whole, by the commission.

The commission is authorized to license the use of any copyright-protected material, trademark, trade secrets, and any patented technology relating to mental health or mental retardation program activities. The authorization provided under this provision does not include any mineral royalties. Fees collected in the sale of training materials described under (a) above may be in excess of the actual reproduction cost incurred by the commission and shall be used to recoup the costs associated with developing the training materials. Fifty percent of the fees collected in licensing of any patented technology shall be devoted to further research and development of technologies reasonably believed to be of assistance to priority populations. The remaining 50 percent shall be deposited to the General Revenue Fund.

**Sec. 35. Professional Trainees and Interns.** The Department of State Health Services and the Department of Aging and Disability Services are authorized to compensate professional trainees or interns in recognized educational programs related to the provision of mental health or mental retardation services, radiation control, or any critical health care profession as determined by the Health and Human Services Executive Commissioner at any salary rate not to exceed the following amounts:

| | |
|---|---|
| Psychiatrist Interns | $3,548 per month |
| Physician Interns | $3,042 per month |
| Psychologist Trainees | $2,859 per month |
| Registered Nurse Trainees | $2,387 per month |
| Chaplain Interns | $2,247 per month |
| Physical, Occupational, or Registered Therapist Trainees | $2,117 per month |
| Social Worker Trainees | $1,998 per month |
| Medical Technologist Trainees | $1,998 per month |
| Licensed Vocational Nurse Trainees | $1,785 per month |
| Health Physicist Interns | $2,247 per month |
| Health Physicist Trainees | $1,686 per month |

**Sec. 36. Limit on Spending New Generation Medication Funds.**

a. It is the intent of the Legislature that the Department of State Health Services (DSHS) and the Department of Aging and Disability Services (DADS) utilize funds appropriated for New Generation Medications for no other purpose than the provision, prescribing, and monitoring of New Generation Medications. This limitation shall apply to funds appropriated for New Generation Medications in the following strategies at DSHS: B.2.1, Mental Health Services for Adults, B.2.2, Mental Health Services for Children, B.2.4, NorthSTAR Behavioral Health Waiver, and C.1.3, Mental Health State Hospitals; and in the following strategy at DADS: A.8.1, State Supported Living Centers.

b. Notwithstanding the limitation described above, the department shall allow a local mental health or mental retardation authority to expend an amount not to exceed 15 percent of its New Generation Medication funds on support programs that are related to the administration of New Generation Medications, provided, however, that an authority using its New Generation Medication funds for support services must meet its contracted performance target for persons served with New Generation Medications and that the availability of New Generation Medication funds to expend on services must result from cost efficiencies achieved by the authority.

c. To the extent that the local authorities or state contracted managed care organizations are able to obtain cost savings associated with state-approved purchasing arrangements, private sector donations of medications for clients and/or financial contributions for the purchase of New Generation Medications in DSHS Strategies B.2.1, Mental Health Services for Adults, B.2.2, Mental Health Services for Children, and B.2.4, NorthSTAR Behavioral Health Waiver, and they meet or exceed their contracted performance targets for persons served with New Generation Medications, they may expend up to an equivalent amount from these strategies on direct services to clients.

**Sec. 37. Purchasing of Medication.** The Department of State Health Services and the Department of Aging and Disability Services shall require that local mental health and mental retardation authorities, as a condition of receiving funds appropriated by this Act, document their effort to make needed medications available to consumers at the lowest possible prices and to utilize the most cost effective medication purchasing arrangement available. It is the intent of the Legislature that the Department of State Health Services and the Department of Aging and Disability Services shall provide technical assistance to community centers as necessary to maximize efficiency.

**Sec. 38. Donations from Individuals, Community Groups and Volunteer Services Councils.** It is expressly provided that the Department of State Health Services and the Department of Aging and Disability Services, in accordance with § 533.001 of the Health and Safety Code and to the extent permitted by law, may accept donations for permanent improvements at the state mental health facilities and the state mental retardation facilities from individuals, community groups and local Volunteer Services Councils. Such funds are not subject to limitations on capital budget expenditures as contained in Article IX or any other similar provisions in this Act. Permanent improvements are defined as an improvement to a state facility that involves construction, building system(s), and/or landscaping.

**Sec. 39. Contracted Medical Services.** Out of funds appropriated above, the Department of State Health Services (DSHS) and the Department of Aging and Disability Services (DADS) shall not pay more than the approved reimbursement rate set by the Health and Human Services Commission for hospital services provided to an indigent DSHS or DADS consumer in a private or public hospital.

**Sec. 40. Efficiencies at Local Mental Health and Mental Retardation Authorities.** It is the intent of the Legislature that the local mental health and mental retardation authorities that receive allocations from the funds appropriated above to the Department of Aging and Disability Services and the Department of State Health Services shall maximize the dollars available to provide services by minimizing overhead and administrative costs and achieving purchasing efficiencies. Among the strategies that should be considered in achieving this objective are consolidations among local authorities and partnering among local authorities on administrative, purchasing, or service delivery functions where such partnering may eliminate redundancies or promote economies of scale. The Legislature also intends that each state agency which enters into a contract with or makes a grant to local authorities does so in a manner that promotes the maximization of third party billing opportunities, including to Medicare and Medicaid.

It is the Legislature's intent that local authorities not expend funds appropriated to the Department of Aging and Disability Services in Strategy A.4.2, Mental Retardation Community Services, or Strategy A.4.5, Mental Retardation In-Home Services, to supplement the rate-based payments they receive to fund their costs as providers of waiver or ICF-MR services.

**Sec. 41. Equal Opportunity Principles in Contracting for Social Services.** The Legislature intends that each state agency that contracts with or makes a grant to a nongovernmental entity to provide social services, using money appropriated by this Act, enter the contract or make the grant in a manner that is consistent with the equal opportunity principles and safeguards provided by federal law under 42 U.S.C. § 604a.

**Sec. 42. Limitation on Unexpended Balances: General Revenue for Medicaid.** Unexpended balances in General Revenue Funds appropriated for the Medicaid program (GR Match for Medicaid and GR Certified as Match for Medicaid) to the Health and Human Services Commission, the Department of Aging and Disability Services, and the Department of State Health Services for fiscal year 2012 are appropriated for the same purposes to the respective agencies for fiscal year 2013 only upon prior written approval by the Legislative Budget Board and the Governor.

For authorization to expend the funds, an agency shall submit a written request to the Legislative Budget Board and the Governor by April 1, 2012. At the same time, the agency shall provide a copy of the request to the Comptroller of Public Accounts. The request must be organized by fiscal year as follows:

a. The following information shall be provided for fiscal year 2012:

   (1) a detailed explanation of the cause(s) of the unexpended balance(s);

   (2) the amount of the unexpended balance(s) by strategy; and

   (3) an estimate of performance levels and, where relevant, a comparison to targets in this Act.

b. The following information shall be provided for fiscal year 2013:

   (1) a detailed explanation of the purpose(s) for which the unexpended balance(s) will be used and whether the expenditure will be one-time or ongoing;

   (2) the amount of the expenditure by strategy;

   (3) an estimate of performance levels and, where relevant, a comparison to targets in this Act; and

   (4) the capital budget impact.

An agency shall submit a revised written request by October 1, 2012 if the amount of the estimated unexpended balance(s) varies by more than five percent from the amount estimated in the original request.

Additional information requested by the Legislative Budget Board or the Governor should be provided in a timely manner. The request and information provided subsequently shall be prepared in a format specified by the Legislative Budget Board.

The request shall be considered to be approved unless the Legislative Budget Board or the Governor issues a written disapproval within 15 business days of the date on which the staff of the Legislative Budget Board concludes its review of the proposal to expend the funds and forwards its review to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor.

The Comptroller of Public Accounts shall not allow the use of unexpended balances if the Legislative Budget Board provides notification to the Comptroller of Public Accounts that the requirements of this provision have not been satisfied.

**Sec. 43. Appropriation of Receipts: Civil Monetary Damages and Penalties.** Included in the amounts appropriated above for the 2012-13 biennium are the following:

a. $2,660,000 in General Revenue Match for Medicaid for the Department of Aging and Disability Services;

b. $1,414,870 in General Revenue Match for Medicaid for the Health and Human Services Commission; and

c. $520,000 in General Revenue for the Department of State Health Services.

These amounts are contingent upon the collection of civil monetary damages and penalties under Human Resources Code §§ 32.021 and 32.039, and Health and Safety Code § 431.0585. Any amounts collected above these amounts by the respective agency are hereby appropriated to the respective agency in amounts equal to the costs of the investigation and collection proceedings conducted under those sections, and any amounts collected as reimbursement for claims paid by the agency.

**Sec. 44. Financial Monitoring of Community MHMR Centers.** The Department of Aging and Disability Services, the Department of State Health Services, and the Health and Human Services Commission shall enter into a written agreement that defines each agency's responsibilities for monitoring the expenditure by community mental health and mental retardation centers of funds appropriated by this Act. The written agreement shall include provisions for monitoring that require community mental health and mental retardation centers to account for state funds separately from other sources of funds.

**Sec. 45. Appropriation of Unexpended Balances: Funds Recouped from Local Authorities.** Notwithstanding other provisions of this Act, any state funds appropriated for fiscal year 2012 recouped by the Department of Aging and Disability Services or the Department of State Health Services from a local mental health or mental retardation authority for failing to fulfill its performance contract with the State, are hereby appropriated to the respective agency for the same strategy, to reallocate to other local mental health or mental retardation authorities in fiscal year 2013.

Each agency shall provide a report to the Legislative Budget Board and the Governor by June 1, 2012 that includes the amount of the recoupment by strategy, the reasons for the recoupment, the local authorities involved, any performance contract requirements that were not met, and the purposes of the reallocation.

**Sec. 46. Enterprise Support Services.** None of the funds appropriated above shall be budgeted, assessed, or expended for enterprise support services unless the following requirements are met:

a. **Annual Assessments**. The Executive Commissioner of the Health and Human Services Commission shall submit to the Legislative Budget Board and the Governor, by September 1 of each fiscal year, a report that indicates the amounts assessed for enterprise support services for the new and two prior fiscal years. The report shall include the following information at both the agency and enterprise levels:

   (1) amounts by service category; and

   (2) amounts by major fund type.

b. **Annual Expenditures**. No later than October 1 of each year, the Executive Commissioner shall submit to the Legislative Budget Board and the Governor a report that provides information about actual annual expenditures for enterprise support services for the two prior fiscal years. The report shall include the following information at both the agency and enterprise levels:

   (1) amounts by service category; and

   (2) amounts by major fund type.

   The reports shall be prepared in a format approved by the Legislative Budget Board.

c. **Anticipated Increases**. The Executive Commissioner shall notify the Legislative Budget Board and the Governor in a timely manner about anticipated increases that would exceed the amounts reported in section (a) by more than $1,000,000 during the fiscal year.

d. **Requests-to-Exceed**. The Executive Commissioner shall notify the Legislative Budget Board and the Governor about the anticipated impact of requests-to-exceed on enterprise support service category assessments, by agency and method-of-financing.

The information requested above shall be prepared and submitted in a format approved by the Legislative Budget Board.

The Comptroller of Public Accounts shall not allow the expenditure of funds for an increased assessment if the Legislative Budget Board provides notification to the Comptroller of Public Accounts that the requirements of this provision have not been satisfied.

**Sec. 47. Reporting Requirements for Confirmed Acts of Abuse Committed by Licensed Professionals Employed by the State.** The Department of Aging and Disability Services, the Department of State Health Services, and the Department of Family and Protective Services shall each submit a report to the Legislative Budget Board and the Governor by May 15, 2012, that identifies gaps in their processes and policies, corrective actions, and efforts taken to ensure interagency coordination for reporting all licensed professionals who have committed confirmed acts of abuse, neglect, or exploitation while employed as a state employee. The report should include the following information:

a. documentation of any peer review processes for reporting licensed professionals;

b. identification of corrective steps taken to comply with statutory requirements for reporting any licensed professionals who have committed confirmed acts of abuse, neglect, or exploitation to their respective professional licensing boards; and

c. identification of the number of persons reported to each licensing board, by fiscal year, beginning in fiscal year 2012.

**Sec. 48. Evaluate and Report on Case Management Services.** The Health and Human Service Commission shall coordinate an evaluation of targeted case management services delivered in the Medicaid program and other programs that provide case management services across all health and human service agencies. The commission shall identify the number of programs with case management and evaluate the method of delivery through state employees or contractors and the impact of case management services to clients. The evaluation may recommend improvements or changes in services and programs to streamline case management services. The Health and Human Services Commission shall submit findings to the Governor and the Legislative Budget Board by December 1, 2012.

**Sec. 49. Maintenance of Certain Program Service Levels.** Funds appropriated in this Act are based on projections of the amounts needed to maintain current or legislatively authorized eligibility criteria, service or staffing levels, and provider payment levels for the following Article II entitlement and critical health care programs:

a. Entitlement Programs

(1) Medicaid - Acute and Long-term Care

(2) Early Childhood Intervention

(3) Foster Care

(4) Adoption Subsidies

(5) State Supported Living Centers

b. Critical Health Programs

(1) State Hospitals

(2) Children's Health Insurance (CHIP)

In the event that appropriations made for these purposes are insufficient to sustain enrollments and services for any of the entitlement or critical health programs listed above, it is the intent of the Legislature that the executive commissioner (1) notify the Legislative Budget Board and the Governor of any projected shortfalls and describe factors contributing to costs in excess of appropriated levels, and (2) submit options that may be considered by the Legislative Board and the Governor that would reduce or eliminate projected funding shortfalls and assess the impact that each option would have on enrollments, service or staffing levels, projected payments, or federal funding.

This provision is not intended to prohibit programmatic changes or adjustments that are necessary to ensure prudent and responsible administration of the affected program.

**Sec. 50. Health and Safety Cost Savings Initiatives at the Department of State Health Services.** Funding appropriated above elsewhere in this Act for the 2012-13 biennium reflect a reduction of $8,724,682 in General Match for Medicaid ($20,773,052 in All Funds) to the Health and Human Services Commission in Goal B, Medicaid, and an increase of $8,724,682 in General Revenue Funds to the Department of State Health Services (DSHS) in the following strategies:

a. $1,795,713 in Strategy A.1.2, Registries, Info, and Vital Records, for preventable adverse events data reporting;

b. $264,893 in Strategy A.1.2, Registries, Info, and Vital Records, for targeted interventions for Health Care Associated Infections (HAIs);

c. $564,076 in Strategy A1.2, Registries, Info, and Vital Records, for quality assurance teams for reducing HAIs;

d. $4,100,000 in B.1.2, Women and Children's Health, for healthy baby initiatives; and

e. $2,000,000 in Strategy A.3.1, Chronic Disease Prevention, for preventative hospitalization projects.

**Sec. 51. Statutorily Required Reports.** Out of funds appropriated above, the Health and Human Services Commission, on behalf of health and human services agencies governed by Chapter 531, Government Code, may request approval from the Legislative Budget Board and the Governor to not prepare or distribute a report due to decreases in funding. The request shall include the purpose of the report in question, the statutory reference directing the report, and the estimated cost of preparing and distributing the report.

The request shall be considered to be approved unless the Legislative Budget Board or the Governor issues a written disapproval within 15 business days of the date on which the staff of the Legislative Budget Board concludes its review of the request and forwards its review to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor.

**Sec. 52. Appropriation Authority for Intergovernmental Transfers.**

a. In addition to funds appropriated above and in an effort to maximize the receipt of federal Medicaid funding, the Health and Human Services Commission and the Department of Aging and Disability Services may expend intergovernmental transfers received as appropriated Receipts-Match for Medicaid for the purpose of matching Medicaid federal funds for payments to Medicaid providers.

b. For authorization to expend the funds, HHSC shall submit a written request to the Legislative Budget Board and the Governor. At the same time, the agency shall provide a copy of the request to the Comptroller of Public Accounts. The request shall include information regarding the strategy allocation of the IGT, the amount requested in each fiscal year, the All Funds impact to the budget, the impact to the rate or premium for which the IGT will be used (subject to Special Provisions, Section 15 approval), and the specific purpose and program for which the funds will be used. The request must also include a copy of a written agreement from the governmental entity that is transferring the funds that the funding be spent in the manner for which it is being requested.

   The request shall be considered to be approved unless the Legislative Budget Board or the Governor issues a written disapproval within 15 business days of the date on which the staff of the Legislative Budget Board concludes its review of the proposal to expend the funds and forwards its review to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor.

   The Comptroller of Public Accounts shall not allow the use of the funds if the Legislative Budget Board provides notification to the Comptroller of Public Accounts that the requirements of this provision have not been satisfied.

**Sec. 53. HHS Office Consolidation and Co-location.** It is the intent of the Legislature that the executive commissioner may consolidate or further co-locate local offices in an attempt to reduce the need for office space in local and regional offices. Before consolidation of any offices, the commissioner shall evaluate the current and future space needs of each HHS agency. This evaluation may also include employee usage and travel status, facility costs, facility location, facility condition, Texas Accessibility Standards, and safety.

**Sec. 54. Attendant Wages and Benefits.** Out of funds appropriated elsewhere in this Act to the Health and Human Services Commission (HHSC), HHSC shall track how much of the funding appropriated for community long term services and support programs is used for attendant wages and employment benefits.

**Sec. 55. Funding for HIV Medications.** Upon a determination that funding in Strategy A.2.2, HIV/STD Prevention, at the Department of State Health Services (DSHS) is insufficient to cover the costs associated with the purchase of HIV medications, the Executive Commissioner may request to transfer up to $19,200,000 from General Revenue appropriations made in Goal B, Medicaid, at the Health and Human Services Commission to Strategy A.2.2, HIV/STD Prevention, the amounts necessary to maintain funding for HIV medications in the 2012-13 biennium. To request a transfer, the Executive Commissioner shall submit a written request to the Legislative Budget Board and the Governor. At the same time, the agency shall provide a copy of the request to the Comptroller of Public Accounts.

The request shall be considered to be disapproved unless the Legislative Budget Board and the Governor issue written approvals within 30 business days of the date on which the staff of the Legislative Budget Board concludes its review of the proposal to transfer the funds and forwards its review to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor.

Additional information requested by the Legislative Budget Board or the Governor should be provided in a timely manner. The request and information provided subsequently shall be prepared in a format specified by the Legislative Budget Board.

**Sec. 56. Waiver Program Cost Limits.**

a. **Individual Cost Limits for Waiver Programs.** It is the intent of the Legislature that the Department of Aging and Disability Services and Health and Human Services Commission comply with the cost-effectiveness requirements of the Centers for Medicare and Medicaid Services and set the individual cost limit for each waiver program as follows:

(1) Community-Based Alternatives Program: 200 percent of the reimbursement rate that would have been paid for that same individual to receive services in a nursing facility;

(2) Medically Dependent Children Program: 50 percent of the reimbursement rate that would have been paid for that same individual to receive services in a nursing facility;

(3) Consolidated Waiver Program: 200 percent of the reimbursement rate that would have been paid for that same individual to receive services in a nursing facility, or 200 percent of the estimated annualized per capita cost of providing services in an Intermediate Care Facility/Mental Retardation (ICF/MR), as applicable;

(4) Community Living Assistance and Support Services Program: 200 percent of the estimated annualized per capita cost of providing services in an ICF/MR to an individual qualifying for an ICF/MR Level of Care VIII;

(5) Deaf-Blind with Multiple Disabilities Program: 200 percent of the estimated annualized per capita cost of providing services in an ICF/MR to an individual qualifying for an ICF/MR Level of Care VIII;

(6) Home and Community-based Services Program: 200 percent of the reimbursement rate that would have been paid for that same individual to receive services in an ICF/MR or 200 percent of the estimated annualized per capita cost for ICF/MR services, whichever is greater; and

(7) STAR+PLUS Community-Based Alternatives: 200 percent of the reimbursement rate that would have been paid for that same individual to receive services in a nursing facility.

b. **Use of General Revenue Funds for Services**.

(1) Out of funds appropriated for the waiver programs identified above, and subject to the terms of subsection (c) below, the department and commission are authorized to use general revenue funds to pay for services if:

(i) the cost of such services exceeds the individual cost limit specified in a medical assistance waiver program listed above;

(ii) federal financial participation is not available to pay for such services; and

(iii) the department or commission determines that:

(a) the person's health and safety cannot be protected by the services provided within the individual cost limit established for the program; and

(b) there is no other available living arrangement in which the person's health and safety can be protected at that time, as evidenced by:

i) an assessment conducted by clinical staff of the department or commission; and

ii) supporting documentation, including the person's medical and service records.

(2) Out of funds appropriated under this Article for the waiver programs identified above, and subject to the terms of subsection (c) below, the department and commission are authorized to use general revenue funds to continue to provide services to a person who was receiving medical assistance waiver program services on September 1, 2005, at a cost that exceeded the individual cost limit specified in the medical assistance waiver program, if:

(i) federal financial participation is not available to pay for such services; and

(ii) continuation of those services is necessary for the person to live in the most integrated setting appropriate to the needs of the person.

(3) Authority provided in (b) above is contingent upon the agency submitting a report in writing to the Legislative Budget Board and Governor on October 1 of each year of the biennium. The report shall include the number of clients by program which exceeds cost limits and the unmatched General Revenue associated with each by fiscal year.

c. **Use of Utilization Management and Utilization Review Practices**. The department and commission shall employ utilization management and utilization review practices as necessary to ensure that the appropriate scope and level of services are provided to individuals receiving services in Medicaid 1915(c) waivers administered by the agency and to ensure compliance with the cost-effectiveness requirements of the Centers for Medicare and Medicaid Services.

**Sec. 57. March 2013 and April 2013 Medicaid Payments.** To the extent allowable by law, the Health and Human Services Commission is authorized to defer the March 2013 payments for Medicaid managed care until April 2013 and the April 2013 payments for Medicaid managed care until May 2013. To the extent allowable by law, the Department of Aging and Disability Services is authorized to defer March 2013 payments for Medicaid until April 2013 and April 2013 Medicaid payments until May 2013.

## RECAPITULATION - ARTICLE II
## HEALTH AND HUMAN SERVICES
## (General Revenue)

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| Department of Aging and Disability Services | $ 2,518,949,139 | $ 1,388,100,103 |
| Department of Assistive and Rehabilitative Services | 108,619,603 | 108,917,036 |
| Department of Family and Protective Services | 637,435,753 | 649,185,550 |
| Department of State Health Services | 1,063,390,072 | 1,068,463,483 |
| Contingency Appropriations | 1,243,416 | 531,565 |
| Total | 1,064,633,488 | 1,068,995,048 |
| Health and Human Services Commission | 8,486,516,970 | 5,406,768,965 |
| Rider Appropriations | 6,700,000 | 0 |
| Total | 8,493,216,970 | 5,406,768,965 |
| Subtotal, Health and Human Services | $ 12,822,854,953 | $ 8,621,966,702 |
| Retirement and Group Insurance | 335,158,596 | 360,488,208 |
| Social Security and Benefit Replacement Pay | 101,632,914 | 100,218,178 |
| Subtotal, Employee Benefits | $ 436,791,510 | $ 460,706,386 |
| Bond Debt Service Payments | 22,599,431 | 25,415,648 |
| Lease Payments | 6,364,988 | 6,087,757 |
| Subtotal, Debt Service | $ 28,964,419 | $ 31,503,405 |
| TOTAL, ARTICLE II - HEALTH AND HUMAN SERVICES | $ 13,288,610,882 | $ 9,114,176,493 |

## RECAPITULATION - ARTICLE II
## HEALTH AND HUMAN SERVICES
## (General Revenue - Dedicated)

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| Department of Aging and Disability Services | $ 62,061,125 | $ 61,561,124 |
| Department of Assistive and Rehabilitative Services | 12,953,403 | 12,953,403 |
| Department of Family and Protective Services | 5,685,702 | 5,685,701 |
| Department of State Health Services | 369,593,756 | 367,836,631 |
| Contingency Appropriations | 2,250,000 | 2,250,000 |
| Total | 371,843,756 | 370,086,631 |
| Health and Human Services Commission | 7,543,914 | 543,914 |
| Subtotal, Health and Human Services | $ 460,087,900 | $ 450,830,773 |
| Retirement and Group Insurance | 6,961,797 | 7,588,647 |
| Social Security and Benefit Replacement Pay | 3,115,682 | 3,090,929 |
| Subtotal, Employee Benefits | $ 10,077,479 | $ 10,679,576 |
| TOTAL, ARTICLE II - HEALTH AND HUMAN SERVICES | $ 470,165,379 | $ 461,510,349 |

## RECAPITULATION - ARTICLE II
## HEALTH AND HUMAN SERVICES
## (Federal Funds)

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| Department of Aging and Disability Services | $ 3,613,620,416 | $ 1,968,629,019 |
| Department of Assistive and Rehabilitative Services | 482,737,580 | 488,413,209 |
| Department of Family and Protective Services | 713,882,269 | 722,262,961 |
| Department of State Health Services | 1,239,065,573 | 1,249,300,196 |
| Health and Human Services Commission | 11,859,170,713 | 7,462,219,095 |
| Subtotal, Health and Human Services | $ 17,908,476,551 | $ 11,890,824,480 |
| Retirement and Group Insurance | 215,555,937 | 234,712,114 |
| Social Security and Benefit Replacement Pay | 65,366,513 | 65,358,580 |
| Subtotal, Employee Benefits | $ 280,922,450 | $ 300,070,694 |
| Bond Debt Service Payments | 3,405,272 | 3,405,272 |
| Subtotal, Debt Service | $ 3,405,272 | $ 3,405,272 |
| TOTAL, ARTICLE II - HEALTH AND HUMAN SERVICES | $ 18,192,804,273 | $ 12,194,300,446 |

## RECAPITULATION - ARTICLE II
## HEALTH AND HUMAN SERVICES
## (Other Funds)

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| Department of Aging and Disability Services | $ 23,889,249 | $ 38,722,581 |
| Department of Assistive and Rehabilitative Services | 18,499,938 | 18,509,128 |
| Department of Family and Protective Services | 6,906,049 | 6,926,307 |
| Department of State Health Services | 203,382,754 | 192,814,717 |
| Health and Human Services Commission | 324,590,841 | 315,349,445 |
| Subtotal, Health and Human Services | $ 577,268,831 | $ 572,322,178 |
| Retirement and Group Insurance | 42,494 | 46,326 |
| Social Security and Benefit Replacement Pay | 13,357 | 13,330 |
| Subtotal, Employee Benefits | $ 55,851 | $ 59,656 |
| Bond Debt Service Payments | 264,962 | 264,962 |
| Subtotal, Debt Service | $ 264,962 | $ 264,962 |
| Less Interagency Contracts | $ 336,043,583 | $ 329,307,294 |
| TOTAL, ARTICLE II - HEALTH AND HUMAN SERVICES | $ 241,546,061 | $ 243,339,502 |

## RECAPITULATION - ARTICLE II
## HEALTH AND HUMAN SERVICES
## (All Funds)

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| Department of Aging and Disability Services | $ 6,218,519,929 | $ 3,457,012,827 |
| Department of Assistive and Rehabilitative Services | 622,810,524 | 628,792,776 |
| Department of Family and Protective Services | 1,363,909,773 | 1,384,060,519 |
| Department of State Health Services | 2,875,432,155 | 2,878,415,027 |
| Contingency Appropriations | 3,493,416 | 2,781,565 |
| Total | 2,878,925,571 | 2,881,196,592 |
| Health and Human Services Commission | 20,677,822,438 | 13,184,881,419 |
| Rider Appropriations | 6,700,000 | 0 |
| Total | 20,684,522,438 | 13,184,881,419 |
| Subtotal, Health and Human Services | $ 31,768,688,235 | $ 21,535,944,133 |
| Retirement and Group Insurance | 557,718,824 | 602,835,295 |
| Social Security and Benefit Replacement Pay | 170,128,466 | 168,681,017 |
| Subtotal, Employee Benefits | $ 727,847,290 | $ 771,516,312 |
| Bond Debt Service Payments | 26,269,665 | 29,085,882 |
| Lease Payments | 6,364,988 | 6,087,757 |
| Subtotal, Debt Service | $ 32,634,653 | $ 35,173,639 |
| Less Interagency Contracts | $ 336,043,583 | $ 329,307,294 |
| TOTAL, ARTICLE II - HEALTH AND HUMAN SERVICES | $ 32,193,126,595 | $ 22,013,326,790 |
| Number of Full-Time-Equivalents (FTE) | 57,072.0 | 56,915.8 |

# ARTICLE III

# EDUCATION

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 agencies and institutions of education.

## TEXAS EDUCATION AGENCY

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | | |
| General Revenue Fund | $ 115,597,329 | $ 115,597,318 |
| Available School Fund No. 002, estimated | 1,099,948,815 | 1,726,989,252 |
| State Textbook Fund No. 003 | 610,332,585 | 2,201,148 |
| Foundation School Fund No. 193, estimated | 14,234,247,290 | 13,544,816,452 |
| Certification and Assessment Fees (General Revenue Fund), estimated | 28,529,583 | 28,443,182 |
| GR MOE for Temporary Assistance for Needy Families | 2,000,000 | 2,000,000 |
| Lottery Proceeds, estimated | 1,002,457,000 | 1,006,111,000 |
| Educator Excellence Fund No. 5135 | 20,000,000 | 20,000,000 |
| Subtotal, General Revenue Fund | $ 17,113,112,602 | $ 16,446,158,352 |
| General Revenue Fund - Dedicated | | |
| Specialty License Plates General | 57,000 | 57,000 |
| Read to Succeed Account No. 5027 | 16,500 | 17,000 |
| YMCA License Plates Account No. 5089 | 500 | 500 |
| Knights of Columbus Plates | 13,000 | 13,000 |
| Share the Road Plates | 75,000 | 75,000 |
| Subtotal, General Revenue Fund - Dedicated | $ 162,000 | $ 162,500 |
| Federal Funds | | |
| Federal American Recovery and Reinvestment Fund | 6,509,953 | 4,305,841 |
| Federal Funds | 13,836,618 | 13,836,617 |
| Federal Health, Education and Welfare Fund No. 148 | 3,103,949,357 | 3,135,425,635 |
| Federal School Lunch Fund No. 171 | 1,651,884,827 | 1,760,050,462 |
| Subtotal, Federal Funds | $ 4,776,180,755 | $ 4,913,618,555 |
| Other Funds | | |
| Property Tax Relief Fund, estimated | 2,198,994,000 | 2,338,574,000 |
| Permanent School Fund No. 044 | 11,557,681 | 11,557,681 |
| Appropriated Receipts, estimated | 906,500,000 | 835,600,000 |
| Interagency Contracts | 1,314,437 | 1,314,435 |
| Subtotal, Other Funds | $ 3,118,366,118 | $ 3,187,046,116 |
| **Total, Method of Financing** | $ 25,007,821,475 | $ 24,546,985,523 |
| **Other Direct and Indirect Costs Appropriated Elsewhere in this Act** | $ 1,843,426 | $ 1,932,619 |
| **This bill pattern represents an estimated 69.5% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 795.0 | 795.0 |
| **Schedule of Exempt Positions:** | | |
| Commissioner of Education, Group 8 | $186,300 | $186,300 |

| | | |
|---|---|---|
| **Items of Appropriation:** | | |
| **A. Goal:** PROVIDE ED SYS LDRSP GUID'CE RES'S | | |
| Provide Education System Leadership, Guidance, and Resources. | | |
| **A.1.1. Strategy:** FSP - EQUALIZED OPERATIONS | $ 18,620,413,934 | $ 18,564,213,933 |
| Foundation School Program - Equalized Operations. | | |
| **A.1.2. Strategy:** FSP - EQUALIZED FACILITIES | $ 650,000,000 | $ 716,100,000 |
| Foundation School Program - Equalized Facilities. | | |
| **A.2.1. Strategy:** STATEWIDE EDUCATIONAL PROGRAMS | $ 112,728,930 | $ 112,729,430 |
| **A.2.2. Strategy:** ACHIEVEMENT OF STUDENTS AT RISK | $ 1,534,272,434 | $ 1,566,143,860 |
| Resources for Low-income and Other At-risk Students. | | |
| **A.2.3. Strategy:** STUDENTS WITH DISABILITIES | $ 1,038,585,711 | $ 1,038,585,711 |
| Resources for Mentally/Physically Disabled Students. | | |
| **A.2.4. Strategy:** SCHOOL IMPROVEMENT & SUPPORT PGMS | $ 146,129,377 | $ 146,129,377 |
| Grants for School and Program Improvement and Innovation. | | |
| **A.2.5. Strategy:** ADULT EDUCATION & FAMILY LITERACY | $ 73,924,914 | $ 73,924,914 |
| **Total, Goal A:** PROVIDE ED SYS LDRSP GUID'CE RES'S | $ 22,176,055,300 | $ 22,217,827,225 |
| **B. Goal:** PROVIDE SYSTEM OVERSIGHT & SUPPORT | | |
| **B.1.1. Strategy:** ASSESSMENT & ACCOUNTABILITY SYSTEM | $ 87,845,397 | $ 87,845,396 |
| **B.2.1. Strategy:** TECHNOLOGY/INSTRUCTIONAL MATERIALS | $ 628,528,971 | $ 20,413,739 |
| Technology and Instructional Materials. | | |
| **B.2.2. Strategy:** HEALTH AND SAFETY | $ 14,755,294 | $ 14,798,895 |
| **B.2.3. Strategy:** CHILD NUTRITION PROGRAMS | $ 1,666,503,168 | $ 1,774,668,803 |
| **B.2.4. Strategy:** WINDHAM SCHOOL DISTRICT | $ 47,500,000 | $ 47,500,000 |
| Educational Resources for Prison Inmates. | | |
| **B.3.1. Strategy:** IMPROVING EDUCATOR QUALITY/LDRSP | $ 263,629,847 | $ 263,629,846 |
| Improving Educator Quality and Leadership. | | |
| **B.3.2. Strategy:** AGENCY OPERATIONS | $ 53,052,747 | $ 52,818,925 |
| **B.3.3. Strategy:** STATE BOARD FOR EDUCATOR CERT | $ 4,709,664 | $ 4,709,664 |
| State Board for Educator Certification. | | |
| **B.3.4. Strategy:** CENTRAL ADMINISTRATION | $ 11,750,454 | $ 11,741,448 |
| **B.3.5. Strategy:** INFORMATION SYSTEMS - TECHNOLOGY | $ 33,415,633 | $ 30,956,582 |
| **B.3.6. Strategy:** CERTIFICATION EXAM ADMINISTRATION | $ 20,075,000 | $ 20,075,000 |
| Educator Certification Exam Services - Estimated and Nontransferable. | | |
| **Total, Goal B:** PROVIDE SYSTEM OVERSIGHT & SUPPORT | $ 2,831,766,175 | $ 2,329,158,298 |
| **Grand Total,** TEXAS EDUCATION AGENCY | $ 25,007,821,475 | $ 24,546,985,523 |
| **Supplemental Appropriations Made in Riders:** | $ 830,820,460 | $ 0 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 51,646,422 | $ 51,646,427 |
| Other Personnel Costs | 1,787,475 | 1,787,475 |
| Professional Fees and Services | 175,555,428 | 172,528,141 |
| Fuels and Lubricants | 3,006 | 3,006 |
| Consumable Supplies | 412,485 | 412,485 |
| Utilities | 301,094 | 301,094 |
| Travel | 1,701,376 | 1,701,376 |
| Rent - Building | 1,254,494 | 1,254,494 |
| Rent - Machine and Other | 1,444,229 | 1,444,229 |

| | | |
|---|---|---|
| Other Operating Expense | 644,840,394 | 31,918,319 |
| Client Services | 20,082,043 | 20,092,600 |
| Grants | 24,939,142,861 | 24,263,425,249 |
| Capital Expenditures | 470,628 | 470,628 |
| **Total, Object-of-Expense Informational Listing** | $ 25,838,641,935 | $ 24,546,985,523 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 3,510,866 | $ 3,528,420 |
| Group Insurance | 9,462,713 | 9,673,429 |
| Social Security | 4,519,669 | 4,542,267 |
| Benefits Replacement | 227,792 | 212,985 |
| Subtotal, Employee Benefits | $ 17,721,040 | $ 17,957,101 |
| Debt Service | | |
| Lease Payments | $ 476,863 | $ 402,764 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 18,197,903 | $ 18,359,865 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas Education Agency. 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 Texas Education Agency. In order to achieve the objectives and service standards established by this Act, the Texas Education Agency shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** PROVIDE ED SYS LDRSP GUID'CE RES'S | | |
| **Outcome (Results/Impact):** | | |
| Percent of Students Completing High School | 89.6% | 89.8% |
| Percent of Students Graduating from High School | 81% | 81.2% |
| Percent of Students Continuing in High School | 8.6% | 8.6% |
| Percent of Students Receiving GEDs | 1.4% | 1.4% |
| Percent of Students Dropping Out Before Graduation | 9.2% | 9.1% |
| Percent of African-American Students Completing High School | 84.5% | 84.7% |
| Percent of Hispanic Students Completing High School | 86.6% | 86.8% |
| Percent of White Students Completing High School | 94.1% | 94.2% |
| Percent of Asian-American Students Completing High School | 96.9% | 97% |
| Percent of Native American Students Completing High School | 88.7% | 88.8% |
| Percent of Economically Disadvantaged Students Completing High School | 88.6% | 88.8% |
| Percent of Students Graduating under the Distinguished Achievement High School Program | 13.4% | 14% |
| Percent of Students Advancing from Ninth to Tenth Grade Statewide | 86.8% | 87.2% |
| Percent of Students with Disabilities Who Graduate High School | 77% | 78% |
| Percent of Eligible Students Taking Advanced Placement/International Baccalaureate Exams | 22.05% | 22.5% |
| Percentage of AP/IB Exams Taken on Which the Score Qualifies for Potential College Credit or Advanced Placement | 46.6% | 46.6% |
| Percent of Students Exiting Bilingual/English as a Second Language Programs Successfully | 82% | 83% |
| Percent of Students Retained in Grade 5 | 1.5% | 1.5% |
| Percent of Students Retained in Grade 8 | 1.5% | 1.5% |
| Percent of Adult Education Students Who Complete the Level in Which They Are Enrolled | 43% | 43% |
| Percent Campuses That Meet Adequate Yearly Progress | 67% | 61% |
| **A.1.1. Strategy:** FSP - EQUALIZED OPERATIONS | | |
| **Output (Volume):** | | |
| Total Average Daily Attendance (ADA) - Includes Regular and Charter Schools | 4,634,263 | 4,711,961 |
| Total Average Daily Attendance (ADA) - Open-enrollment Charter Schools Only | 125,205 | 136,586 |

| | | |
|---|---|---|
| Number of Students Served by Compensatory Education Programs and Services | 2,345,543 | 2,400,587 |
| **Explanatory:** | | |
| Special Education Full-time Equivalents (FTEs) | 111,277 | 109,650 |
| Compensatory Education Average Daily Attendance | 2,890,647 | 2,954,993 |
| Career and Technical Education Full-time Equivalents (FTEs) | 199,943 | 205,112 |
| Bilingual Education/English as a Second Language Average Daily Attendance | 731,872 | 756,908 |
| Gifted and Talented Average Daily Attendance | 221,368 | 224,601 |
| **A.1.2. Strategy:** FSP - EQUALIZED FACILITIES | | |
| **Output (Volume):** | | |
| Total Amount of State and Local Funds Allocated for Debt for Facilities (Billions) | 4.59 | 4.61 |
| **A.2.1. Strategy:** STATEWIDE EDUCATIONAL PROGRAMS | | |
| **Output (Volume):** | | |
| Number of Students Served in Early Childhood School Ready Program | 20,250 | 20,850 |
| Number of Students in Tech Prep Programs | 187,000 | 187,000 |
| Number of Students Served in Summer School Programs for Limited English-proficient Students | 65,874 | 68,509 |
| **A.2.2. Strategy:** ACHIEVEMENT OF STUDENTS AT RISK | | |
| **Output (Volume):** | | |
| Number of Title I Campuses Rated Exemplary or Recognized | 3,882 | 3,982 |
| **A.2.3. Strategy:** STUDENTS WITH DISABILITIES | | |
| **Output (Volume):** | | |
| Number of Students Served by Regional Day Schools for the Deaf | 4,599 | 4,619 |
| Number of Students Served by Statewide Programs for the Visually Impaired | 8,858 | 9,058 |
| **A.2.4. Strategy:** SCHOOL IMPROVEMENT & SUPPORT PGMS | | |
| **Output (Volume):** | | |
| Number of Case-Managed Students Participating in Communities in Schools | 53,125 | 53,125 |
| **A.2.5. Strategy:** ADULT EDUCATION & FAMILY LITERACY | | |
| **Output (Volume):** | | |
| Number of Students Served through State Adult Education Cooperatives | 82,100 | 82,100 |
| **B. Goal:** PROVIDE SYSTEM OVERSIGHT & SUPPORT | | |
| **Outcome (Results/Impact):** | | |
| Percent of All Students Passing All Tests Taken | NA | NA |
| Percent of African-American Students Passing All Tests Taken | NA | NA |
| Percent of Hispanic Students Passing All Tests Taken | NA | NA |
| Percent of White Students Passing All Tests Taken | NA | NA |
| Percent of Asian-American Students Passing All Tests Taken | NA | NA |
| Percent of Native American Students Passing All Tests Taken | NA | NA |
| Percent of Economically Disadvantaged Students Passing All Tests Taken | NA | NA |
| Percent of Students Who Are Tested And Included in the State Accountability System | NA | 94% |
| Percent of Special Education Students Who Are Tested and Included in the State Accountability System | NA | 95% |
| Percent of Limited English-proficient Students Who Are Tested and Included in the State Accountability System | NA | 93% |
| Annual Statewide Dropout Rate for All Students | 2% | 2% |
| Annual Drug Use and Violence Incident Rate on School Campuses, Per 1,000 Students | 21.2 | 20.3 |
| Percent of Incarcerated Students Who Complete the Level in Which They Are Enrolled | 42% | 42% |
| Percent of Eligible Windham Inmates Who Have Been Served by a Windham Education Program during the Past Five Years | 85% | 85% |
| Percent of Formula Grant Applications Processed within 90 Days | 75% | 76% |
| Percent of Discretionary Grant Applications Processed within 90 Days and NOGAed Prior to the Beginning Date of the Grant | 75% | 80% |
| **B.2.2. Strategy:** HEALTH AND SAFETY | | |
| **Output (Volume):** | | |
| Number of Students in Disciplinary Alternative Education Programs (DAEPs) | 92,487 | 89,712 |

| | | |
|---|---|---|
| **B.2.4. Strategy:** WINDHAM SCHOOL DISTRICT | | |
| **Output (Volume):** | | |
| Number of Contact Hours Received by Inmates within the Windham School District | 11,641,020 | 11,641,020 |
| Number of Offenders Passing General Education Development (GED) Tests | 3,188 | 3,188 |
| **Efficiencies:** | | |
| Average Cost Per Contact Hour in the Windham School District | 3.68 | 3.68 |
| **B.3.2. Strategy:** AGENCY OPERATIONS | | |
| **Output (Volume):** | | |
| Number of LEAs Participating in Interventions Related to Student Assessment Participation | 200 | 225 |
| Number of Certificates of High School Equivalency (GED) Issued | 42,000 | 44,000 |
| **Efficiencies:** | | |
| Internal PSF Managers: Performance in Excess of Assigned Benchmark | 101% | 101% |
| **Explanatory:** | | |
| Average Percent Equity Holdings in the Permanent School Fund (PSF) | 56.7% | 55.8% |
| Market Value of the Financial Assets of the Permanent School Fund (PSF) in Billions | 27 | 29.1 |

**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 purposes of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103.

In order to maximize the use of federal matching, maintenance of effort and grant funds, the Texas Education Agency is hereby authorized to adjust amounts within the method of financing below, not to exceed the total Capital Budget method of financing except as provided elsewhere in this Act. General revenue and other state fund appropriations made herein may be offset with federal funds and fees collected.

| | 2012 | 2013 |
|---|---|---|
| a. Acquisition of Information Resource Technologies | | |
| (1) Hardware/Software Infrastructure | $ 1,303,000 | $ 1,303,000 |
| (2) Data Center Consolidation | 8,366,629 | 8,279,120 |
| (3) Texas Student Data Systems (TSDS) | 5,280,710 | 2,917,229 |
| (4) PEIMS Redesign - Phase 3 | $ 1,926,000 | $ 1,926,000 |
| Total, Acquisition of Information Resource Technologies | $ 16,876,339 | $ 14,425,349 |
| Total, Capital Budget | $ 16,876,339 | $ 14,425,349 |
| Method of Financing (Capital Budget): | | |
| General Revenue Fund | | |
| General Revenue Fund | $ 5,718,334 | $ 5,676,855 |
| State Textbook Fund No. 003 | 181,260 | 179,598 |
| Certification and Assessment Fees (General Revenue Fund) | 849,062 | 841,273 |
| Subtotal, General Revenue Fund | $ 6,748,656 | $ 6,697,726 |
| Federal Funds | | |
| Federal Health, Education and Welfare Fund No. 148 | 4,735,745 | 4,314,771 |
| Federal American Recovery and Reinvestment Fund | 4,542,876 | 2,571,579 |
| Subtotal, Federal Funds | $ 9,278,621 | $ 6,886,350 |
| Permanent School Fund No. 044 | 849,062 | 841,273 |
| Total, Method of Financing | $ 16,876,339 | $ 14,425,349 |

3. **Foundation School Program Funding.** Out of the funds appropriated above, a total of $19,287,500,000 in fiscal year 2012 and $19,297,400,000 in fiscal year 2013 shall represent the sum-certain appropriation to the Foundation School Program. The total appropriation may not exceed the sum-certain amount. This appropriation includes allocations under Chapters 41, 42 and 46 of the Texas Education Code.

   Formula Funding: The Commissioner shall make allocations to local school districts under Chapters 41, 42 and 46 based on the March 2011 estimates of average daily attendance and local district tax rates as determined by the Legislative Budget Board and the final tax year 2010 property values.

   For purposes of distributing the Foundation School Program basic tier state aid appropriated above and in accordance with §42.101 of the Texas Education Code, the Basic Allotment is projected to be $4,765 in fiscal year 2012 and $4,765 in fiscal year 2013.

   For purposes of distributing the Foundation School Program enrichment tier state aid appropriated above and in accordance with §41.002(a)(2) and §42.302(a-1)(1) of the Texas Education Code, the Guaranteed Yield is $59.97 in fiscal year 2012 and $59.97 in fiscal year 2013.

   Out of amounts appropriated above and allocated by this rider to the Foundation School Program, no funds are appropriated for the New Instructional Facilities Allotment under §42.158 of the Texas Education Code.

   Notwithstanding any other provision of this Act, the Texas Education Agency may make transfers as appropriate between Strategy A.1.1, FSP-Equalized Operations, and Strategy A.1.2, FSP-Equalized Facilities. The TEA shall notify the Legislative Budget Board and the Governor of any such transfers at least 45 days prior to the transfer.

   The Texas Education Agency shall submit reports on the prior month's expenditures on programs described by this rider no later than the 20th day of each month to the Legislative Budget Board and the Governor's Office in a format determined by the Legislative Budget Board in cooperation with the agency.

4. **Foundation School Program Set-Asides.** The programs and their funding levels identified in this rider represent all programs at the Texas Education Agency and other state agencies that are funded with amounts set aside from the Foundation School Program. The amounts listed in this rider are for informational purposes only, and do not constitute an appropriation:

| | 2012 | 2013 |
|---|---|---|
| Gifted and Talented Performance Standards | $437,500 | $437,500 |
| Early Childhood Intervention | $16,498,102 | $16,498,102 |
| MATHCOUNTS Program | $200,000 | $200,000 |
| TOTAL, FSP Set-Asides | $17,135,602 | $17,135,602 |

5. **Transportation Cost Allotment.** Pursuant to § 42.155 of the Texas Education Code, the appropriation for funding regular transportation programs for the 2011-12 and -13 school years shall be calculated on the following basis:

| Linear Density Grouping | Allocation Per Mile of Approved Route |
|---|---|
| 2.40 and above | $1.43 |
| 1.65 to 2.40 | 1.25 |
| 1.15 to 1.65 | 1.11 |
| .90 to 1.15 | .97 |
| .65 to .90 | .88 |
| .40 to .65 | .79 |
| up to .40 | .68 |

   Pursuant to § 42.155 of the Texas Education Code, the maximum mileage rate for special education transportation shall be $1.08 per mile. Private transportation rates shall be $0.25 per mile or a maximum of $816 per pupil for both special education and isolated areas as defined in sub-sections 42.155(g) and 42.155(e).

6. **Windham Schools.** The funds appropriated above in Strategy B.2.4, Windham School District, are to be expended only for academic and vocational educational programs approved by the Texas Education Agency. The Commissioner of Education shall allocate funds to the Windham Schools based on contact hours for the best 180 of 210 school days in each year of the biennium. The contact hour rates for the 2012-13 biennium are the following: $4.18479 for academic education, $3.67445 for vocational education.

   The Windham School District shall use funds appropriated above to serve those students whose participation will help achieve the goals of reduced recidivism and the increased success of former inmates in obtaining and maintaining employment. To achieve these goals, younger offenders with the lowest educational levels and the earliest projected release or parole eligibility dates should receive high priority. This policy shall not preclude the Windham School District from serving other populations according to needs and resources. The Windham School District will report to the Eighty-third Legislature regarding its effort and success in implementing this prioritization. For students who successfully complete the district's program during the 2010-11 biennium, the Windham School District also shall report to the Eighty-third Legislature on the following: recidivism rates, employment rates, and attainment of GEDs, high school diplomas, professional certifications, associate's degrees, and adult education literacy levels.

7. **Appropriation of Audit Adjustments, Settle-Up Funds and Attendance Credit Revenues.** When reviews and audits of allocations to school districts reveal the allocations previously made were greater or less than the amounts found to be due, the Texas Education Agency is authorized to recover or pay the sums necessary to adjust to the correct amounts. All such amounts recovered shall become a part of the Foundation School Fund or General Revenue Fund, and the amounts necessary to make such additional payments to the school districts are hereby appropriated from the Foundation School Fund or General Revenue Fund.

   All funds received from local school districts as recovery for overpayment pursuant to the provisions of § 42.258 of the Texas Education Code are hereby appropriated to the Texas Education Agency for distribution to local school districts for Foundation School Program purposes.

   All unexpended balances and all funds received from the payment of school districts for attendance credits in excess of the amounts appropriated above pursuant to the provisions of § 41.094 of the Texas Education Code, are hereby appropriated to the Texas Education Agency for distribution to school districts for Foundation School Program purposes.

8. **Textbooks and Instructional Materials.** Except as explicitly allowed elsewhere in this Act, any amount expended for Textbook Administration, including new textbooks, rebinding, and other related expenses, shall be paid out of the State Textbook Fund appropriated for that purpose. A transfer of funds from the Available School Fund to the State Textbook Fund is authorized in an amount which, together with other revenues of the State Textbook Fund, is sufficient to finance the sum-certain appropriation from the State Textbook Fund for each fiscal year. Penalties assessed by the State Board of Education shall be deposited to the credit of the Textbook Fund.

   In accordance with Texas Education Code § 31.103(b), the Commissioner shall use a school district's enrollment growth or decline for the prior three years as the basis for determining the additional percentage of attendance for which a school district may requisition textbooks.

   From funds appropriated from the State Textbook Fund, the Commissioner may set aside an amount not to exceed $2,500,000 for the 2012-13 biennium for the continued support and delivery of online college readiness materials in English language arts and reading, mathematics, science, and social studies.

   From funds appropriated above in Strategy B.2.1, Technology/Instructional Materials, $608,131,436 from the State Textbook Fund is allocated in fiscal year 2012 for textbooks and instructional materials, limited to continuing contracts and materials included under Proclamation 2011, excluding Prekindergarten systems.

   From funds appropriated above in A.2.3, Students with Disabilities, an amount not to exceed $13,500,000 in federal funds in the 2012-13 biennium is allocated for the purchase of Braille, large-type, and related materials for students with special needs.

   The Commissioner shall provide juvenile justice alternative education programs with instructional materials necessary to support classroom instruction in those programs. The cost of the

instructional materials shall be funded with State Textbook Funds appropriated to the agency for the 2012-13 biennium.

Revenue from fees collected under the authority of Texas Education Code § 31.0221 pertaining to the midcycle review and adoption of textbooks are hereby appropriated to the Texas Education Agency for the purpose of administering the midcycle review and adoption process.

Any unexpended balances as of August 31, 2012 are hereby appropriated for fiscal year 2013 for the same purposes.

**9. Day-care Expenditures.** It is expressly provided that the pre-school day care programs, such as the Early Childhood Program for Educationally Disadvantaged Children and Special Education and Training for Pre-School Children with Disabilities administered by the Texas Education Agency, are day-care programs. The funds expended in those programs on behalf of children meeting eligibility requirements in accordance with interagency contracts with the Texas Education Agency under the day care program of the Social Security Act shall be considered as expenditures for day care.

**10. State Level Professional Development for School Personnel and Parents of Students with Autism.** It is the intent of the Legislature that the Texas Education Agency continue to implement state level professional development for school personnel and parents of students with autism. A sum not to exceed $150,000 in each fiscal year shall be expended for this purpose.

**11. Student Testing Program.** The Commissioner shall use the Federal Funds appropriated above in Strategy B.1.1, Assessment and Accountability System, to cover the cost of preparing, administering and grading assessment instruments in the student testing program. Any remaining costs associated with preparing, administering, or grading the assessment instruments required under Texas Education Code, Chapter 39, Subchapter B shall be paid from amounts appropriated above from General Revenue in Strategy B.1.1, Assessment and Accountability System.

**12. Reimbursement of Advisory Committee Members.** Pursuant to Government Code § 2110.004 reimbursement of expenses for advisory committee members, out of the funds appropriated above, is limited to the following advisory committees:

a. Title 1, Committee of Practitioners/Ed Flex State Panel
b. Continuing Advisory Committee for Special Education
c. Communities in Schools State Advisory Committee
d. State Textbook Advisory Committee

It is the intent of the Legislature that advisory committees of the Texas Education Agency use videoconferencing technology to conduct meetings in lieu of physical assembly whenever possible.

**13. Vacation Leave for Commissioner of Education.** Notwithstanding any provision of the General Appropriations Act to the contrary, the Commissioner of Education is entitled to accrue and carry forward vacation leave at the highest rate authorized for employees by the General Provisions of this Act.

**14. Reporting on Program Transfers to and Contracts with Regional Education Service Centers.** At the end of each fiscal year, the Commissioner shall submit a report to the Legislative Budget Board, the Governor, and the chairmen of the standing committees of the Texas House of Representatives and the Texas Senate with primary jurisdiction over public education describing all programs and funding amounts transferred to Regional Education Service Centers during the fiscal year. The report shall identify instances in which a transfer added to the administrative cost of a program and any evidence suggesting that a transfer delayed the distribution of program funds to school districts. No funds transferred to Regional Education Service Centers or to school districts may be used to hire a registered lobbyist.

**15. Regional Day Schools for the Deaf.** Funds appropriated above for Regional Day Schools for the Deaf shall be allocated on a weighted full time equivalent basis. Notwithstanding other provisions of this Act, if the allocations total more than $33,133,200 in each fiscal year, the Commissioner shall transfer sufficient amounts from other available funds to provide the full allocation.

Any unexpended balances as of August 31, 2012 are hereby appropriated to fiscal year 2013 for the same purpose.

**16. Summer School for Children with Limited English Proficiency.** Out of Federal Funds appropriated for Strategy A.2.2, Achievement of Students at Risk, $3,800,000 in each fiscal year is allocated for summer school programs for children with limited English proficiency as authorized under § 29.060 of the Texas Education Code.

**17. Statewide Services for Students With Visual Impairments.** Out of funds appropriated for Strategy A.2.3, Students with Disabilities, $5,655,268 in each fiscal year is allocated for statewide services for students with visual impairments as authorized under § 30.002 of the Texas Education Code.

**18. Non-educational Community-based Support Services.** Out of funds appropriated for Strategy A.2.3, Students with Disabilities, $987,300 in each fiscal year is allocated for non-educational community-based support services for certain students with disabilities as authorized under § 29.013 of the Texas Education Code.

**19. Professional Development for the Provision of Access to the General Curriculum for Students with Disabilities in the Least Restrictive Environment.** Out of the federal discretionary funds awarded to the Texas Education Agency through the Individuals with Disabilities Education Act (IDEA), Part B and appropriated above, the Commissioner shall set aside 10.5 percent during the biennium to fund capacity building projects, including follow-up professional development and support, for school districts to provide access to the general curriculum in the least restrictive environment for students with disabilities and Response to Intervention (RtI) processes for struggling learners in general education settings.

**20. Estimated Appropriation for Incentive Aid.** Out of Foundation School Program funds appropriated above in Strategy A.2.4, School Improvement and Support Programs, the Commissioner may allocate an estimated amount of $1,500,000 in each fiscal year for incentive aid payments under Subchapter G of Chapter 13 of the Texas Education Code.

**21. Payments to Texas School for the Blind and Visually Impaired and Texas School for the Deaf.** For all discretionary grants of state or federal funds by the Texas Education Agency, the Texas School for the Blind and Visually Impaired and the Texas School for the Deaf shall be considered independent school districts for purposes of eligibility determination, unless the Commissioner of Education and the school Superintendents mutually agree to an alternate consideration.

Out of federal IDEA-B discretionary funds appropriated above, the Texas Education Agency shall allocate $1,296,981 in fiscal year 2012 and $1,297,581 in fiscal year 2013 to the Texas School for the Blind and Visually Impaired, and $457,679 in each year of the 2012-13 biennium to the Texas School for the Deaf, to support classroom instruction.

**22. Permanent School Fund.** In its annual report on the Permanent School Fund, completed by February 28 of each year, the Texas Education Agency shall report on the actual and projected costs of administering the Permanent School Fund for the year covered by the report and the following three years.

The Commissioner may establish an incentive compensation plan for Permanent School Fund staff employed by the agency. Payments may be from amounts appropriated to the agency for purposes of administration of the Fund and must be based on investment performance standards set prior to the beginning of the period for which any additional compensation is paid. When warranted, total compensation for PSF staff may exceed the state classification salary schedule by virtue of incentive compensation payments.

There is no intention for payments made pursuant to the plan to be eligible compensation for ERS pension plan purposes, and any payments made pursuant to the plan are to be considered fringe benefits and not base pay or otherwise eligible compensation for ERS pension plan purposes.

Any unexpended funds appropriated from the Permanent School Fund as of August 31, 2012 are hereby appropriated to fiscal year 2013 for the same purposes.

**23. MATHCOUNTS and Academic Competitions.** Out of Foundation School Program Gifted and Talented funds appropriated in B.3.1, Improving Educator Quality and Leadership, the Commissioner shall set aside $200,000 in each year of the biennium for the MATHCOUNTS Program. In addition, out of funds appropriated in A.2.1, Statewide Educational Programs, $500,000 in each fiscal year of 2012-13 biennium may be allocated to programs that foster academic competition predominantly for high school students.

**24. Communities in Schools.** Out of funds appropriated above for Strategy A.2.4, School Improvement and Support Programs, $10,000,000 in General Revenue and $4,842,342 in TANF funds in fiscal year 2012 and $10,000,000 in General Revenue and $4,842,341 in TANF funds in fiscal year 2013 is allocated for the Communities in Schools Program.

From amounts referenced in the paragraph above, the Commissioner shall allocate $200,000 in General Revenue in each fiscal year of the 2012-13 biennium to support the Best Buddies program.

Notwithstanding any other limitation imposed elsewhere in this Act, the Texas Education Agency may transfer General Revenue funds identified above and appropriated for the purpose of providing grants under the Communities in Schools program to Strategies B.3.2-B.3.5 for the purpose of providing administrative support for the program. Transfers made under the authority of this rider may not exceed $100,000 for the 2012-13 biennium.

Any unexpended balances as of August 31, 2012 are hereby appropriated to fiscal year 2013 for the same purpose.

**25. Allocation of Funds to South Texas Independent School District.** Out of funds appropriated above for Strategy A.1.1, FSP - Equalized Operations, the Commissioner of Education shall provide the South Texas Independent School District with adequate access to funding under the enrichment tier of the Foundation School Program. The Commissioner shall adjust payments to the South Texas Independent School District to equal an amount to which the district would be entitled at the average effective tax rate under Texas Education Code, §42.302 in other school districts in Cameron County less the tax rate set by the district itself.

**26. Appropriation Limited Revenue Collections.** It is the intent of the Legislature that, for the following fee-supported programs in Goals A, Provide Education System Leadership, Guidance, and Resources, and B, Provide System Oversight and Support, fees, fines, and other miscellaneous revenues as authorized and generated by the Texas Education Agency cover, at a minimum, the cost of the appropriations made to support the programs, as well as the "other direct and indirect costs" associated with those functions appropriated elsewhere in this Act. "Other direct and indirect costs" for these programs are estimated to be $1,843,426 in fiscal year 2012 and $1,932,619 in fiscal year 2013 including employee matching costs and other indirect operating costs:

Guaranteed Program for School District Bonds
General Education Development (GED)
Driver Training
Driver Education
Educator Certification
Criminal History Background Check
Electronic Courses and Programs Virtual School Network
Educator Preparation Program Approval and Accountability

For each individual fee program listed above, all fees collected in excess of the Comptroller of Public Accounts Biennial Revenue Estimate are hereby appropriated to the Texas Education Agency.

In the event that actual and/or projected fee revenue collections are insufficient to offset program costs, the Legislative Budget Board may direct that the Comptroller of Public Accounts reduce the appropriation authority provided herein to be within the amount of fee revenue expected to be available.

**27. Limitation: Transfer Authority.** Notwithstanding the General Provisions of this Act, none of the funds appropriated above in Goal A, Provide Education System Leadership, Guidance, and Resources, and Goal B, Provide System Oversight and Support, Strategies B.1.1.- B.3.1., may be transferred to Goal B, Strategies B.3.2.- B.3.6, except as noted below.

None of the funds appropriated to the Texas Education Agency for the purpose of funding the Foundation School Program under Chapter 42 and 46, Texas Education Code, may be transferred to any other item of appropriation or expended for any other purpose unless the Commissioner of Education provides written notice to the Legislative Budget Board and to the Governor of intent to transfer such funds at least 45 days prior to the execution of the transfer. Such transfers from the

Foundation School Program to other items of appropriation shall not exceed $10 million in each fiscal year of the 2012-13 biennium. The Commissioner may transfer an amount not to exceed $1 million into Strategies B.3.2 - B.3.6 only upon approval of the Legislative Budget Board and the Governor's Office. Any unexpended and unencumbered balances remaining after the last day of a fiscal year in any of the appropriations made for a purpose described by this provision shall lapse and accrue to the benefit of the unappropriated balance of the General Revenue Fund after taking into account the "settle-up" provision found in § 42.253 (i), Texas Education Code.

To the extent necessary to avoid reductions in state aid as authorized by § 42.253(h), Texas Education Code, the Commissioner of Education is authorized to transfer Foundation School Program funds from fiscal year 2013 to fiscal year 2012. Such transfers are subject to prior approval by the Governor and the Legislative Budget Board. The Comptroller of Public Accounts shall cooperate as necessary to assist the completion of a transfer and spending made under this section.

**28. Additional Funding Sources.** If the appropriations provided by this Act for the Foundation School Program are not sufficient to provide for expenditures for enrollment growth, district tax rate or taxable value of property, after accounting for any other appropriations made to the TEA and available for transfer for this purpose, the Legislative Budget Board and the Governor may provide for, and are hereby authorized to direct, the transfer of sufficient amounts of funds to the TEA from appropriations made elsewhere in this Act.

**29. Funding for Juvenile Justice Alternative Education Programs.** Out of the funds appropriated above in Strategy B.2.2, Health and Safety, $8,570,701 in General Revenue funds in fiscal year 2012 and $8,614,302 in General Revenue funds in fiscal year 2013 shall be transferred to the Juvenile Probation Commission for the support of Juvenile Justice Alternative Education Programs.

**30. FSP Funding for the Texas Youth Commission.** Out of the funds appropriated above in Strategy B.2.2, Health and Safety, the Texas Education Agency shall allocate to the Texas Youth Commission a prorated basic allotment of the Foundation School Program equivalent to the basic allotment that would be generated by a school district with an $0.86 maintenance and operations tax effort minus the amounts allocated to the commission pursuant to Texas Education Code § 30.102 (a) for each student in average daily attendance. These amounts are estimated to be $5,534,593 in fiscal year 2012 and $5,534,593 in fiscal year 2013. This transfer shall not be subject to the limitation in Rider 27, Limitation: Transfer Authority.

**31. Regional Education Service Center Dyslexia and Related Disorders Coordinators.** Out of the funds appropriated above in Strategy A.2.3, Students with Disabilities, the Commissioner of Education may allocate $275,000 in each year of the biennium to assist the joint program of coordinators for dyslexia and related disorders services at the Regional Education Service Centers pursuant to § 38.003 of the Texas Education Code. The joint program shall not include regulatory oversight functions. The Regional Education Service Centers shall ensure that the program uses resources efficiently to provide a coordinator to any school district or charter school that needs one.

**32. Special Foundation School Program Payments.** The Texas Academy of Leadership in Humanities is entitled to Foundation School Program (FSP) allotments for each student enrolled in the academy as if it were a school district, except that the local share applied is equal to the Beaumont ISD's local share. The Texas Academies of Mathematics and Science at the University of North Texas and at the University of Texas at Brownsville are entitled to allotments from the Foundation School Program under Chapter 42 of the Texas Education Code as if the academies were school districts without tier one local shares for purposes of § 42.253 of the Texas Education Code.

**33. Certification of Pre-kindergarten Expenditures.** Out of the funds appropriated above in Strategy A.1.1, FSP - Equalized Operations the Texas Education Agency shall certify each year of the biennium the maximum pre-kindergarten expenditures allowable under federal law as maintenance of effort for Temporary Assistance for Needy Families (TANF) and state match for the Child Care Development Fund.

**34. Recorded Instructional Materials.** Out of the funds appropriated above in Strategy A.2.3, Students with Disabilities, the Commissioner shall expend $200,000 in fiscal year 2012 and $200,000 in fiscal year 2013 to continue a program of providing state-adopted textbooks using recorded material technology for students with visual impairment, reading disabilities and other disabilities as appropriate in kindergarten through 12th grade.

Out of the funds appropriated above in Strategy A.2.3, Students with Disabilities, the Commissioner shall expend $1,500,000 in fiscal year 2012 and $1,500,000 in fiscal year 2013 for the purpose of conducting an educational outreach program providing access to digital audio textbooks which assist individuals with print disabilities affording reading accommodation and providing instruction and training in the use of digitally recorded audiobooks, playback equipment, and other resources. The program shall target economically disadvantaged students in kindergarten through 12th grade with learning disabilities, dyslexia, vision impairment, and physical disabilities.

**35. Adult Education.** Priority shall be given to adult literacy programs and may be given to adult literacy programs that include training in financial literacy and occupational foundation skills in the expenditure of adult education funds appropriated above. It is the intent of the Legislature that, in providing educational programs, the administering agency or agencies shall provide appropriate training to recipients of Temporary Assistance for Needy Families (TANF) in accordance with the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. Out of the $11,385,700 in General Revenue Funds appropriated in each fiscal year of the 2012-13 biennium above in Strategy A.2.5, Adult Education and Family Literacy, an amount not less than $2,000,000 each fiscal year shall be allocated to TEA's adult education cooperatives to provide education and training services to TANF recipients. In addition, out of the Federal TANF funds appropriated above in Strategy A.2.5, $3,800,000 in fiscal year 2012 and $3,800,000 in fiscal year 2013 shall be directed for services for adults who are eligible for TANF. Families that include a child living at home are deemed eligible for TANF-funded adult education services if a family member receives any of the following forms of assistance: Food Stamps, Medicaid, Children's Health Insurance Program, Child Care and Development Fund, or Free or Reduced Priced Child Nutrition Program meals. To implement these provisions, TEA shall enter into contracts or arrangements with the agency or agencies administering welfare reform and may work with other community-based organizations to offer services directly to adult TANF recipients. All providers of adult education shall meet the requirements defined in the Texas Education Code. Federal funds appropriated for this purpose shall be used for administrative expenditures only to the extent allowable under Federal regulations.

TEA shall coordinate with the Higher Education Coordinating Board in efforts to develop and implement an action plan to align Adult Basic Education and post-secondary education and in the provision of data necessary to analyze performance outcomes.

It is the intent of the Legislature that the agency shall allocate state and federal adult basic education funds, other than federal funds set aside for state administration, special projects, and staff development, based both on need for persons 18 years of age or older who have not received a high school diploma and on performance, including contact hours as well as program and student progress. Funds available to a service area in which there is no eligible service provider in the county shall be distributed proportionally by the agency to other eligible service providers in the service area to serve the county. If there are no other eligible service providers to serve the county, the funds allocated for that county shall be distributed by the agency throughout the state to eligible service providers by service area.

**36. Local Educational Agency Risk Pool.** Out of the funds appropriated above in Strategy A.2.3, Students with Disabilities, the Commissioner shall implement the provisions of the Individuals with Disabilities Education Act (IDEA) of 2004, pertaining to a local educational agency risk pool. The Commissioner shall allocate allowable amounts under the Act for the 2012 fiscal year and the 2013 fiscal year to establish the high cost fund to assist districts with high need students with disabilities. It is the intent of the Legislature that the use of these funds by school districts and charter schools does not violate the least restrictive environment requirements of IDEA of 2004, relating to placement and state funding systems that distribute funds based on type of setting.

**37. Early Childhood Intervention.** Out of the funds appropriated above in Strategy A.2.3, Students with Disabilities, $16,498,102 in 2012 and $16,498,102 in 2013 shall be set aside from the Special Education allotment and transferred to the Department of Assistive and Rehabilitative Services to support Early Childhood Intervention eligibility determination and comprehensive and transition services. This set-aside shall not affect the calculation of the number of students in weighted average daily attendance under Texas Education Code § 42.302.

**38. Reimbursement for Classroom Supplies.** The Commissioner may establish a program to reimburse classroom teachers and campus library media specialists for personal funds spent on classroom supplies.

Funds for this purpose may be allocated out of any available funds. The agency and local school districts may also use any allowable unexpended balances in federal funds at the end of each fiscal year of the biennium to provide these reimbursements.

**39. Funding for Regional Education Service Centers.** Out of the funds appropriated above in Strategy A.2.4, School Improvement and Support, the Commissioner shall distribute $12,500,000 in fiscal year 2012 and $12,500,000 in fiscal year 2013 to Regional Education Service Centers to provide professional development and other technical assistance services to school districts. No more than one-third of the amounts identified in this rider shall be distributed by the Commissioner for core services based on criteria established in the Texas Education Code § 8.121. The remaining amounts shall be distributed through a formula based on:

(1) geographic considerations, and
(2) school districts serving less than 1,600 students and open-enrollment charter schools.

The formula for distribution shall be determined by the Commissioner but shall provide enhanced funding to Regional Education Service Centers that primarily serve small and rural school districts. The Commissioner shall obtain approval for the distribution formula from the Legislative Budget Board and the Governor.

Each Regional Education Service Center shall annually report to the Commissioner, by a date and in a format established by the Commissioner, the following data as relates to expenditures in the prior state fiscal year:

a. the amount of savings provided to school districts as a result of services provided by a Regional Education Service Center, by total amount and on a per student in weighted average daily attendance (WADA) served basis;
b. services provided by the Regional Education Service Centers and a cost comparison to similar services provided by alternative providers; and
c. for each service provided by the Regional Education Service Center, the number of full-time equivalent Regional Education Service Center positions, total salaries, and the method of financing associated with the service.

The Commissioner shall provide a consolidated report of the data described above no later than December of each year, beginning in 2011, to the Legislative Budget Board, the Governor's Office, and to the presiding officers of the standing committees with primary jurisdiction over public education in the Texas House and the Texas Senate.

**40. Receipt and Use of Grants, Federal Funds, and Royalties.** The Commissioner of Education is authorized to apply for, receive and disburse funds in accordance with plans or applications acceptable to the responsible federal agency or other public or private entity that are made available to the State of Texas for the benefit of education and such funds are appropriated to the specific purpose for which they are granted. For the 2012-13 biennium, the Texas Education Agency is appropriated any royalties and license fees from the sale or use of education products developed through federal and state funded contracts managed by the agency. The Texas Education Agency shall report on a quarterly basis to the Legislative Budget Board and to the Governor on grants or earnings received pursuant to the provisions of this rider, and on the planned use of those funds.

Any grant or royalty balances as of August 31, 2012 are appropriated for the 2013 fiscal year for the same purpose.

**41. Motor Vehicle Fees for Specially Designed License Plates.** Pursuant to the Texas Transportation Code, Chapter 504, Subchapter G, revenues generated from the sale of specialty license plates identified below are appropriated above in Strategy A.2.1, Statewide Educational Programs, for the purpose of distribution as required by that statute:

Read to Succeed -- § 504.607
Texas YMCA -- § 504.623
100th Football Season of Stephen F. Austin High School -- § 504.624
Share the Road -- § 504.633

Knights of Columbus -- § 504.638
Star Day School Library Readers Are Leaders -- § 504.643
Keeping Texas Strong -- § 504.650
Anthropos Arts -- § 504, Subchapters I and J

Any remaining balances as of August 31, 2012 are appropriated for fiscal year 2013.

**42. Use of Federal Discretionary and Consolidated Administrative Funds.** Except as otherwise directed by this Act, the Commissioner may use 50 percent of available federal state-level discretionary and consolidated administrative funds to supplement state funds appropriated for teacher mentoring, recruitment and retention, or the Student Success Initiative. The Commissioner may make exceptions to this allocation only upon the prior approval of the Legislative Budget Board and the Governor.

**43. Child Nutrition Program.** It is the intent of the Legislature that the Child Nutrition Program payments to independent school districts be budgeted at the Texas Education Agency. Included in the amounts appropriated above to the Texas Education Agency for the 2012-13 biennium is $3,411,935,289 out of Federal Funds and $29,236,682 out of the General Revenue Fund to provide reimbursements for the School Lunch, Breakfast, After School Snack, and Seamless Summer programs.

Under the authority of the letter of agreement between the U.S. Department of Agriculture and the Texas Department of Agriculture, the Texas Department of Agriculture shall administer the Child Nutrition Program. Included in the amounts appropriated elsewhere in this Act to the Texas Department of Agriculture for the 2012-13 biennium is $51,921,444 out of Federal Funds and $977,328 out of the General Revenue Fund in Strategy D.1.1, Support Nutrition Programs, to administer the Child Nutrition Program.

Any unexpended balances as of August 31, 2012 are hereby appropriated to fiscal year 2013 for the same purpose.

**44. Educator Certification Test Development.** Pursuant to Texas Education Code § 21.048(a), the State Board for Educator Certification shall continue to consider the use of standard exams that are not specific to Texas curricula to complement a core of Texas-specific exams and/or replace certain Texas-specific exams planned or under development. The board shall consider the following factors when determining whether a Texas-specific exam is necessary: the number of Texas educators likely to take the exam; the extent to which educators from states that use a standard exam pass similar Texas-specific exams; the similarity of content covered in a standard exam versus the planned Texas-specific exam, understanding that 100 percent of alignment is not necessary; and the relative cost to the state and to examinees of a standard exam versus a Texas-specific exam.

The State Board for Educator Certification is hereby authorized to expend funds appropriated in Strategy B.3.6, Certification Exam Administration, for test development or for the evaluation and purchase of standard exams, if the Board finds that a standard exam is appropriate.

The State Board for Educator Certification shall seek federal funds to provide for the development of new certification examinations. Any federal funds received by the State Board for Educator Certification for this purpose are hereby appropriated to the agency.

**45. JJAEP Accountability.** The Commissioner shall provide information to the Juvenile Probation Commission for the purpose of preparing the juvenile justice alternative education program performance assessment report, to be submitted to the Legislative Budget Board and the Governor by May 1, 2012. The Commissioner shall provide the requested information if the request provides a minimum of 20 business days in which to respond.

**46. Permanent School Fund Distribution Rate.** At least 45 days prior to the adoption of the distribution rate from the Permanent School Fund to the Available School Fund by the State Board of Education, the Texas Education Agency shall report to the Legislative Budget Board and the Governor on the following:

a. The distribution rate or rates under consideration;
b. The assumptions and methodology used in determining the rate or rates under consideration;

c. The annual amount the distribution rate or rates under consideration are estimated to provide, and the difference between them and the annual distribution amounts for the preceding three biennia; and
d. The optimal distribution amount for the preceding biennium, based on an analysis of intergenerational equity, and the difference between it and the actual distribution amount.

**47. Evaluations for General Revenue Programs.** Unless otherwise directed by this Act, the Texas Education Agency shall conduct a performance evaluation of any General Revenue-funded program initiated by the Eighty-first or Eighty-second Legislature, and deliver a report to the Legislature in January of the first odd-numbered year after the fourth fiscal year of the program's implementation.

An amount not to exceed five percent of the funds appropriated for each program to be evaluated may be used to perform the evaluation of each program, the actual amount to be determined by the Commissioner.

**48. Limitation on Funding for Property Tax Relief and Foundation School Program.** From the amount appropriated above to the Texas Education Agency for Strategy A.1.1, FSP - Equalized Operations, in each year of the 2012-13 biennium, the Commissioner may not spend more than the amount that, together with all other amounts appropriated from the Foundation School Fund or another source for the Foundation School Program or for paying the costs of school property tax relief, is necessary to achieve a state compression percentage, as defined by Section 42.2516, Texas Education Code, of 66.67 percent and fully fund the school funding formulas under Chapters 41 and 42, Texas Education Code, without the prior approval of the Legislative Budget Board.

**49. Capital Budget Expenditures from Federal and Other Funding Sources.** The Texas Education Agency is hereby exempted from the capital budget rider provisions contained in Article IX of this Act when gifts, grants, inter-local funds, and federal funds are received in excess of the amounts identified in the agency's capital budget rider and such funds are designated by the donor, grantor, or federal agency for the purchase of specific capital items, limited to projects related to revision of major state data systems or projects funded with amounts received through the federal American Recovery and Reinvestment Act of 2009.

Amounts expended from these funding sources shall not count against the limitation imposed by capital budget provisions elsewhere in this Act. The TEA shall notify the Legislative Budget Board and the Governor upon receipt of such funds of the amount received and the planned expenditures. It is the intent of the legislature that projects funded in any part under the authority of this rider not be exempt from any requirements of the Quality Assurance Team.

**50. Performance Reporting on State Assessments for the 2012-13 Biennium.** The Texas Education Agency shall submit to the Legislative Budget Board performance targets for fiscal years 2012 and 2013 for performance measures related to the state assessments system, including but not limited to the percent of students passing all tests taken and related measures, as soon as practicable after passing standards for the State of Texas Assessments of Academic Readiness (STAAR) are established, but not later than November 15, 2012. Actual performance on the affected measures for fiscal year 2012 shall also be reported no later than November 15, 2012, and performance reporting for affected measures for fiscal year 2013 shall follow the standard performance reporting schedule.

**51. Steroid Testing.** From funds appropriated above in Strategy B.2.2, Health and Safety, $650,000 in General Revenue in each fiscal year of the 2012-13 biennium shall be used for the purpose of administering the statewide steroid testing program in accordance with Texas Education Code, § 33.091. Prior to expenditure of funds, the University Interscholastic League shall provide a report and implement resulting recommendations regarding the most cost-efficient method of effectively detecting steroid use allowed under current law.

Any unexpended balances as of August 31, 2012 are hereby appropriated for fiscal year 2013 for the same purpose.

**52. Rider Appropriations: Federal Education Jobs Fund.** Pursuant to the enactment of federal legislation amending Public Law No. 111-226, Education Jobs Fund, Section 101, by striking paragraph 11 relating to additional requirements for the State of Texas, and the provision of the Texas allocation, estimated at $830,820,460, to the State by the U.S. Secretary of Education, these

federal funds are hereby appropriated to the Texas Education Agency for distribution to public local educational agencies according to the provisions of that Act, as amended.

**53. District Awards for Teacher Excellence.** From Educator Excellence Funds (General Revenue) appropriated above in Strategy B.3.1, Improving Educator Quality and Leadership, the Commissioner shall expend an amount not to exceed $20,000,000 in fiscal year 2012 and $20,000,000 in fiscal year 2013 for the purpose of administering the District Awards for Teacher Excellence program (Educator Excellence Awards) in accordance with Texas Education Code Chapter 21, Subchapter O. The Commissioner shall ensure that funds directed by this rider are allocated in a manner that maximizes receipt of federal grant funding for similar purposes.

From amounts referenced in the paragraph above, the Commissioner shall set aside funds for the following purposes:

1. an amount not to exceed $5,000,000 for the 2012-13 biennium to implement standards on educator quality, including standards related to educator preparation and principal quality;

2. an amount not to exceed $10,000,000 for the 2012-13 biennium for an educator mentor program in accordance with Texas Education Code, Chapter 21;

3. an amount not to exceed $1,000,000 for the 2012-13 biennium for Humanities Texas to support the Teacher Institute program targeting teachers in their first or second year of service in geographic areas with low student achievement on state assessments.

Any unexpended balances as of August 31, 2012 are hereby appropriated to fiscal year 2013 for the same purpose.

**54. Early Childhood School Readiness Program.** Out of funds appropriated above in Strategy A.2.1, Statewide Educational Programs, $3,500,000 in fiscal year 2012 and $3,500,000 in fiscal year 2013 shall be used for the Early Childhood School Readiness Program, for programs providing an educational component to public prekindergarten, Head Start, university early childhood programs, or private non-profit early childhood care programs that have entered into an integrated program with a public school. The Texas Education Agency shall expend these funds in accordance with the provisions of Texas Education Code § 29.156, Grants for Educational Components of Head Start, and with the following provisions:

a. Funds shall be distributed on a competitive grant basis to preschool programs to provide scientific, research-based pre-reading instruction with the goal of directly improving the pre-reading skills of three- and four-year-old children and implementing school readiness integration community collaborations. To be eligible for the grants, applicants must serve at least 75 percent low income students, as determined by the Commissioner. The Commissioner may require applicants to participate in the School Readiness Certification System according to the provisions of Texas Education Code §29.161. It is the intent of the Legislature that the Texas Education Agency participate to the extent practicable in interagency early childhood education and care coordination initiatives. This includes, but is not limited to, participation in the Head Start collaboration project or any other interagency entity formed to address the coordination of early childhood care and education service delivery and funding.

b. In the expenditure of funds referenced above, the Texas Education Agency or any entity with which the Texas Education Agency contracts for purposes of administering programs under this rider shall comply with contract management requirements pursuant to Texas Government Code, Chapter 2262.

c. The Texas Education Agency or any entity with which the Texas Education Agency contracts for purposes of administering programs under this rider shall submit a report to the Governor, the Lieutenant Governor, the Speaker of the House, the Legislative Budget Board, and the presiding officers of the standing committees of the Legislature with primary jurisdiction over public education not later than December 1 of each year providing detailed information on the expenditure of state funds in the prior fiscal year for purposes of programs administered under this rider.

Any unexpended balances as of August 31, 2012 are hereby appropriated to fiscal year 2013 for the same purpose.

**55. Teach for America.** From funds appropriated above in Strategy B.3.1, Improving Educator Quality and Leadership, the Commissioner shall expend $4,000,000 in General Revenue in each fiscal year of the biennium to support the Teach for America program in Texas.

It is the intent of the Legislature that at least 1,000 Teach for America teachers be employed in Texas schools that serve a proportion of economically disadvantaged students that is above the state average.

Funding shall be allocated in such a manner as to prioritize employment of Teach for America teachers in the field of mathematics to the extent practicable.

**56. Student Success Initiative.** Out of the funds appropriated above in Strategy A.2.1, Statewide Educational Programs, the Commissioner shall expend $11,750,000 in General Revenue in fiscal year 2012 and $11,750,000 in General Revenue in fiscal year 2013 for the Student Success Initiative. Funds shall be distributed to school districts to fund programs targeting the prevention of academic failure, which may include, but are not limited to, Algebra Readiness, Literacy Academies, Math Academies, professional development, middle grades initiatives, and other assistance aimed at improving student performance on state assessments.

From funds referenced in the paragraph above, the Commissioner shall allocate $2,250,000 in each fiscal year of the 2012-13 biennium to support the Reasoning Mind program.

Any unexpended balances as of August 31, 2012 are hereby appropriated to fiscal year 2013 for the same purpose.

**57. Campus Intervention and Turnaround Assistance and Technical Assistance for Charter Schools.** Out of the General Revenue funds appropriated above in Strategy A.2.4, School Improvement and Support Programs, the Commissioner shall expend $1,750,000 in General Revenue in fiscal year 2012 and $1,750,000 in General Revenue in fiscal year 2013 to provide campus intervention and turnaround assistance services and to provide technical assistance to charter schools, in accordance with provisions related to the state accountability system under Texas Education Code, Chapter 39, and federal law related to school accountability.

From amounts referenced above in this rider, the Commissioner may spend an amount not to exceed $1,500,000 for the 2012-13 biennium to develop financial and productivity tools.

Any unexpended balances as of August 31, 2012 are hereby appropriated to fiscal year 2013 for the same purpose.

**58. Virtual School Network.** From funds appropriated above in Strategy B.2.1, Technology and Instructional Materials, $4,000,000 in General Revenue in each fiscal year of the 2012-13 biennium shall be used for the operation of a state virtual school network in accordance with Texas Education Code, Chapter 30A.

In addition to the amounts above, all revenue received under the authority of Texas Education Code, Chapter 30A are hereby appropriated to the Texas Education Agency for the 2012-13 biennium for the purpose of administering the state virtual school network.

Any unexpended balances as of August 31, 2012 are hereby appropriated to fiscal year 2013 for the same purpose.

**59. Texas Advanced Placement Initiative.** Out of the General Revenue funds appropriated above in Strategy A.2.1, Statewide Educational Programs, the Commissioner shall spend $6,900,000 in fiscal year 2012 and $6,900,000 in fiscal year 2013 to fund the Texas Advanced Placement Initiative.

In the administration of the Texas Advanced Placement Initiative, funding shall be allocated for both the pre-Advanced Placement/International Baccalaureate activities and for the Advanced Placement Incentive Program. In the allocation of funding for the Texas Advanced Placement Initiative, the Texas Education Agency shall prioritize the examination fee subsidies for students. For funds that are used for teacher training, the Texas Education Agency shall give funding priority to teachers at public school campuses that do not offer Advanced Placement/International Baccalaureate courses.

It shall be the goal of the Texas Education Agency that Advanced Placement/International Baccalaureate courses are available at as many public school campuses as possible, without regard to the rural/urban status of the campus and the socioeconomic characteristics of its students. For campus incentive awards given under this program, consideration may be given to school districts and charter schools in the 1st or 2nd year of operating an Advanced Placement/International Baccalaureate program.

Any unexpended balances as of August 31, 2012 are hereby appropriated to fiscal year 2013 for the same purpose.

**60. Windham School District: Pilot Programs and Alternative Organization Report.** From funds appropriated above in Strategy B.2.4, Windham School District, and notwithstanding the allocation of those funds made elsewhere in this Act, the Commissioner of Education shall identify amounts to be set aside by the Windham School District and expended for each of the following purposes:

a. a pilot in computer adaptive intensive math and reading intervention programs that address individual needs and develop skills from elementary levels through high school, and a pilot in virtual learning options that allow a student to earn a high school diploma, high school equivalent certification, certification and/or college credit. The Windham School District shall report progress and findings of the pilot programs in improving educational attainment to the Eighty-third Legislature, and produce a final report for the Eighty-fourth Legislature;
b. a pilot in evidence-based substance abuse treatment and behavioral health programs. The Windham School District shall report on the efficacy of these programs to the Eighty-third Legislature; and
c. an investigation on alternative organizational structures for the Windham School District that would promote efficiencies and improve the achievement of its mission. The Windham School District shall report its findings to the Eighty-third Legislature.

**61. Public School Counselor Report.** It is the intent of the Legislature that, out of funds appropriated above, the Texas Education Agency shall conduct a comprehensive statewide study of the duties public school counselors perform. Expenditures for this purpose shall not exceed $250,000 for the 2012-13 state fiscal biennium. In conducting the study, the Texas Education Agency shall:

(1) include a representative sample of public school counselors;

(2) determine the percentage of total employment time public school counselors spend in performing:

(a) duties relating to:
i. assessment and testing,
ii. individual counseling,
iii. parent conferences,
iv. teacher conferences,
v. admission, review, and dismissal meetings, and
vi. provision of information concerning institutions of higher education;

(b) each duty described by Texas Education Code §§ 33.005, 33.006, or 33.007 that is not addressed by subsection (a) above; and

(c) each additional duty not addressed by subsections (a) or (b) above that public school counselors perform, as identified by the Texas Education Agency; and

(3) determine the public school counselor-to-student ratio statewide and in each school district at the elementary, middle or junior high school, and high school levels.

The Texas Education Agency shall prepare a report for the Eighty-third Legislature containing the findings and any recommendations resulting from the study.

**62. Online College and Career Preparation Technical Assistance Program.** Out of the funds appropriated above, the Texas Education Agency shall allocate $2,000,000 in General Revenue for fiscal year 2012 and $2,000,000 in General Revenue for fiscal year 2013 to continue the Online

College and Career Preparation Technical Assistance Program to provide online college preparation assistance to students, parents, and high school counselors. The Commissioner shall create a list of qualified providers eligible to participate in the program during fiscal year 2012 and fiscal year 2013. The Texas Education Agency shall continue to implement the pilot program in collaboration with the Texas Higher Education Coordinating Board.

Any unexpended balances as of August 31, 2012 are hereby appropriated for fiscal year 2013 for the same purposes.

**63. Contingency for SB 6.** Contingent on passage and enactment of Senate Bill 6, or similar legislation by the Eighty-second Legislature, relating to the establishment of the instructional materials allotment, and the adoption, review, and purchase of instructional materials and technological equipment for public schools, the amount referenced above in Texas Education Agency Rider 8, Textbooks and Instructional Materials, $608,131,436 from the State Textbook Fund (Instructional Materials Fund) is hereby reallocated for the purpose of funding the Instructional Materials Allotment for the purchase of continuing contracts, instructional materials that will assist districts in satisfying performance standards under § 39.0241 of the Texas Education Code, and other allowable expenditures under the provisions of the legislation.

Any unexpended balances as of August 31, 2012 are hereby appropriated for fiscal year 2013 for the same purposes.

**64. Early College High School and T-STEM.** Out of funds appropriated above for Strategy A.2.1, Statewide Educational Initiatives, $3,000,000 in General Revenue in fiscal year 2012 and $3,000,000 in General Revenue in fiscal year 2013 is allocated for Early College High School and T-STEM programs.

Any unexpended balances as of August 31, 2012 are hereby appropriated to fiscal year 2013 for the same purpose.

**65. Amachi Texas.** From funds appropriated above in Strategy A.2.2, Achievement of Students at Risk, the Commissioner shall allocate $1,250,000 in General Revenue in each fiscal year of the 2012-13 biennium to the Amachi Texas program for mentoring children of incarcerated parents. To the extent possible, in the administration of the Amachi Texas program, Big Brothers Big Sisters shall coordinate with other community-based entities providing training for mentors and mentoring services and shall seek additional funding from other private and public sources in order to expand services to more eligible children.

Any unexpended balances available as of August 31, 2012 are hereby appropriated to fiscal year 2013 for the same purpose.

**66. Texas Academic Innovation and Mentoring.** From funds appropriated above in Strategy A.2.4, School Improvement and Support Programs, the Commissioner shall allocate $1,500,000 in General Revenue in each fiscal year of the 2012-13 biennium to the Texas Alliance of Boys and Girls Clubs for statewide operation of the Texas Academic Innovation and Mentoring Program (Texas AIM).

Any unexpended balances as of August 31, 2012 are hereby appropriated for fiscal year 2013 for the same purpose.

**67. Perkins Reserve Fund Distribution.** In the distribution of federal funds appropriated above in Strategy A.2.1, Statewide Educational Programs, the agency shall include the percentage of a school district's Career and Technical Education courses that meet a regional labor market need as defined by the Local Workforce Development Board for the district's region as one of the criteria for distribution of Reserve Funds from the Perkins Basic Grant to school districts, in accordance with federal law. A region is defined as the Workforce Development Areas organized by the Texas Workforce Commission.

The agency shall include information on the impact of this provision to the distribution of Reserve Funds to Texas school districts in its Perkins Consolidated Annual Report to the U.S. Department of Education.

# SCHOOL FOR THE BLIND AND VISUALLY IMPAIRED

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 14,701,474 | $ 14,451,473 |
| Federal Funds | 2,927,940 | 2,927,940 |
| Other Funds | | |
| Appropriated Receipts | 1,631,701 | 1,631,701 |
| Interagency Contracts | 1,486,558 | 1,486,558 |
| Subtotal, Other Funds | $ 3,118,259 | $ 3,118,259 |
| **Total, Method of Financing** | $ 20,747,673 | $ 20,497,672 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 372.8 | 372.8 |
| **Schedule of Exempt Positions:** | | |
| Superintendent - Group 4 | $115,000 | $115,000 |
| **Items of Appropriation:** | | |
| **A. Goal:** ACADEMIC AND LIFE TRAINING<br>Provide Necessary Skills/Knowledge to Students with Visual Impairments. | | |
| **A.1.1. Strategy:** CLASSROOM INSTRUCTION<br>Provide Well-balanced Curriculum Including Disability-specific Skills. | $ 4,995,361 | $ 4,995,360 |
| **A.1.2. Strategy:** RESIDENTIAL PROGRAM<br>Provide Instruction in Independent Living and Social Skills. | $ 3,528,700 | $ 3,528,700 |
| **A.1.3. Strategy:** SUMMER AND SHORT PROGRAMS<br>Provide Summer School and Short-term Programs to Meet Students' Needs. | $ 1,179,147 | $ 1,179,147 |
| **A.1.4. Strategy:** RELATED AND SUPPORT SERVICES<br>Provide Regular and Short-term Related and Support Services. | $ 4,116,461 | $ 3,866,461 |
| **Total, Goal A:** ACADEMIC AND LIFE TRAINING | $ 13,819,669 | $ 13,569,668 |
| **B. Goal:** STATEWIDE RESOURCE CENTER<br>Ensure Skills Necessary to Improve Students' Education and Services. | | |
| **B.1.1. Strategy:** TECHNICAL ASSISTANCE<br>Provide Technical Asst for Families/Programs Serving Visually Impaired. | $ 3,425,760 | $ 3,425,760 |
| **C. Goal:** EDUCATIONAL PROF SALARY INCREASES<br>Estimated Educational Professional Salary Increases. | | |
| **C.1.1. Strategy:** EDUC PROF SALARY INCREASES<br>Estimated Educational Professional Salary Increases. | $ 0 | $ 0 |
| **D. Goal:** INDIRECT ADMINISTRATION | | |
| **D.1.1. Strategy:** CENTRAL ADMINISTRATION | $ 1,773,615 | $ 1,773,615 |
| **D.1.2. Strategy:** OTHER SUPPORT SERVICES | $ 1,728,629 | $ 1,728,629 |
| **D.1.3. Strategy:** FACILITY CONSTRUCT., REPAIR & REHAB<br>Facility Construction, Repair and Rehabilitation. | $ 0 | $ 0 |
| **Total, Goal D:** INDIRECT ADMINISTRATION | $ 3,502,244 | $ 3,502,244 |
| **Grand Total,** SCHOOL FOR THE BLIND AND VISUALLY IMPAIRED | $ 20,747,673 | $ 20,497,672 |

| | | |
|---|---|---|
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 15,725,871 | $ 15,725,870 |
| Other Personnel Costs | 557,217 | 557,217 |
| Professional Fees and Services | 207,080 | 207,080 |
| Fuels and Lubricants | 120,828 | 120,828 |
| Consumable Supplies | 228,900 | 228,900 |
| Utilities | 661,256 | 661,256 |
| Travel | 150,520 | 150,520 |
| Rent - Machine and Other | 37,881 | 37,881 |
| Other Operating Expense | 1,268,841 | 1,268,841 |
| Client Services | 2,908 | 2,908 |
| Food for Persons - Wards of State | 359,687 | 359,687 |
| Grants | 974,000 | 974,000 |
| Capital Expenditures | 452,684 | 202,684 |
| **Total, Object-of-Expense Informational Listing** | $ 20,747,673 | $ 20,497,672 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 792,027 | $ 795,987 |
| Group Insurance | 2,713,038 | 2,747,401 |
| Social Security | 1,224,536 | 1,230,659 |
| Benefits Replacement | 102,153 | 95,513 |
| Subtotal, Employee Benefits | $ 4,831,754 | $ 4,869,560 |
| Debt Service | | |
| TPFA GO Bond Debt Service | $ 5,941,028 | $ 7,597,878 |
| Lease Payments | 41,682 | 23,975 |
| Subtotal, Debt Service | $ 5,982,710 | $ 7,621,853 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 10,814,464 | $ 12,491,413 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the School for the Blind and Visually Impaired. 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 School for the Blind and Visually Impaired. In order to achieve the objectives and service standards established by this Act, the School for the Blind and Visually Impaired shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** ACADEMIC AND LIFE TRAINING | | |
| **Outcome (Results/Impact):** | | |
| Percent of Student Learning Indicator Attained | 113% | 113% |
| Percent of Students Achieving Moderate to Substantial Progress in All or All But One Core and Expanded Curricular Area in Which They are Receiving Programming | 90% | 90% |
| **A.1.1. Strategy:** CLASSROOM INSTRUCTION | | |
| **Output (Volume):** | | |
| Number of Students Enrolled in Day Programming During Regular School Year | 162 | 162 |
| Percent of Students Enrolled Who Have Multiple Disabilities | 75% | 75% |
| **Efficiencies:** | | |
| Average Cost of Instructional Program Per Student Per Day | 167.58 | 164.9 |
| **A.1.2. Strategy:** RESIDENTIAL PROGRAM | | |
| **Output (Volume):** | | |
| Number of Students Enrolled in Residential Programming During Regular School Year | 152 | 152 |
| **Efficiencies:** | | |
| Average Cost of Residential Program Per Student Per Night | 81.46 | 79.78 |

| | | |
|---|---|---|
| **A.1.3. Strategy:** SUMMER AND SHORT PROGRAMS | | |
| **Output (Volume):** | | |
| Number of Students Enrolled in Short-term Programs | 166 | 166 |
| **B. Goal:** STATEWIDE RESOURCE CENTER | | |
| **Outcome (Results/Impact):** | | |
| Percent of Families, Professionals, and Paraprofessionals Rating as Very Satisfactory or Above the Improvement of Their Knowledge and Skills as a Result of the Services or Products Received from TSBVI | 85% | 85% |
| **B.1.1. Strategy:** TECHNICAL ASSISTANCE | | |
| **Output (Volume):** | | |
| Number of School Consultations | 200 | 200 |
| Number of Participants in Conferences and Workshops Held at the Local, Regional, State and National Levels | 6,000 | 6,000 |

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.

| | 2012 | 2013 |
|---|---|---|
| a. Acquisition of Information Resource Technologies | | |
| (1) Instructional Materials and Technology | $ 150,000 | $ 150,000 |
| b. Transportation Items | | |
| (1) Vehicle Replacements | $ 217,232 | $ 0 |
| Total, Capital Budget | $ 367,232 | $ 150,000 |
| Method of Financing (Capital Budget): | | |
| General Revenue Fund | $ 367,232 | $ 150,000 |
| Total, Method of Financing | $ 367,232 | $ 150,000 |

3. **Teacher Preparation Consortium.** Out of the funds appropriated above in Strategy B.1.1, Technical Assistance, $900,000 in each year of the biennium is Federal CFDA 84.027, Special Education Grants and $400,000 in each year of the biennium is General Revenue Funds. These funds shall be used to support professional preparation for teachers of students with visual impairments. The funds shall be expended under the provisions of a memorandum of understanding executed by Texas School for the Blind and Visually Impaired, Texas Tech University, and Stephen F. Austin University.

4. **Educational Professional Salary Increases.** The funds appropriated in Strategy C.1.1, Educational Professional Salary Increases, are estimated General Revenue amounts and are contingent upon the increases granted to comparable educational professionals in the Austin Independent School District, pursuant to Texas Education Code § 30.024(b)(1). No later than November 1 of each year of the biennium, the Texas School for the Blind and Visually Impaired shall submit, in a form acceptable to the Legislative Budget Board and the Governor, a computation of the salary increases. The school is directed to include in each year of the subsequent biennium baseline budget request the actual amount expended for salary increases in the second year of the previous biennium.

5. **Cash Flow Contingency.** Subject to the prior approval of the Governor and the Legislative Budget Board, the Texas School for the Blind and Visually Impaired is hereby authorized to transfer General Revenue funds in an amount not to exceed $500,000 from fiscal year 2013 to fiscal year 2012. This transfer is contingent upon the anticipated receipt of a like amount of federal reimbursement funds, and shall be used only for the purpose of temporary cash flow needs.

6. **Federal Funds for Statewide Services.** Out of funds appropriated above in Strategy A.1.3, Summer and Short Programs, for each year of the 2012-13 biennium $148,367 is Federal CFDA 84.027 Special Education Grants. These funds shall be used to support short-term programs for students who are otherwise enrolled in local school districts.

   Out of the funds appropriated above in Strategy B.1.1, Technical Assistance, for each year of the 2012-13 biennium $98,856 is Federal CFDA 84.027 Special Education Grants. These funds shall be used to provide statewide assistive technology training to programs in local school districts.

7. **Unexpended Balances Bond Proceeds.** Included in the amounts appropriated above are unexpended and unobligated balances of General Obligation Bond Proceeds that have been approved under the provisions of Article IX, Section 17.11 of Senate Bill 1, Eighty-first Legislature, Regular Session, 2009, remaining as of August 31, 2011, (estimated to be $0), for the purpose of completing campus renovations for the 2012-13 biennium in Strategy D.1.3, Facility Construction, Repair & Rehabilitation.

Any unexpended balances in General Obligation Bond Proceeds described herein and remaining as of August 31, 2012, are hereby appropriated for the same purposes for the fiscal year beginning September 1, 2012.

## SCHOOL FOR THE DEAF

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 18,814,664 | $ 17,401,814 |
| Federal Funds | 1,460,931 | 1,460,931 |
| Other Funds | | |
| Appropriated Receipts | 6,226,940 | 6,414,607 |
| Interagency Contracts | 457,679 | 457,679 |
| Subtotal, Other Funds | $ 6,684,619 | $ 6,872,286 |
| **Total, Method of Financing** | $ 26,960,214 | $ 25,735,031 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 462.0 | 462.2 |
| **Schedule of Exempt Positions:** | | |
| Superintendent - Group 4 | $115,000 | $115,000 |
| **Items of Appropriation:** | | |
| **A. Goal:** ACADEMIC, LIFE, AND WORK TRAINING | | |
| Provide Training for Students to Become Productive Citizens. | | |
| **A.1.1. Strategy:** CLASSROOM INSTRUCTION | $ 8,802,434 | $ 8,775,771 |
| Provide Rigorous Educational Services in the Classroom. | | |
| **A.1.2. Strategy:** RESIDENTIAL PROGRAM | $ 4,730,887 | $ 4,476,181 |
| Provide After-school Residential Programming. | | |
| **A.1.3. Strategy:** RELATED AND SUPPORT SERVICES | $ 5,977,284 | $ 5,741,150 |
| Provide Counseling and Other Support Services. | | |
| **Total, Goal A:** ACADEMIC, LIFE, AND WORK TRAINING | $ 19,510,605 | $ 18,993,102 |
| **B. Goal:** OUTREACH AND RESOURCE SERVICES | | |
| Promote Outreach and Resource Services. | | |
| **B.1.1. Strategy:** TECHNICAL ASSISTANCE | $ 954,152 | $ 954,152 |
| Provide Statewide Technical Assistance. | | |
| **B.1.2. Strategy:** TSD SPECIAL SUMMER/SHORT-TERM PGMS | $ 641,784 | $ 641,784 |
| Provide Summer and School-year Short-term Programs. | | |
| **Total, Goal B:** OUTREACH AND RESOURCE SERVICES | $ 1,595,936 | $ 1,595,936 |

| | | |
|---|---|---|
| **C. Goal:** EDUCATIONAL PROF SALARY INCREASES | | |
| Estimated Educational Professional Salary Increases. | | |
| **C.1.1. Strategy:** EDUC PROF SALARY INCREASES | $ 0 | $ 0 |
| Estimated Educational Professional Salary Increases. | | |
| **D. Goal:** INDIRECT ADMINISTRATION | | |
| **D.1.1. Strategy:** CENTRAL ADMINISTRATION | $ 1,247,869 | $ 1,247,869 |
| **D.1.2. Strategy:** OTHER SUPPORT SERVICES | $ 3,898,124 | $ 3,898,124 |
| **D.1.3. Strategy:** FACILITY CONSTRUCT., REPAIR & REHAB | $ 707,680 | $ 0 |
| Facility Construction, Repair and Rehabilitation. | | |
| **Total, Goal D:** INDIRECT ADMINISTRATION | $ 5,853,673 | $ 5,145,993 |
| **Grand Total,** SCHOOL FOR THE DEAF | $ 26,960,214 | $ 25,735,031 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 20,440,328 | $ 19,925,027 |
| Other Personnel Costs | 716,345 | 763,256 |
| Professional Fees and Services | 368,026 | 368,026 |
| Fuels and Lubricants | 90,900 | 90,900 |
| Consumable Supplies | 241,497 | 241,497 |
| Utilities | 1,270,215 | 1,270,215 |
| Travel | 80,086 | 80,086 |
| Rent - Building | 5,600 | 5,600 |
| Rent - Machine and Other | 155,800 | 155,800 |
| Other Operating Expense | 1,577,346 | 1,580,846 |
| Client Services | 836,370 | 836,370 |
| Food for Persons - Wards of State | 371,500 | 371,500 |
| Capital Expenditures | 806,201 | 45,908 |
| **Total, Object-of-Expense Informational Listing** | $ 26,960,214 | $ 25,735,031 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 973,943 | $ 978,813 |
| Group Insurance | 3,574,991 | 3,627,248 |
| Social Security | 1,428,800 | 1,435,944 |
| Benefits Replacement | 87,780 | 82,074 |
| Subtotal, Employee Benefits | $ 6,065,514 | $ 6,124,079 |
| Debt Service | | |
| TPFA GO Bond Debt Service | $ 520,812 | $ 507,596 |
| Lease Payments | 2,182,279 | 1,843,823 |
| Subtotal, Debt Service | $ 2,703,091 | $ 2,351,419 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 8,768,605 | $ 8,475,498 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the School for the Deaf. 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 School for the Deaf. In order to achieve the objectives and service standards established by this Act, the School for the Deaf shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** ACADEMIC, LIFE, AND WORK TRAINING | | |
| **Outcome (Results/Impact):** | | |
| Percent of Academic Courses in Which Students Obtain a Passing Grade | 91% | 91% |
| Percent of Graduates Accepted in Postsecondary Education | 47% | 47% |

| | | |
|---|---|---|
| Percent of Students in Grades 3-12 Who Perform Equal to or Better than Their Deaf Peers on the SAT-10 in the Areas of Reading Comprehension and Total Mathematics | 83% | 83% |
| **A.1.1. Strategy:** CLASSROOM INSTRUCTION | | |
| **Output (Volume):** | | |
| Number of Students Enrolled at Texas School for the Deaf | 527 | 527 |
| Number of Graduates Accepted in Postsecondary Education or Training Programs | 22 | 22 |
| **Efficiencies:** | | |
| Average Cost of Instructional Program Per Student Per Day | 84.14 | 84.14 |
| **A.1.2. Strategy:** RESIDENTIAL PROGRAM | | |
| **Output (Volume):** | | |
| Number of Residential Students | 276 | 276 |
| **Efficiencies:** | | |
| Average Cost of Residential Program Per Student Per Night | 58.91 | 58.91 |
| **A.1.3. Strategy:** RELATED AND SUPPORT SERVICES | | |
| **Output (Volume):** | | |
| Number of Comprehensive Assessments Conducted for Current Students | 242 | 242 |

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.

| | 2012 | 2013 |
|---|---|---|
| a. Repair or Rehabilitation of Buildings and Facilities | | |
| (1) Repair and Rehabilitation of Aging Buildings and Equipment | $ 707,680 | $ 0 |
| b. Other Lease Payments to the Master Lease Purchase Program (MLPP) | | |
| (1) 2010/2011 Computer Replacement | $ 98,521 | $ 45,908 |
| Total, Capital Budget | $ 806,201 | $ 45,908 |
| Method of Financing (Capital Budget): | | |
| General Revenue Fund | $ 806,201 | $ 45,908 |
| Total, Method of Financing | $ 806,201 | $ 45,908 |

3. **Educational Professional Salary Increases.** The funds appropriated in Strategy C.1.1, Educational Professional Salary Increases, are estimated General Revenue amounts and are contingent upon the increases granted to comparable educational professionals in the Austin Independent School District, pursuant to Texas Education Code § 30.055(b)(1). No later than November 1 of each year of the biennium, the Texas School for the Deaf shall submit, in a form acceptable to the Legislative Budget Board and the Governor, a computation of the salary increases. The school is directed to include in each year of the subsequent biennium baseline budget request the actual amount expended for salary increases in the second year of the previous biennium.

## SPECIAL PROVISIONS FOR THE SCHOOL FOR THE BLIND AND VISUALLY IMPAIRED AND SCHOOL FOR THE DEAF

1. **Services to Employees.** The governing boards may expend money for the provision of first aid or other minor medical attention for employees injured in the course and scope of their employment and for the repair and/or replacement of employees' items of personal property which are damaged or destroyed in the course and scope of their employment, so long as such items are medically prescribed equipment (e.g., eyeglasses, hearing aids, etc.).

## SPECIAL PROVISIONS FOR THE SCHOOL FOR THE BLIND AND VISUALLY IMPAIRED AND SCHOOL FOR THE DEAF
(Continued)

2. **Emoluments.** The Superintendent is authorized to determine emoluments for certain positions provided that the provision of such emoluments is necessary to effectively carry out the job responsibilities of the position.

3. **Appropriation of Funds.** With respect to the following funds held outside the State Treasury, any balances remaining at the end of the fiscal years ending August 31, 2011 and 2012, plus all receipts deposited to each fund's credit and income received on the fund during the biennium, are appropriated for the continued purpose for which the fund was established subject to the approval of the respective governing board: the Expendable Trust Fund; the Student Trust Fund; the Student Activity Fund; and the Student Aid Fund.

   With respect to the following funds held within the State Treasury, any balances remaining at the end of the fiscal years ending August 31, 2011 and 2012, plus all receipts deposited to each fund's credit and income received on the fund during the biennium, are appropriated for the continued purpose for which the fund was established: Vocational Programs Fund; Technology Lending Fund; Curriculum Publications Fund; Independent School District Fund; State and County Available Fund and other funds brought into the State Treasury under Texas Government Code, Chapter 404.

   Funds received from sale of food and recyclables and from the use of facilities of the Texas School for the Blind and Visually Impaired and the Texas School for the Deaf by organizations and other entities, including the Recording for the Blind, Inc., and any daycare center provider using the facilities, are appropriated for the use of the respective school subject to the approval of the governing board.

4. **Certification and Appropriation of Medicaid Reimbursement.** The Texas School for the Blind and Visually Impaired and the Texas School for the Deaf shall certify and/or transfer appropriated state funds to the Health and Human Services Commission or its designee for the state share of any Medicaid reimbursement for services provided to eligible students. The federal share of such reimbursement is appropriated to each respective school.

5. **Payments by School Districts.** All revenues collected from local school districts in excess of the funds appropriated above are hereby appropriated to the Texas School for the Blind and Visually Impaired and the Texas School for the Deaf, respectively.

6. **Consideration for Grants from the Texas Education Agency.** For all grants of state or federal funds by the Texas Education Agency, the Texas School for the Blind and Visually Impaired and the Texas School for the Deaf shall be considered independent school districts for purposes of eligibility determination, unless the Commissioner of Education and the school Superintendents mutually agree to an alternate consideration.

## TEACHER RETIREMENT SYSTEM

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 1,731,613,220 | $ 1,699,526,259 |
| GR Dedicated - Estimated Other Educational and General Income Account No. 770 | 101,419,633 | 108,180,942 |
| Teacher Retirement System Trust Account Fund No. 960 | 90,826,518 | 65,826,518 |
| **Total, Method of Financing** | $ 1,923,859,371 | $ 1,873,533,719 |
| **This bill pattern represents an estimated 2.9% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 475.3 | 475.3 |
| **Schedule of Exempt Positions:** | | |
| Executive Director | $300,000 | $300,000 |

| | | |
|---|---|---|
| Chief Investment Officer | 480,000 | 480,000 |
| Deputy Director Investment Officer | 294,000 | 294,000 |
| Deputy Administrative Officer | 231,276 | 231,276 |
| Investment Fund Director | 360,000 | 360,000 |
| Investment Fund Director | 360,000 | 360,000 |
| Investment Fund Director | 350,000 | 350,000 |
| Investment Fund Director | 330,000 | 330,000 |
| Investment Fund Director | 300,000 | 300,000 |
| Investment Fund Director | 218,525 | 218,525 |
| Investment Fund Director | 200,000 | 200,000 |

**Items of Appropriation:**
**A. Goal:** TEACHER RETIREMENT SYSTEM
To Administer the System as an Employee Benefit Trust.

| | | |
|---|---|---|
| **A.1.1. Strategy:** TRS - PUBLIC EDUCATION RETIREMENT<br>Retirement Contributions for Public Education Employees. Estimated. | $ 1,323,054,784 | $ 1,411,258,437 |
| **A.1.2. Strategy:** TRS - HIGHER EDUCATION RETIREMENT<br>Retirement Contributions for Higher Education Employees. Estimated. | $ 245,202,085 | $ 265,348,271 |
| **A.1.3. Strategy:** ADMINISTRATIVE OPERATIONS | $ 88,251,518 | $ 63,251,518 |
| **A.2.1. Strategy:** RETIREE HEALTH - STATUTORY FUNDS<br>Healthcare for Public Ed Retirees Funded by Statute. Estimated. | $ 267,350,984 | $ 133,675,493 |
| **Total, Goal A:** TEACHER RETIREMENT SYSTEM | $ 1,923,859,371 | $ 1,873,533,719 |
| **Grand Total,** TEACHER RETIREMENT SYSTEM | $ 1,923,859,371 | $ 1,873,533,719 |

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

| | | |
|---|---|---|
| Salaries and Wages | $ 38,143,421 | $ 38,143,421 |
| Other Personnel Costs | 1,836,274,673 | 1,810,949,021 |
| Professional Fees and Services | 9,420,915 | 9,420,915 |
| Fuels and Lubricants | 2,960 | 2,960 |
| Consumable Supplies | 524,875 | 524,875 |
| Utilities | 1,092,427 | 1,092,427 |
| Travel | 907,108 | 907,108 |
| Rent - Building | 1,806,951 | 1,806,951 |
| Rent - Machine and Other | 388,000 | 388,000 |
| Other Operating Expense | 34,310,085 | 9,310,085 |
| Capital Expenditures | 987,956 | 987,956 |
| **Total, Object-of-Expense Informational Listing** | $ 1,923,859,371 | $ 1,873,533,719 |

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

| | | |
|---|---|---|
| Employee Benefits | | |
| Retirement | $ 2,575,000 | $ 2,575,000 |
| Social Security | 2,310,268 | 2,321,819 |
| Benefits Replacement | 128,514 | 120,160 |
| Subtotal, Employee Benefits | $ 5,013,782 | $ 5,016,979 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 5,013,782 | $ 5,016,979 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Teacher Retirement System. 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 Teacher Retirement System. In order to achieve the objectives and service standards established by this Act, the Teacher Retirement System shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** TEACHER RETIREMENT SYSTEM | | |
| **Outcome (Results/Impact):** | | |
| TRS Retirement Fund Benefit Administration Annual Operating Expense Per Total Member and Annuitant in Dollars (Excluding Investment Expenses) | 25 | 25 |
| TRS Retirement Fund Investment Expense as Basis Points of Net Assets | 15 | 15 |
| Average Customer Hold Time for Calls Received on Toll-free Line (in Minutes) | 2 | 2 |
| **A.1.3. Strategy:** ADMINISTRATIVE OPERATIONS | | |
| **Output (Volume):** | | |
| Number of TRS Benefit Applications Processed | 60,000 | 60,000 |
| **A.2.1. Strategy:** RETIREE HEALTH - STATUTORY FUNDS | | |
| **Efficiencies:** | | |
| Percent of TRS - Care Medical Claims Adjudicated within 14 Days of Receipt | 98% | 98% |

2. **Capital Budget.** None of the funds appropriated above for Strategy A.1.3, Administrative Operations, 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.

| | 2012 | 2013 |
|---|---|---|
| a. Repair or Rehabilitation of Buildings and Facilities | | |
| (1) Building Renovations FY 2012/FY 2013 | $ 150,000 | $ 150,000 |
| b. Acquisition of Information Resource Technologies | | |
| (1) eForms & Self Service Applications FY 2012/FY 2013 | 250,000 | 250,000 |
| (2) Mainframe and Peripheral Upgrades FY 2012/FY 2013 | 65,000 | 65,000 |
| (3) PC Workstation Upgrades FY 2012/FY 2013 | 100,000 | 100,000 |
| (4) Telecommunications Upgrade FY 2012/FY 2013 | 155,000 | 155,000 |
| (5) Imaging System Upgrade FY 2012/FY 2013 | $ 180,000 | $ 180,000 |
| Total, Acquisition of Information Resource Technologies | $ 750,000 | $ 750,000 |
| Total, Capital Budget | $ 900,000 | $ 900,000 |
| Method of Financing (Capital Budget): | | |
| Teacher Retirement System Trust Account Fund No. 960 | $ 900,000 | $ 900,000 |
| Total, Method of Financing | $ 900,000 | $ 900,000 |

3. **Updated Actuarial Valuation.** The Teacher Retirement System shall contract with an actuary to perform a limited actuarial valuation of the assets and liabilities of the Teacher Retirement System as of February 28 in those years when the Legislature meets in regular session. The purpose of the valuation shall be to determine the effect of investment, salary, and payroll experience on the unfunded liability, the amortization period, and the state contribution rate which results in a 30-year amortization period of the retirement system.

4. **State Contribution to Teacher Retirement Program.** The amounts specified above in A.1.1, TRS-Public Education Retirement, $1,323,054,784 in fiscal year 2012 and $1,411,258,437 in fiscal year 2013, and A.1.2, TRS-Higher Education Retirement, $245,202,085 in fiscal year 2012 and $265,348,271 in fiscal year 2013, are based on a state contribution of 6.0 percent of payroll in fiscal year 2012 and 6.4 percent of payroll in fiscal year 2013, estimated.

   Contingent on enactment of legislation by the Eighty-second Legislature, Regular Session, relating to state retirement contributions for public education and higher education, funds referenced above expended for the purpose of state retirement contributions shall be limited to the provisions of the legislation.

5. **State Contribution to Texas Public School Retired Employees Group Insurance Program.** The amounts specified above in A.2.1, Retiree Health-Statutory Funds, $267,350,984 in fiscal

year 2012 and $133,675,493 in fiscal year 2013 are based on a state contribution of 1.0 percent of payroll for fiscal year 2012 and 0.5 percent of payroll for fiscal year 2013, estimated.

Contingent on enactment of legislation by the Eighty-second Legislature, Regular Session, relating to state insurance contributions for TRS-Care retiree insurance, funds referenced above expended for the purpose of TRS-Care retiree insurance shall be limited to the provisions of the legislation.

The retirement system shall notify the Legislative Budget Board, the Governor, and its membership prior to establishing premiums, regarding the impact such premiums will have on retiree costs for TRS-Care insurance.

It is the intent of the Legislature that the Teacher Retirement System control the cost of the retiree insurance program by not providing rate increases to health care providers and pharmacy providers during the 2012-13 biennium without providing 60 days notice to the Legislative Budget Board.

6. **Excess Benefit Arrangement Account.** There is hereby appropriated to the Teacher Retirement System all funds transferred or deposited into the Excess Benefit Arrangement Account established in the General Revenue Fund for the purpose of paying benefits as authorized by Government Code §825.517.

7. **Transfer of Other Educational and General Income.** The Comptroller of Public Accounts is hereby authorized to transfer the necessary appropriations made above in A.1.2, TRS-Higher Education Retirement from Other Educational and General Income to institutions of higher education to meet their obligations and comply with the proportionality policy as expressed in the Article IX provision entitled Benefits Paid Proportional by Fund.

8. **Exempt Positions.** Notwithstanding the limitations contained in the Article IX provision entitled Scheduled Exempt Positions, the TRS Board of Trustees may determine the salaries of the positions listed above in the Schedule of Exempt Positions without limitation.

9. **Travel Expenditures.** Notwithstanding the limitations on travel expenditures contained in Article IX of this Act, the annual out-of-state travel cap for the Teacher Retirement System is hereby set at $625,000 for each year of the biennium. The additional authority is provided to allow TRS' investment professionals greater personal access to financial centers, investment experts, and investor information.

10. **Annual School District Contribution Rate to TRS-Care.** The annual contribution rate for school districts for fiscal years 2012 and 2013 shall be 0.55 percent of total payroll.

11. **Full-Time Equivalent Positions Intern Exemption.** The number of Full-Time Equivalent (FTE) positions held by undergraduate and graduate students in the Intern Program of the Teacher Retirement System (TRS) shall be exempt from Article IX, Sec. 6.10. Limitation on State Employment Levels. This provision will not change the cap on the Number of Full-Time Equivalents (FTE) for TRS listed elsewhere in this Act. TRS shall provide to the Legislative Budget Board, the Governor, the Comptroller of Public Accounts, and the State Auditor's Office a report of the number of FTEs associated with the Intern Program each fiscal year.

12. **Limitation on Funds Appropriated to the Teacher Retirement System (TRS).** It is the intent of the Legislature that none of the funds appropriated by this Act or from Teacher Retirement Pension Trust Fund Account No. 960 may be used for the purpose of hiring an external communications consultant.

13. **Limitation on General Revenue Fund Retirement Contributions to Public Community/Junior Colleges.** For each public community/junior college district, the combined annual General Revenue Fund contributions to the Teacher Retirement System shall not exceed 6.0 percent in fiscal year 2012 and 6.4 percent in fiscal year 2013 of each district's unrestricted General Revenue appropriation.

    Contingent on enactment of legislation by the Eighty-second Legislature, Regular Session, relating to state retirement contributions for Public Community/Junior Colleges, funds referenced above expended for the purpose of state retirement contributions shall be limited to the provisions of the legislation.

14. **Performance Incentive Compensation Payments.** The Teacher Retirement System Board of Trustees may make performance incentive compensation payments to the staff of the Investment

Management Division based on investment performance standards adopted by the Board prior to the beginning of the period for which any additional compensation is paid. Such amounts as may

be necessary to make performance incentive payment under the plan approved by the Board are hereby appropriated from the Teacher Retirement System Trust Account Fund No. 960.

The Teacher Retirement System Board of Trustees shall notify the Legislative Budget Board and the Governor at least 45 days prior to the execution of any performance incentive payment based on the Retirement Trust Fund's investment performance. Funds shall be appropriated pursuant to this rider for performance incentive payments only in a fiscal year following a year in which the Retirement Trust Fund experiences a positive return.

**15. Enterprise Application Modernization.** Upon approval of the Legislative Budget Board (LBB), the Teacher Retirement System Board of Trustees may enter into contracts to modernize the System's legacy computer systems and may fund the program from the Teacher Retirement System Trust Account Fund No. 960. Such amounts as may be necessary to make payments for services under the approved program plan are appropriated above in Strategy A.1.3, Administrative Operations, from the Teacher Retirement System Trust Account Fund No. 960, estimated to be $25 million for the biennium. In addition to capital budget authority provided in this rider, the Teacher Retirement System's capital budget rider is modified to include $25.0 million in capital budget authority in fiscal year 2012 to implement the project.

Prior to issuing an RFP for the Pension Administration System, the Teacher Retirement System (TRS) shall submit a program plan and estimated project budgets to the LBB for review. The LBB shall review and approve the plan or provide recommended modifications to the plan to TRS. If modifications to the plan are recommended, TRS shall revise and resubmit the plan. If the LBB takes no action pertaining to the plan within 45 days of submission or resubmission by TRS it shall be deemed approved.

**16. Texas Public School Retired Employees Group Insurance Program Study.** From administrative funds appropriated above, the Teacher Retirement System shall conduct a study of the current Texas Public School Retired Employees Group Insurance Program. The study shall include a comprehensive review of potential plan design and other changes that would improve the long-term sustainability of the health insurance program. A report of the findings and recommendations shall be submitted by the Teacher Retirement System to the Legislative Budget Board and the Governor no later than September 1, 2012.

**17. Contingency Appropriation: Funding for the Teacher Retirement System for Public Education and Higher Education Retirement.** Contingent upon passage of legislation by the Eighty-second Legislature, Regular Session, 2011 relating to the state contribution rate for public education and higher education retirement that would amend Government Code, Section 825.404 by temporarily suspending the requirement that the state contribution rate to the TRS Pension Trust Fund be no less than the contribution rate required by active members, the Teacher Retirement System is appropriated above in Strategy A.1.1, TRS-Public Education Retirement and A.1.2, TRS-Higher Education Retirement amounts that would provide for a state contribution rate of 6.0 percent in fiscal year 2012 and 6.4 percent in fiscal year 2013.

**18. Contingency Appropriation: Funding for the Texas Public School Retired Employees Group Insurance Program.** Contingent upon passage of legislation by the Eighty-second Legislature, Regular Session, 2011 that would reduce the statutory contribution rate below 1.0 percent of the salary for each active employee for the state fiscal year ending August 31, 2013, to the Texas Public School Retired Employees Group Insurance Trust Fund, all estimated General Revenue appropriations made above in A.1.1, TRS - Public Education Retirement, and A.1.2, TRS - Higher Education Retirement, for fiscal year 2012 in excess of the state's actual statutory obligations for retirement and retiree insurance contributions are hereby re-appropriated to Strategy A.2.1, Retiree Health - Statutory Funds, for deposit to the Texas Public School Retired Employees Group Insurance Trust Fund.

**19. Legislative Intent Relating to Retiree Health Insurance Premiums.** It is the intent of the Legislature that the Teacher Retirement System Board of Trustees shall not increase retiree health insurance premiums for the 2012-13 biennium.

## OPTIONAL RETIREMENT PROGRAM

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 102,670,649 | $ 102,670,648 |
| GR Dedicated - Estimated Other Educational and General Income Account No. 770 | 21,282,339 | 21,282,339 |
| **Total, Method of Financing** | $ 123,952,988 | $ 123,952,987 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Items of Appropriation:** | | |
| **A. Goal:** OPTIONAL RETIREMENT PROGRAM | | |
| **A.1.1. Strategy:** OPTIONAL RETIREMENT PROGRAM Optional Retirement Program. Estimated. | $ 123,952,988 | $ 123,952,987 |
| **Grand Total,** OPTIONAL RETIREMENT PROGRAM | $ 123,952,988 | $ 123,952,987 |
| **Object-of-Expense Informational Listing:** | | |
| Other Personnel Costs | $ 123,952,988 | $ 123,952,987 |
| **Total, Object-of-Expense Informational Listing** | $ 123,952,988 | $ 123,952,987 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Optional Retirement Program. 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 Optional Retirement Program. In order to achieve the objectives and service standards established by this Act, the Optional Retirement Program shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** OPTIONAL RETIREMENT PROGRAM | | |
| **A.1.1. Strategy:** OPTIONAL RETIREMENT PROGRAM | | |
| **Output (Volume):** | | |
| Number of ORP Participants | 40,422 | 40,422 |

2. **State Contribution to Optional Retirement Program.** The amount specified above in A.1.1, Optional Retirement Program, is based on a state contribution rate of 6.0 percent of payroll for each fiscal year, estimated. Institutions of higher education and the Texas Education Agency, if applicable, are required to certify estimates of state contributions required for payment to the Comptroller, and the Comptroller shall allocate the state contributions to institutions and the Texas Education Agency pursuant to Government Code §830.202.

3. **Use of Local Funds for Supplementing the General Revenue Appropriation to the Optional Retirement Program.** Institutions and agencies authorized under state law to provide the Optional Retirement Program to their employees are authorized to use local funds or other sources of funds to supplement the General Revenue Fund appropriation at a rate up to 2.5 percent of payroll.

4. **Transfer of Other Educational and General Income.** The Comptroller of Public Accounts is hereby authorized to transfer the necessary appropriations made above from Other Educational and General Income to institutions of higher education to meet their obligations and comply with the proportionality policy as expressed in Article IX of this Act.

5. **Limitation on General Revenue Fund Retirement Contributions to Public Community and Junior Colleges.** For each public community/junior college district, the combined annual General Revenue Fund contributions to the Optional Retirement Program shall not exceed 6.0 percent of each district's unrestricted General Revenue appropriation in fiscal year 2012 and fiscal year 2013.

## HIGHER EDUCATION EMPLOYEES GROUP INSURANCE CONTRIBUTIONS

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | | |
| General Revenue Fund | $ 469,602,665 | $ 495,048,168 |
| General Revenue - Insurance Companies Maintenance Tax and Insurance Department Fees | 1,414,717 | 1,491,374 |
| Subtotal, General Revenue Fund | $ 471,017,382 | $ 496,539,542 |
| State Highway Fund No. 006 | 683,982 | 721,044 |
| **Total, Method of Financing** | $ 471,701,364 | $ 497,260,586 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Items of Appropriation:** | | |
| **A. Goal:** STATE CONTRIBUTION, UT SYSTEM | | |
| Group Insurance, State Contribution, UT System. | | |
| **A.1.1. Strategy:** UT - ARLINGTON<br>The University of Texas at Arlington. | $ 9,792,137 | $ 10,322,726 |
| **A.1.2. Strategy:** UT - AUSTIN<br>The University of Texas at Austin. | $ 23,361,945 | $ 24,627,816 |
| **A.1.3. Strategy:** UT - DALLAS<br>The University of Texas at Dallas. | $ 6,806,124 | $ 7,174,915 |
| **A.1.4. Strategy:** UT - EL PASO<br>The University of Texas at El Paso. | $ 9,989,890 | $ 10,531,194 |
| **A.1.5. Strategy:** UT - PAN AMERICAN<br>The University of Texas - Pan American. | $ 6,640,149 | $ 6,999,947 |
| **A.1.6. Strategy:** UT - BROWNSVILLE<br>The University of Texas at Brownsville. | $ 2,937,785 | $ 3,096,970 |
| **A.1.7. Strategy:** UT - PERMIAN BASIN<br>The University of Texas of the Permian Basin. | $ 1,830,784 | $ 1,929,985 |
| **A.1.8. Strategy:** UT - SAN ANTONIO<br>The University of Texas at San Antonio. | $ 10,063,441 | $ 10,608,730 |
| **A.1.9. Strategy:** UT - TYLER<br>The University of Texas at Tyler. | $ 3,022,595 | $ 3,186,375 |
| **A.1.10. Strategy:** UT SW MEDICAL - DALLAS<br>The University of Texas Southwestern Medical Center at Dallas. | $ 12,158,486 | $ 12,817,296 |
| **A.1.11. Strategy:** UT MEDICAL - GALVESTON<br>The University of Texas Medical Branch at Galveston. | $ 39,301,227 | $ 41,430,771 |
| **A.1.12. Strategy:** UTHSC - HOUSTON<br>The University of Texas Health Science Center at Houston. | $ 15,136,959 | $ 15,957,158 |
| **A.1.13. Strategy:** UTHSC - SAN ANTONIO<br>The University of Texas Health Science Center at San Antonio. | $ 14,933,474 | $ 15,742,647 |
| **A.1.14. Strategy:** UT MD ANDERSON<br>The University of Texas M. D. Anderson Cancer Center. | $ 5,566,514 | $ 5,868,137 |
| **A.1.15. Strategy:** UT HEALTH SCIENCE CENTER - TYLER<br>The University of Texas Science Health Center at Tyler. | $ 2,522,170 | $ 2,658,834 |
| **A.1.16. Strategy:** TEXAS SOUTHMOST (UT)<br>Texas Southmost College (UT Share). | $ 1,492,481 | $ 1,573,351 |
| **A.1.17. Strategy:** UT SYSTEM ADMINISTRATION<br>The University of Texas System Administration. | $ 82,973 | $ 87,469 |
| **Total, Goal A:** STATE CONTRIBUTION, UT SYSTEM | $ 165,639,134 | $ 174,614,321 |
| **B. Goal:** STATE CONTRIBUTION, A&M SYSTEM | | |
| Group Insurance, State Contribution, A&M System. | | |
| **B.1.1. Strategy:** TEXAS A&M UNIVERSITY | $ 25,637,984 | $ 27,027,182 |

## HIGHER EDUCATION EMPLOYEES GROUP INSURANCE CONTRIBUTIONS
(Continued)

| | | | | |
|---|---|---|---|---|
| **B.1.2. Strategy:** A&M SYSTEM HEALTH SCIENCE CENTER<br>Texas A&M University System Health Science Center. | $ | 4,904,168 | $ | 5,169,901 |
| **B.1.3. Strategy:** A&M - GALVESTON<br>Texas A&M University at Galveston. | $ | 1,258,583 | $ | 1,326,779 |
| **B.1.4. Strategy:** PRAIRIE VIEW A&M<br>Prairie View A&M University. | $ | 4,436,897 | $ | 4,677,311 |
| **B.1.5. Strategy:** TARLETON STATE UNIVERSITY | $ | 3,033,691 | $ | 3,198,072 |
| **B.1.6. Strategy:** A&M - CORPUS CHRISTI<br>Texas A&M University - Corpus Christi. | $ | 3,894,900 | $ | 4,105,946 |
| **B.1.7. Strategy:** TEXAS A&M UNIVERSITY- CENTRAL TEXAS<br>Texas A&M University - Central Texas. | $ | 542,655 | $ | 572,059 |
| **B.1.8. Strategy:** TEXAS A&M UNIVERSITY - SAN ANTONIO | $ | 623,251 | $ | 657,022 |
| **B.1.9. Strategy:** A&M - KINGSVILLE<br>Texas A&M University - Kingsville. | $ | 3,903,403 | $ | 4,114,910 |
| **B.1.10. Strategy:** A&M - INTERNATIONAL<br>Texas A&M International University. | $ | 2,074,637 | $ | 2,187,052 |
| **B.1.11. Strategy:** WEST TEXAS A&M<br>West Texas A&M University. | $ | 3,863,278 | $ | 4,072,611 |
| **B.1.12. Strategy:** TEXAS A&M UNIVERSITY - COMMERCE | $ | 4,188,936 | $ | 4,415,914 |
| **B.1.13. Strategy:** TEXAS A&M UNIVERSITY - TEXARKANA | $ | 1,057,272 | $ | 1,114,560 |
| **B.1.14. Strategy:** AG EXPERIMENT STATION<br>Texas Agricultural Experiment Station. | $ | 7,596,396 | $ | 8,008,008 |
| **B.1.15. Strategy:** COOPERATIVE EXTENSION<br>Texas Cooperative Extension. | $ | 10,415,300 | $ | 10,979,655 |
| **B.1.16. Strategy:** ENG EXPERIMENT STATION<br>Texas Engineering Experiment Station. | $ | 1,678,186 | $ | 1,769,119 |
| **B.1.17. Strategy:** TRANSPORTATION INSTITUTE<br>Texas Transportation Institute. | $ | 683,982 | $ | 721,044 |
| **B.1.18. Strategy:** ENG EXTENSION SERVICE<br>Texas Engineering Extension Service. | $ | 279,174 | $ | 294,301 |
| **B.1.19. Strategy:** TEXAS FOREST SERVICE | $ | 2,176,488 | $ | 2,294,421 |
| **B.1.20. Strategy:** VET MEDICAL DIAGNOSTIC LAB<br>Texas Veterinary Medical Diagnostic Laboratory. | $ | 403,346 | $ | 425,202 |
| **B.1.21. Strategy:** A&M SYSTEM ADMINISTRATION<br>Texas A&M University System Administration. | $ | 73,468 | $ | 77,449 |
| **Total, Goal B:** STATE CONTRIBUTION, A&M SYSTEM | $ | 82,725,995 | $ | 87,208,518 |
| **C. Goal:** STATE CONTRIBUTION, ERS<br>Group Insurance, State Contribution, Employees Retirement System. | | | | |
| **C.1.1. Strategy:** UNIVERSITY OF HOUSTON | $ | 14,229,386 | $ | 15,000,408 |
| **C.1.2. Strategy:** UH - CLEARLAKE<br>University of Houston - Clear Lake. | $ | 2,657,098 | $ | 2,801,073 |
| **C.1.3. Strategy:** UH - DOWNTOWN<br>University of Houston - Downtown. | $ | 2,173,661 | $ | 2,291,441 |
| **C.1.4. Strategy:** UH - VICTORIA<br>University of Houston - Victoria. | $ | 1,262,762 | $ | 1,331,186 |
| **C.1.5. Strategy:** UH SYSTEM ADMINISTRATION<br>The University of Houston System Administration. | $ | 608,901 | $ | 641,895 |
| **C.1.6. Strategy:** LAMAR UNIVERSITY | $ | 5,767,312 | $ | 6,079,815 |
| **C.1.7. Strategy:** LAMAR INSTITUTE OF TECHNOLOGY | $ | 848,137 | $ | 894,094 |
| **C.1.8. Strategy:** LAMAR STATE COLLEGE - ORANGE | $ | 660,597 | $ | 696,391 |
| **C.1.9. Strategy:** LAMAR STATE COLLEGE - PORT ARTHUR | $ | 876,373 | $ | 923,859 |
| **C.1.10. Strategy:** ANGELO STATE UNIVERSITY | $ | 3,385,691 | $ | 3,569,146 |
| **C.1.11. Strategy:** SAM HOUSTON STATE UNIV<br>Sam Houston State University. | $ | 5,729,872 | $ | 6,040,346 |
| **C.1.12. Strategy:** TEXAS STATE UNIVERSITY<br>Texas State University, San Marcos. | $ | 9,561,472 | $ | 10,079,562 |
| **C.1.13. Strategy:** SUL ROSS STATE UNIVERSITY | $ | 1,784,687 | $ | 1,881,390 |
| **C.1.14. Strategy:** SUL ROSS STATE-RIO GRANDE COLLEGE<br>Sul Ross State University - Rio Grande College. | $ | 267,345 | $ | 281,831 |

| | | | | |
|---|---|---|---|---|
| **C.1.15. Strategy:** TEXAS STATE SYSTEM ADMIN<br>Texas State University System Administration. | $ | 128,340 | $ | 135,294 |
| **C.1.16. Strategy:** MIDWESTERN STATE UNIV<br>Midwestern State University. | $ | 2,424,265 | $ | 2,555,624 |
| **C.1.17. Strategy:** UNIVERSITY OF NORTH TEXAS | $ | 16,635,634 | $ | 17,537,039 |
| **C.1.18. Strategy:** UNIVERSITY OF NORTH TEXAS - DALLAS | $ | 455,195 | $ | 479,860 |
| **C.1.19. Strategy:** UNT HEALTH SCIENCE CENTER<br>University of North Texas Health Science Center at Fort Worth. | $ | 4,080,585 | $ | 4,301,692 |
| **C.1.20. Strategy:** STEPHEN F. AUSTIN<br>Stephen F. Austin State University. | $ | 6,265,593 | $ | 6,605,095 |
| **C.1.21. Strategy:** TEXAS SOUTHERN UNIVERSITY | $ | 3,751,544 | $ | 3,954,821 |
| **C.1.22. Strategy:** TEXAS TECH UNIVERSITY | $ | 14,566,101 | $ | 15,355,368 |
| **C.1.23. Strategy:** TEXAS TECH HEALTH SCI CTR<br>Texas Tech University Health Sciences Center. | $ | 15,246,251 | $ | 16,072,371 |
| **C.1.24. Strategy:** TEXAS WOMAN'S UNIVERSITY | $ | 5,577,494 | $ | 5,879,711 |
| **C.1.25. Strategy:** TSTC - HARLINGEN<br>Texas State Technical College - Harlingen. | $ | 1,629,307 | $ | 1,717,591 |
| **C.1.26. Strategy:** TSTC - WEST TEXAS<br>Texas State Technical College - West Texas. | $ | 1,086,553 | $ | 1,145,428 |
| **C.1.27. Strategy:** TSTC - WACO<br>Texas State Technical College - Waco. | $ | 2,258,338 | $ | 2,380,707 |
| **C.1.28. Strategy:** TSTC - MARSHALL<br>Texas State Technical College - Marshall. | $ | 405,574 | $ | 427,550 |
| **C.1.29. Strategy:** TSTC - SYSTEM ADMIN<br>Texas State Technical College System Administration. | $ | 2,843,826 | $ | 2,997,919 |
| **C.1.30. Strategy:** PUB COMMUNITY / JR COLLEGES<br>Public Community / Junior Colleges. | $ | 95,089,990 | $ | 100,242,458 |
| **C.1.31. Strategy:** UNIV OF NORTH TEXAS SYSTEM ADMIN<br>University of North Texas System Administration. | $ | 467,595 | $ | 492,932 |
| **C.1.32. Strategy:** TEXAS TECH UNIVERSITY SYSTEM ADMIN<br>Texas Tech University System Administration. | $ | 610,756 | $ | 643,850 |
| **Total, Goal C:** STATE CONTRIBUTION, ERS | $ | 223,336,235 | $ | 235,437,747 |
| **Grand Total,** HIGHER EDUCATION EMPLOYEES GROUP INSURANCE CONTRIBUTIONS | $ | 471,701,364 | $ | 497,260,586 |
| **Object-of-Expense Informational Listing:**<br>Other Operating Expense | $ | 471,701,364 | $ | 497,260,586 |
| **Total, Object-of-Expense Informational Listing** | $ | 471,701,364 | $ | 497,260,586 |

1. **State Contribution to Group Insurance for Higher Education Employees Participating in the Employees Retirement System Group Benefits Program.** Funds identified and appropriated above for group insurance are intended to fund:

   a. the majority of the cost of the basic life and health coverage for all active and retired employees; and

   b. fifty percent of the total cost of health coverage for the spouses and dependent children of all active and retired employees who enroll in coverage categories which include a spouse and/or dependent children.

   In no event shall the total amount of state contributions allocated to fund coverage in an optional health plan exceed the actuarially determined total amount of state contributions that would be required to fund basic health coverage for those active employees and retirees who have elected to participate in that optional health plan.

   Funds appropriated for higher education employees' group insurance contributions may not be used for any other purpose.

   It is further provided that institutions shall cooperate so that employees employed by more than one institution may be covered under one group policy and that said policy may be held jointly by

two or more institutions and paid from funds appropriated to the institutions for payment of employee insurance premiums as set out above.

2. **The University of Texas System Group Health Insurance Contributions.** Funds identified and appropriated above for group insurance are intended to fund a comparable portion of the costs of basic health coverage for all active and retired employees and their dependents as is provided above for higher education active and retired employees and dependents participating in the Employees Retirement System's Group Benefits Program.

   In no event shall the total amount of state contributions allocated to fund coverage in an optional health plan exceed the actuarially determined total amount of state contributions that would be required to fund basic health coverage for those active employees and retirees who have elected to participate in that optional health plan.

   Funds appropriated for higher education employees' group insurance contributions may not be used for any other purpose.

   The University of Texas System shall file a report with the Legislative Budget Board, the Governor and the Comptroller by September 15 of each year, detailing all group health insurance plans offered to system employees and retirees, including the benefit schedule, premium amounts, and employee/retiree contributions.

   Active and retired employees of The University of Texas System are authorized to use one-half of the "employee-only" state contribution amount for optional insurance. Optional insurance for the employees participating in the group insurance program shall be defined by The University of Texas System. Active and retired employees participating in these plans may only use one-half of the employee-only state contribution if they sign and submit a document to their employing institution indicating they have health insurance coverage from another source.

3. **Texas A&M System Group Health Insurance Contributions.** Funds identified and appropriated above for group insurance are intended to fund a comparable portion of the costs of basic health coverage for all active and retired employees and their dependents as is provided above for higher education active and retired employees and dependents participating in the Employees Retirement System's Group Benefits Program.

   In no event shall the total amount of state contributions allocated to fund coverage in an optional health plan exceed the actuarially determined total amount of state contributions that would be required to fund basic health coverage for those active employees and retirees who have elected to participate in that optional health plan.

   Funds appropriated for higher education employees' group insurance contributions may not be used for any other purpose.

   The Texas A&M System shall file a report with the Legislative Budget Board, the Governor and the Comptroller by September 15 of each year, detailing all group health insurance plans offered to system employees and retirees, including the benefit schedule, premium amounts, and employee/retiree contributions.

   Active and retired employees of the Texas A&M System are authorized to use one-half of the "employee-only" state contribution amount for optional insurance. Optional insurance for the employees participating in the group insurance program shall be defined by the Texas A&M System. Active and retired employees participating in these plans may only use one-half of the employee-only state contribution if they sign and submit a document to their employing institution indicating they have health insurance coverage from another source.

4. **Transfer Authority.**

   Out of the funds appropriated above:

   a. The Comptroller shall transfer monthly, one-twelfth of the amount appropriated from those institutions participating in the Employees Retirement System's Group Benefit Program to the Employees Life, Accident, and Health Insurance and Benefits Fund No. 973, for use by the Employees Retirement System for each higher education institution which participates in the group insurance program of the Employees Retirement System.

b. The Comptroller shall transfer monthly, one-twelfth of the amount appropriated from state contributions for institutions belonging to the University of Texas and Texas A&M Systems, to The University of Texas System Office and the Texas A&M University System Office, for use by each institution's group insurance program.

**5. Specification of Appropriations.** The amount of the appropriation made for Strategy C.1.30, Public Community/Junior Colleges, shall be allocated to each college in accordance with a report, specifying the exact amounts for each college, to be provided by the Legislative Budget Board to the Employees Retirement System.

**6. Appropriations Transfers.**

a. Funds appropriated above to institutions other than those belonging to The University of Texas System or the Texas A&M University System, may be transferred from one appropriation item to another at the discretion of the chief administrative officer of the Employees Retirement System for the purpose of applying appropriations in excess of actual General Revenue group insurance premium costs at any of the higher education institutions named above to appropriation shortfalls for General Revenue group insurance premiums at any of the higher education institutions named above. Reallocation dollars provided by the group of institutions submitting annual Accounting Policy Statement 011 (Benefits Proportional by Fund) reports to the Comptroller shall be first apportioned among the same group of institutions, and any remaining funds may be applied to appropriation shortfalls among other institutions of higher education. Funds appropriated above to components of The University of Texas System and the Texas A&M University System may be transferred from one component to another component within the same system at the discretion of the chief administrative officer of each system for the same purposes stated above.

b. The Employees Retirement System, The University of Texas System, and the Texas A&M University System shall file a report with the Legislative Budget Board, the Governor and the Comptroller by December 1 of each year, detailing any such transfers.

c. Out of the funds appropriated above in Strategy A.1.11, The University of Texas Medical Branch at Galveston, $1,023,201 in fiscal year 2012 and $1,078,643 in fiscal year 2013 is for the purpose of paying General Revenue group insurance premiums for employees participating in the Employees Retirement System Group Benefit Program for managed health and mental care associated with the Texas Youth Commission and the Texas Department of Criminal Justice. Out of the funds appropriated above in Strategy C.1.23, Texas Tech University Health Sciences Center, $4,014,417 in fiscal year 2012 and $4,231,939 in fiscal year 2013 is for the purpose of paying General Revenue group insurance premiums for employees paid from managed health care contracts associated with the Texas Department of Criminal Justice. Except for the transfer authority provided above in Subsection a, these amounts are sum certain.

d. Included in the funds appropriated above in Strategy B.1.19, Texas Forest Service, $1,414,717 in fiscal year 2012 and $1,491,374 in fiscal year 2013 is for the purpose of paying group health insurance premiums for employees paid with direct appropriations to the Texas Forest Service from the Insurance Companies Maintenance Tax and Insurance Department Fees method of finance. Except for the transfer authority provided above in Subsection a, these amounts are sum certain.

**7. Unexpended Balances, Higher Education Group Insurance Contributions.** Any unexpended balances remaining as of August 31, 2012 for individual institutions of higher education receiving General Revenue group insurance contributions in this appropriation are hereby appropriated for the same purposes in fiscal year 2013.

# HIGHER EDUCATION COORDINATING BOARD

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 577,910,655 | $ 466,300,102 |
| General Revenue Fund - Dedicated | | |
| Texas Collegiate License Plate Program Account No. 5015 | 256,500 | 264,000 |
| Houston Livestock Show and Rodeo Scholarships Fund Account No. 5034 | 3,000 | 3,000 |
| Girl Scout License Plates Account No. 5052 | 1,500 | 1,500 |
| Texas B-on-Time Student Loan Account Account No. 5103 | 80,557,791 | 0 |
| Cotton Boll License Plates Account No. 5119 | 5,500 | 5,500 |
| Boy Scout Plates Account No. 5126 | 4,000 | 4,000 |
| Specialty License Plates General Account No. 5140 | 500 | 500 |
| Physician Education Loan Repayment Program Account No. 5144 | 5,600,000 | 0 |
| Subtotal, General Revenue Fund - Dedicated | $ 86,428,791 | $ 278,500 |
| Federal Funds | 61,810,663 | 61,825,763 |
| Other Funds | | |
| Appropriated Receipts, estimated | 536,485 | 536,485 |
| Certificate of Authority Fees, estimated | 2,000 | 2,000 |
| Interagency Contracts, estimated | 95,000 | 95,000 |
| Permanent Health Fund for Higher Education, estimated | 1,965,830 | 1,915,830 |
| Permanent Endowment Fund for the Baylor College of Medicine, estimated | 1,175,000 | 1,125,000 |
| Permanent Fund for the Higher Education Nursing, Allied Health and Other Health Related Programs, estimated | 4,600,789 | 2,700,788 |
| Permanent Fund for Minority Health Research and Education, estimated | 3,149,018 | 1,649,017 |
| Student Loan Funds, estimated | 8,922,502 | 8,961,920 |
| Tax Reimbursement Grants, estimated | 2,000 | 2,000 |
| Certification and Proprietary School Fees, estimated | 1,000 | 1,000 |
| Subtotal, Other Funds | $ 20,449,624 | $ 16,989,040 |
| **Total, Method of Financing** | $ 746,599,733 | $ 545,393,405 |
| **This bill pattern represents an estimated 80% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 275.4 | 275.4 |
| **Schedule of Exempt Positions:** | | |
| Commissioner of Higher Education, Group 8 | $186,300 | $186,300 |
| **Items of Appropriation:** | | |
| **A. Goal:** CLOSE THE GAPS IN HIGHER EDUCATION<br>Close the Gaps in Participation, Success, Excellence, and Research. | | |
| **A.1.1. Strategy:** CLOSE GAPS IN PARTICIPATION/SUCCESS<br>Close Gaps in Participation/Success-Administer Grants & Promote Access. | $ 2,714,690 | $ 2,714,690 |
| **A.1.2. Strategy:** CLOSE THE GAPS LOAN PROGRAM<br>Close Gaps in Participation and Success by Administering Loan Programs. | $ 4,650,000 | $ 4,650,000 |
| **A.1.3. Strategy:** CLOSE THE GAPS - COLLEGE READINESS<br>Close Gaps Participation/Success- Admin College Readiness Initiatives. | $ 1,300,774 | $ 1,300,774 |
| **A.2.1. Strategy:** CLOSE THE GAPS IN EXCELLENCE | $ 1,247,916 | $ 1,247,916 |
| **A.2.2. Strategy:** CLOSE THE GAPS IN RESEARCH | $ 270,230 | $ 270,230 |
| **A.3.1. Strategy:** CLOSE THE GAPS - PLANNING/INFO<br>Close the Gaps by Providing Planning and Information. | $ 2,278,576 | $ 2,278,576 |
| **Total, Goal A:** CLOSE THE GAPS IN HIGHER EDUCATION | $ 12,462,186 | $ 12,462,186 |

| | | | | |
|---|---|---|---|---|
| **B. Goal:** CLOSE THE GAPS - AFFORDABILITY | | | | |
| Close the Gaps by Improving Affordability. | | | | |
| **B.1.1. Strategy:** LICENSE PLATE SCHOLARSHIPS | $ | 271,000 | $ | 278,500 |
| License Plate Scholarships Program. | | | | |
| **B.1.2. Strategy:** EARLY HS GRADUATION PROGRAM | $ | 0 | $ | 0 |
| Early High School Graduation Scholarship Program. | | | | |
| **B.1.3. Strategy:** TANF SCHOLARSHIP PROGRAM | $ | 0 | $ | 0 |
| Temporary Assistance for Needy Families Scholarship Program. | | | | |
| **B.1.4. Strategy:** EDUCATIONAL AIDE PROGRAM | $ | 0 | $ | 0 |
| **B.1.5. Strategy:** TEACH FOR TEXAS LOAN REPAYMENT | $ | 500,000 | $ | 500,000 |
| Teach for Texas Loan Repayment Assistance. | | | | |
| **B.1.6. Strategy:** BORDER FACULTY LOAN REPAYMENT PGM | $ | 187,813 | $ | 187,813 |
| Border Faculty Loan Repayment Program. | | | | |
| **B.1.7. Strategy:** OAG LAWYERS LOAN REPAYMENT PROGRAM | $ | 248,036 | $ | 248,036 |
| **B.1.8. Strategy:** STUDENT FINANCIAL AID PROGRAMS | $ | 527,014,318 | $ | 352,465,831 |
| **B.1.9. Strategy:** DOCTORAL INCENTIVE PROGRAM | $ | 0 | $ | 0 |
| **B.1.10. Strategy:** ENGINEERING RECRUITMENT PROGRAM | $ | 0 | $ | 0 |
| **B.1.11. Strategy:** HIGHER ED PERF INCENTIVE INITIATIVE | $ | 0 | $ | 0 |
| Higher Education Performance Incentive Initiative. | | | | |
| **B.1.12. Strategy:** TOP 10 PERCENT SCHOLARSHIPS | $ | 21,862,446 | $ | 17,762,446 |
| **B.1.13. Strategy:** TX ARMED SERVICES SCHOLARSHIP PGM | $ | 875,000 | $ | 875,000 |
| Texas Armed Services Scholarship Program. | | | | |
| **B.1.14. Strategy:** COMBAT TUITION REIMBURSEMENT PGM | $ | 0 | $ | 0 |
| Tuition Reimbursement for Children of Military Deployed to Combat. | | | | |
| **B.1.15. Strategy:** TEXAS CAREER OPPORTUNITY GRANTS | $ | 0 | $ | 0 |
| Texas Career Opportunity Grants Program. | | | | |
| **B.1.16. Strategy:** TEXAS RESEARCH INCENTIVE PROGRAM | $ | 17,812,500 | $ | 17,812,500 |
| **Total, Goal B:** CLOSE THE GAPS - AFFORDABILITY | $ | 568,771,113 | $ | 390,130,126 |
| **C. Goal:** CLOSE THE GAPS - RESEARCH | | | | |
| Close the Gaps by Providing Trusteed Funds for Research. | | | | |
| **C.1.1. Strategy:** N HACKERMAN ADVANCED RESEARCH PGM | $ | 1,000,000 | $ | UB |
| Norman Hackerman Advanced Research Program. | | | | |
| **D. Goal:** CLOSE THE GAPS - HEALTH PROGRAMS | | | | |
| Close the Gaps by Providing Trusteed Funds for Health Care Education. | | | | |
| **D.1.1. Strategy:** BAYLOR COLLEGE OF MEDICINE | $ | 36,023,625 | $ | 35,741,187 |
| **D.1.2. Strategy:** BAYLOR COLLEGE OF MEDICINE GME | $ | 5,176,507 | $ | 5,176,507 |
| Baylor College of Medicine Graduate Medical Education (GME). | | | | |
| **D.1.3. Strategy:** FAMILY PRACTICE RESIDENCY PROGRAM | $ | 2,800,000 | $ | 2,800,000 |
| **D.1.4. Strategy:** PRECEPTORSHIP PROGRAM | $ | 0 | $ | 0 |
| **D.1.5. Strategy:** PRIMARY CARE RESIDENCY PROGRAM | $ | 0 | $ | 0 |
| **D.1.6. Strategy:** GRADUATE MEDICAL EDUCATION | $ | 0 | $ | 0 |
| Graduate Medical Education Program. | | | | |
| **D.1.7. Strategy:** JOINT ADMISSION MEDICAL PROGRAM | $ | 7,006,794 | $ | UB |
| **D.1.8. Strategy:** PHYSICIAN ED. LOAN REPAY. PROGRAM | $ | 5,600,000 | $ | UB |
| Physician Education Loan Repayment Program. | | | | |
| **D.1.9. Strategy:** PROFESSIONAL NURSING AID | $ | 0 | $ | 0 |
| Financial Aid for Professional Nursing Students. | | | | |
| **D.1.10. Strategy:** VOCATIONAL NURSING AID | $ | 0 | $ | 0 |
| Financial Aid for Licensed Vocational Nursing Students. | | | | |

| | | | | |
|---|---|---|---|---|
| **D.1.11. Strategy:** DENTAL ED. LOAN REPAY. PROGRAM<br>Dental Education Loan Repayment Program. | $ | 0 | $ | 0 |
| **D.1.12. Strategy:** PROF NURSING SHORTAGE REDUCTION PGM<br>Professional Nursing Shortage Reduction Program. | $ | 15,000,000 | $ | 15,000,000 |
| **D.1.13. Strategy:** ALZHEIMER'S DISEASE CENTERS<br>Consortium of Alzheimer's Disease Centers. | $ | 5,230,625 | $ | UB |
| **D.1.14. Strategy:** HOSPITAL-BASED NURSING EDUCATION<br>Texas Hospital-Based Nursing Education Partnership Grant Program. | $ | 0 | $ | 0 |
| **D.1.15. Strategy:** CHILDREN'S MEDICAID LOAN REPAY PROG<br>Children's Medicaid Loan Repay Program. | $ | 0 | $ | 0 |
| **Total, Goal D:** CLOSE THE GAPS - HEALTH PROGRAMS | $ | 76,837,551 | $ | 58,717,694 |
| **E. Goal:** CLOSE GAPS - QUALITY/PARTICIPATION<br>Close the Gaps by Providing Trusteed Funds to Improve Quality/Delivery. | | | | |
| **E.1.1. Strategy:** DEVELOPMENTAL EDUCATION PROGRAM | $ | 2,000,000 | $ | 2,000,000 |
| **E.1.2. Strategy:** TEACHER EDUCATION<br>Centers for Teacher Education. | $ | 1,520,353 | $ | 1,520,353 |
| **E.1.3. Strategy:** TWO-YEAR ENROLLMENT GROWTH<br>Two-year Institution Enrollment Growth. | $ | 0 | $ | 0 |
| **E.1.4. Strategy:** NEW COMMUNITY COLLEGE CAMPUSES | $ | 0 | $ | 0 |
| **E.1.5. Strategy:** GENERAL ACADEMIC ENROLLMENT GROWTH<br>General Academic Institution Enrollment Growth. | $ | 0 | $ | 0 |
| **E.1.6. Strategy:** AFRICAN AMERICAN MUSEUM INTERNSHIP | $ | 66,716 | $ | 66,716 |
| **E.1.7. Strategy:** ABE COMMUNITY COLLEGE GRANTS<br>Adult Basic Education Community College Grants. | $ | 2,000,000 | $ | 2,000,000 |
| **E.1.8. Strategy:** ALTERNATIVE TEACHING CERT - CCs<br>Alternative Teaching Certificate Programs at Community Colleges. | $ | 0 | $ | 0 |
| **E.1.9. Strategy:** COLLEGE READINESS GRANTS | $ | 0 | $ | 0 |
| **Total, Goal E:** CLOSE GAPS - QUALITY/PARTICIPATION | $ | 5,587,069 | $ | 5,587,069 |
| **F. Goal:** FEDERAL GRANT PROGRAMS<br>Close Gaps by Providing Federal Funding to Institutions and Students. | | | | |
| **F.1.1. Strategy:** CLOSE GAPS - STUDENT FINANCIAL AID<br>Student Financial Assistance Programs. | $ | 7,200,000 | $ | 7,200,000 |
| **F.1.2. Strategy:** CAREER/TECHNICAL EDUCATION PROGRAMS<br>Career and Technical Education Programs. | $ | 36,874,366 | $ | 36,874,366 |
| **F.1.3. Strategy:** TEACHER QUALITY GRANTS PROGRAMS | $ | 6,242,208 | $ | 6,242,208 |
| **F.1.4. Strategy:** COLLEGE ACCESS CHALLENGE GRANTS | $ | 11,248,089 | $ | 11,249,689 |
| **F.1.5. Strategy:** OTHER FEDERAL GRANTS<br>Other Federal Grants Programs. | $ | 246,000 | $ | 259,500 |
| **Total, Goal F:** FEDERAL GRANT PROGRAMS | $ | 61,810,663 | $ | 61,825,763 |
| **G. Goal:** CLOSE GAPS - TOBACCO FUNDS<br>Close Gaps by Providing Tobacco Settlement Funds to Institutions. | | | | |
| **G.1.1. Strategy:** EARNINGS - MINORITY HEALTH<br>Tobacco Earnings - Minority Health Res and Ed to THECB. | $ | 3,149,018 | $ | 1,649,017 |
| **G.1.2. Strategy:** EARNINGS - NURSING/ALLIED HEALTH<br>Tobacco Earnings - Nursing, Allied Health, Other to THECB. | $ | 4,600,789 | $ | 2,700,788 |

| | | |
|---|---|---|
| **G.2.1. Strategy:** EARNINGS-THECB FOR BAYLOR COLL MED<br>Tobacco Earnings - THECB for Baylor College of Medicine. | $ 1,175,000 | $ 1,125,000 |
| **G.2.2. Strategy:** TOBACCO - PERMANENT HEALTH FUND<br>Tobacco Earnings from Perm. Health Fund for Baylor College of Medicine. | $ 1,965,830 | $ 1,915,830 |
| **Total, Goal G:** CLOSE GAPS - TOBACCO FUNDS | $ 10,890,637 | $ 7,390,635 |
| **H. Goal:** INDIRECT ADMINISTRATION | | |
| **H.1.1. Strategy:** CENTRAL ADMINISTRATION | $ 3,956,336 | $ 3,956,336 |
| **H.1.2. Strategy:** INFORMATION RESOURCES | $ 3,800,657 | $ 3,840,076 |
| **H.1.3. Strategy:** OTHER SUPPORT SERVICES | $ 1,483,521 | $ 1,483,520 |
| **Total, Goal H:** INDIRECT ADMINISTRATION | $ 9,240,514 | $ 9,279,932 |
| **Grand Total,** HIGHER EDUCATION COORDINATING BOARD | $ 746,599,733 | $ 545,393,405 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 15,367,843 | $ 15,367,841 |
| Other Personnel Costs | 776,689 | 776,690 |
| Professional Fees and Services | 6,986,224 | 6,965,644 |
| Consumable Supplies | 203,025 | 200,525 |
| Utilities | 90,000 | 90,000 |
| Travel | 353,910 | 369,909 |
| Rent - Building | 777,021 | 777,020 |
| Rent - Machine and Other | 171,102 | 221,102 |
| Other Operating Expense | 2,730,379 | 2,740,380 |
| Client Services | 14,881,849 | 9,289,349 |
| Grants | 704,192,059 | 508,525,313 |
| Capital Expenditures | 69,632 | 69,632 |
| **Total, Object-of-Expense Informational Listing** | $ 746,599,733 | $ 545,393,405 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 1,002,046 | $ 1,010,092 |
| Group Insurance | 2,329,292 | 2,363,601 |
| Social Security | 1,347,528 | 1,394,691 |
| Benefits Replacement | 76,935 | 71,934 |
| Subtotal, Employee Benefits | $ 4,755,801 | $ 4,840,318 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 4,755,801 | $ 4,840,318 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Higher Education Coordinating Board. 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 Higher Education Coordinating Board. In order to achieve the objectives and service standards established by this Act, the Higher Education Coordinating Board shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** CLOSE THE GAPS IN HIGHER EDUCATION | | |
| **Outcome (Results/Impact):** | | |
| Percent Increase in Fall Student Headcount Enrollment since Fall 2000 | 44% | 48.5% |
| Percent Increase in Bachelor's Degrees, Associate's Degrees, and Certificates Awarded Since Those Awarded Fall 1999 Through Summer 2000 | 53.8% | 60.5% |
| Percentage of University Students Graduating in Four Years | 27.2% | 27.4% |
| Percent of Public Two-year Institution Students Graduating in Three Years | 12.2% | 12.3% |

| | | |
|---|---|---|
| Percentage of University Students Graduating within Six Years | 57% | 57.2% |
| **A.1.1. Strategy:** CLOSE GAPS IN PARTICIPATION/SUCCESS | | |
| **Output (Volume):** | | |
| Increase in Fall Student Headcount Enrollment since Fall 2000 | 448,883 | 494,283 |
| Increase in the Number of Bachelor's Degrees, Associate's Degrees, and Certificates Reported Since Those Awarded Fall 1999 Through Summer 2000 | 62,565 | 70,365 |
| **Explanatory:** | | |
| Dollars Appropriated for Developmental Education | 86,563,308 | 86,563,308 |
| Dollars Appropriated for Developmental Education as a Percentage of Lower-division Instruction | 5.8% | 5.8% |
| **A.1.2. Strategy:** CLOSE THE GAPS LOAN PROGRAM | | |
| **Efficiencies:** | | |
| Default Rate on Hinson-Hazlewood Loans | 10.17% | 10.17% |
| **B. Goal:** CLOSE THE GAPS - AFFORDABILITY | | |
| **Outcome (Results/Impact):** | | |
| Percentage of Students Receiving Financial Aid Employed Through Texas College Work Study Program | 0.63% | 0.6% |
| **B.1.8. Strategy:** STUDENT FINANCIAL AID PROGRAMS | | |
| **Output (Volume):** | | |
| Number of Students Receiving TEXAS Grants | 60,114 | 49,907 |
| Percentage of TEXAS Grant Recipients Who Earn a Baccalaureate Degree within Four Academic Years | 15.56% | 15.56% |
| Percentage of TEXAS Grant Recipients Who Earn a Baccalaureate Degree Within Six Academic Years | 41.39% | 41.39% |
| Percentage of Tuition Equalization Grant Recipients Who Are Minority Students | 52.18% | 52.18% |
| Percentage of Tuition Equalization Grant Recipients Who Earn Baccalaureate Degrees Within Four Academic Years | 34.9% | 34.9% |
| **C. Goal:** CLOSE THE GAPS - RESEARCH | | |
| **C.1.1. Strategy:** N HACKERMAN ADVANCED RESEARCH PGM | | |
| **Output (Volume):** | | |
| Number of NHARP Research Projects Funded | 7 | 0 |
| **D. Goal:** CLOSE THE GAPS - HEALTH PROGRAMS | | |
| **Outcome (Results/Impact):** | | |
| Percentage of Baylor College of Medicine Graduates Entering Texas Residency Programs | 51% | 51% |
| Percentage of Baylor College of Medicine Graduates Entering Primary Care Residency Programs | 45% | 45% |
| **E. Goal:** CLOSE GAPS - QUALITY/PARTICIPATION | | |
| **Outcome (Results/Impact):** | | |
| Pass Rate on State Certification Exams at Centers for Teaching Education at Texas Association of Developing College Institutions | 98% | 98% |

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.

| | 2012 | 2013 |
|---|---|---|
| a. Acquisition of Information Resource Technologies | | |
| (1) Data Center Services | $ 1,502,824 | $ 1,482,244 |
| Total, Capital Budget | $ 1,502,824 | $ 1,482,244 |
| Method of Financing (Capital Budget): | | |
| General Revenue Fund | $ 729,311 | $ 729,311 |

| | | |
|---|---|---|
| Other Funds | 773,513 | 752,933 |
| Total, Method of Financing | $ 1,502,824 | $ 1,482,244 |

3. **Commissioner's Salary.** The Coordinating Board is hereby authorized to utilize $77,851 per year from General Revenue funds appropriated to Goal H, in 2012 and 2013 and any earned funds for the purpose of funding the salary of the Commissioner of Higher Education at a rate not to exceed $186,300 per year in 2012 and 2013.

4. **Use of Excess Registration Fees Authorization.** Any registration fee collected by the Coordinating Board to pay the expenses of a conference, seminar or meeting in excess of the actual costs of such conference, seminar or meeting may be used to pay the expenses of any other conference, seminar or meeting for which no registration fees were collected or for which registration fees collected were insufficient to cover the total expenses.

5. **Student Loan Program.** All moneys in the Texas Opportunity Plan Fund and the Texas College Student Loan Bonds Interest and Sinking Fund, the Student Loan Auxiliary Fund, and the Student Loan Revenue Fund are hereby appropriated to the Texas Higher Education Coordinating Board, for the purposes specified in Article III, §§ 50b and 50b-1, 50b-2, 50b-3, 50b-4, 50b-5, and 50b-6 of the Texas Constitution and Education Code §§ 52.01-52.90 and 56.121-56.135.

6. **Texas Public Educational Grants Program.** Unless a different percentage is set by passage of legislation amending the Texas Education Code, the amount of tuition to be set aside for the Texas Public Educational Grants Program in accordance with TEC 56.033(a)(1) shall be 15 percent in fiscal years 2012 and 2013.

7. **Texas Success Initiative.**

   a. Developmental Education Coursework. Funds appropriated for developmental courses under Education Code § 51.3062, shall be expended only for those costs associated with providing developmental education courses including instruction, tutorial, evaluation, retraining of faculty, and other related costs. The funds shall not be used for the recruitment of students.

   b. Intent Concerning Developmental Needs. It is the intent of the Legislature that all affected institutions of public higher education fully address developmental needs identified by the institutions through the Texas Success Initiative with appropriations made in this Act for the developmental education coursework and other available institutional funds.

8. **Baylor College of Medicine.**

   a. From funds appropriated by this Act for the Baylor College of Medicine, the Coordinating Board shall allocate an amount per student enrolled in the college equal to the cost of medical education in the established public medical schools cited in Subchapter D, Chapter 61, Education Code. The cost of medical education per student at public medical schools as determined by the Coordinating Board shall include General Revenue appropriations for instruction and operations, infrastructure, and staff benefits allocated to undergraduate medical education.

   b. Appropriations made by this Act for Baylor College of Medicine are considered to be appropriations for any legal successor to Baylor College of Medicine and may be expended only for the purposes for which appropriated. Any details, limits, or restrictions applicable to those appropriations are applicable to that legal successor.

9. **Cost Recovery for the Common Application Form.** None of the funds appropriated above to the Higher Education Coordinating Board may be used to provide a common application form (either electronic or paper) for each general academic institution and each participating public two-year institution and participating independent institution unless the Higher Education Coordinating Board recovers costs related to the common application form. The amount collected from each institution shall be proportional to the number of applications received. The funds collected shall only recover direct costs and only be used for the purposes of the electronic common application form.

10. **Retention of Economically Disadvantaged Students.** The Higher Education Coordinating Board shall include in the college comparison web profile the percentage of economically disadvantaged freshmen retained at public institutions of higher education as defined by the Legislative Budget Board and the Governor in consultation with the State Auditor's Office.

**11. Tuition Equalization Grants.** Any student who is a Texas resident under the Texas Education Code Chapter 54, Subchapter B, or who is both a National Merit Finalist and eligible to pay Texas resident tuition under the Texas Education Code §54.064, is eligible for the Tuition Equalization Grants Program, provided all other requirements established by the Coordinating Board have been met by that student. None of the funds appropriated in this Act to the Coordinating Board for Tuition Equalization Grants may be expended for grants to non-resident students attending independent colleges or universities in Texas except for grants to National Merit Finalists.

The Coordinating Board shall present the result of its most recent annual need survey for Tuition Equalization Grant (TEG) funds as part of its biennial appropriations request to the Legislative Budget Board and the Governor. The request shall include the number of eligible students and an estimate of the amount needed to fund fully the TEG program in the coming biennium. The Coordinating Board shall update this projection to include the most recent fall semester data prior to the convening of each regular session of the Legislature and shall provide this information to the Legislative Budget Board staff prior to Legislative Budget Board deliberations on the TEG appropriation. Each institution receiving tuition equalization grants shall furnish to the Coordinating Board any financial information requested.

Independent colleges and universities which enroll students receiving Tuition Equalization Grant funds appropriated by this Act shall provide annual reports to the Higher Education Coordinating Board regarding the diversity of their student body, faculty, executive committee, and governing boards. The reports for headcount enrollment shall be submitted by October 1 of each year. All of the other reports shall be submitted by October 15 of each year.

**12. Disparity Study for Institutions of Higher Education.** The disparity study conducted by the Comptroller of Public Accounts pursuant to General Appropriations Act, § 16, page I-23, Seventy-fifth Legislature, to determine whether past acts of discrimination by institutions of higher education have created any present effects of such past discrimination may be continued by the Texas Higher Education Coordinating Board. The Coordinating Board may maintain and update as necessary the database developed for the disparity study. The Texas Education Agency and each institution of higher education receiving appropriations may cooperate with the Coordinating Board to continue the disparity study and to provide data to maintain and update the database. The Coordinating Board, the Texas Education Agency, and each institution of higher education that participates in the study shall comply with all applicable state and federal laws governing the confidentiality and privacy of the data used in the study.

**13. Information Access Initiative.** The Higher Education Coordinating Board shall use the appropriations above to coordinate with the Texas Education Agency regarding sharing, integrating, and housing pre-kindergarten through grade 16 (P-16) public education data in implementing its Information Access Initiative. The two agencies shall work together to ensure that common and related data held by each agency is maintained in standardized, compatible formats to enable the efficient exchange of information between agencies and for matching of individual student records for longitudinally based studies and analysis. It is the intent of the Legislature that individual initiatives interact seamlessly across agency systems to facilitate efforts to integrate the relevant data from each agency into a longitudinal public education data resource to provide a widely accessible P-16 public education data warehouse.

**14. Higher Education Assistance Program.** Out of funds appropriated above, the Higher Education Coordinating Board shall administer and coordinate the Higher Education Assistance Program to:

a. Provide prospective students in high schools with college-going rates in the lowest 10 percent of all public high schools with information related to enrollment in public or private or independent institutions of higher education, including admissions and financial aid information; and

b. Assist prospective students in these sites with completing applications related to enrollment in higher education institutions, including admissions and financial aid applications.

The Coordinating Board shall select an institution of higher education or other entity to provide the information and assistance required at each site. The Coordinating Board may contract with the institution to host enrollment events.

**15. Graduation and Persistence Rates.** The Coordinating Board shall report graduation and persistence rates, for each public general academic institution, to the Governor and Legislature no later than September 1, 2012. For each institution, the report shall include:

a. Six-year graduation rate (same institution) - percent of first-time full-time students who earned a baccalaureate or higher degree at the same public general academic higher education institution within six years of becoming a first-time entering full-time student at that institution.

b. Six-year graduation rate (another institution) - percent of students who earned a baccalaureate or higher degree at a public general academic higher education institution within six years of becoming a full-time student at another public higher education institution.

c. Six-year persistence rate (same institution) - percent of students who have not earned a baccalaureate or higher degree, but are still enrolled in the same Texas public general academic higher education institution six years after becoming a full-time student at that institution.

d. Six-year persistence rate (another institution) - percent of students who have not earned a baccalaureate or higher degree, but are still enrolled in a Texas public general academic higher education institution six years after becoming a full-time student at another Texas public higher education institution.

e. Composite graduation and persistence rate - sum of the graduation and persistence rates in subsections (a) through (d) above.

**16. Strategic Plan for Teacher Certification.** Out of funds appropriated above, the Higher Education Coordinating Board shall develop and implement a strategic plan to increase the number of certified teachers in the state to diminish the shortage of certified teachers in the classrooms. The Coordinating Board shall collaborate with the Texas Education Agency, and the Texas Workforce Commission, the Governor, and the Legislature in development and implementation of the strategic plan. The P-16 Council shall oversee the implementation of the plan.

In order to facilitate implementation of the strategic plan for teacher certification, the Coordinating Board shall work with the Texas Education Agency, school districts, and professional educator associations to maintain a teacher certification web page. The web page shall convey information on traditional and alternative certification programs and related employment opportunities in such a format that resources are linked and data is easily accessible and navigable to those interested in pursuing a career in teaching.

**17. Tobacco Funds - Estimated Appropriation and Unexpended Balance.** Included in the amounts appropriated above to the Texas Higher Education Coordinating Board are estimated appropriations of amounts available for distribution or investment returns out of the Permanent Fund for Minority Health Research and Education and the Permanent Fund for Nursing, Allied Health and Other Health Related Programs.

a. Amounts available for distribution or investment returns in excess of the amounts estimated above are also appropriated. In the event that amounts available for distribution or investment returns are less than the amounts estimated above, this Act may not be construed as appropriating funds to makeup the difference.

b. All balances of estimated appropriations from the Permanent Fund for Minority Health Research except for any General Revenue, at the close of the fiscal year ending August 31, 2011, estimated to be $1,500,000 (and included above in the Method of Finance) and the income to said fund during the fiscal years beginning September 1, 2011, are hereby appropriated. Any unexpended appropriations made above as of August 31, 2012, are hereby appropriated for the same purposes for fiscal year 2013.

c. All balances of estimated appropriations from the Permanent Fund for Nursing, Allied Health and Other Health Related Programs, except for any General Revenue, at the close of the fiscal year ending August 31, 2011, estimated to be $1,900,000 (and included above in

the Method of Finance) and the income to said fund during the fiscal years beginning September 1, 2011, are hereby appropriated. Any unexpended appropriations made above as of August 31, 2012, are hereby appropriated for the same purposes for fiscal year 2013.

**18. Reporting by Texas Higher Education Coordinating Board.** It is the intent of the Legislature that the Texas Higher Education Coordinating Board include in its Legislative Appropriations Request for the 2014-15 biennium, information on actual expenditures and budgeted expenditures for the Baylor College of Medicine, which receives distributions from the Permanent Health Fund for Higher Education and the Permanent Endowment Fund for Baylor College of Medicine.

**19. Girl Scout Scholarships.** The funds provided to the Girl Scout Scholarships are appropriated in accordance with Transportation Code §504.622 to provide grants to benefit the Girl Scouts. Any balances on hand at the end of fiscal year 2012 may be carried over to the fiscal year 2013 and any such funds are appropriated for fiscal year 2013 for the same purpose.

**20. Student Financial Aid Programs.** The amounts appropriated above in Strategy B.1.8, Student Financial Aid Programs, shall be expended by the Higher Education Coordinating Board to provide student financial aid through the following programs: Texas B-On-Time, College Work Study, TEXAS Grant, Tuition Equalization Grant Program, and Texas Education Opportunity Grant Program. Any balances on hand at the end of fiscal year 2012 may be carried over to fiscal year 2013 and any such funds are appropriated for fiscal year 2013 for the same purpose.

a. Out of the funds appropriated above in Strategy B.1.8, Student Financial Aid Programs, an amount not less than $7,529,639 each year shall be allocated to the College Work Study Program. The Higher Education Coordinating Board may allocate additional funds from the strategy to this program.

b. Out of the funds appropriated above in Strategy B.1.8, Student Financial Aid Programs, an amount not less than $12,030,800 in fiscal year 2012 and $12,030,800 in fiscal year 2013 shall be allocated to the Texas Education Opportunity Grant Program. The Higher Education Coordinating Board may allocate additional funds from the strategy to this program.

c. Out of funds appropriated above in Strategy B.1.8, Student Financial Aid Programs, an amount not less than $84,422,827 each year shall be allocated to the Tuition Equalization Grant Program. The Higher Education Coordinating Board may allocate additional funds from the strategy to this program. All unexpended balances of the Tuition Equalization Grant program as of August 31, 2011, up to $6,200,000 (and included above in the Method of Financing), are hereby appropriated to the Higher Education Coordinating Board for the biennium ending August 31, 2013 for the same purpose.

d. Out of the funds appropriated above in Strategy B.1.8, Student Financial Aid Programs, the Higher Education Coordinating Board shall allocate not less than $325,164,259 in fiscal year 2012 and $234,373,565 in fiscal year 2013 to the TEXAS Grant Program. The Higher Education Coordinating Board may allocate additional funds from the strategy to this program. All unexpended balances of the TEXAS Grant program as of August 31, 2011, up to $6,200,000 (and included above in the Method of Financing), are appropriated in accordance with Education Code §§ 56.301-56.311 for the same purposes for use during the biennium beginning September 1, 2011.

e. Out of funds appropriated above in Strategy B.1.8, Student Financial Aid Programs, the Higher Education Coordinating Board shall allocate an amount not less than $17,304,000 in General Revenue in fiscal year 2012 and $14,104,000 in fiscal year 2013 and up to $40,557,791 in General Revenue-Dedicated B-On-Time Set Asides Fund No. 5103 in fiscal year 2012 to the B-On-Time Program. The Higher Education Coordinating Board may allocate additional funds from the strategy to this program. The funds provided to the B-On-Time Program are appropriated in accordance with Education Code §§ 56.451-56.465 to provide eligible Texas students forgivable no-interest loans to attend colleges and universities in Texas. All balances in the General Revenue-Dedicated Texas B-On-Time Student Loan Account as of August 31, 2011, up to $40,000,000 (and included above in Method of Financing) are hereby appropriated to the Coordinating Board for the biennium ending August 31, 2013 for the same purpose. Any balances on hand at the end of fiscal year 2012 may be carried over to the fiscal year 2013 and any such funds are appropriated for fiscal year 2013 for the same purpose. All

general revenue unexpended balances for the B-On-Time Program as of August 31, 2011, up to $10,100,000 (and included above in the Method of Financing), are hereby appropriated to the Higher Education Coordinating Board for the biennium ending August 31, 2013 for the same purpose.

f. Any amounts received by the Coordinating Board as donations under Texas Education Code §56.310 during the biennium beginning September 1, 2011 are hereby appropriated for the purpose of awarding TEXAS Grants during the biennium beginning September 1, 2011.

g. Any amounts transferred to the Coordinating Board by the Comptroller in accordance with Texas Property Code §72.1016(e), which provides that five percent of the money collected from stored valued cards presumed to be abandoned are to be used as grants under Subchapter M, Education Code §56, are hereby appropriated for the biennium beginning September 1, 2011 for the purpose of awarding TEXAS Grants during the biennium beginning September 1, 2011.

**21. Houston Livestock Show and Rodeo Scholarships.** The funds provided to the Houston Livestock Show and Rodeo Scholarships Program are appropriated in accordance with Transportation Code § 504.613 to make grants to benefit the Houston Livestock Show and Rodeo. Any balances on hand at the end of fiscal year 2012 may be carried over to the fiscal year 2013 and any such funds are appropriated for fiscal year 2013 for the same purpose.

**22. Texas Collegiate License Plate Scholarships.** The funds provided to the Texas Collegiate License Plate Scholarships program are appropriated in accordance with Transportation Code § 504.615 to provide scholarships for students who demonstrate a need for financial assistance. Any balances on hand at the end of fiscal year 2012 may be carried over to fiscal year 2013 and such funds are appropriated for fiscal year 2013 for the same purpose.

In addition to educational and general funds amounts appropriated by this Act, available balances and one half of the portion of the fees deposited in the state treasury during the biennium ending August 31, 2013, to the credit of the general academic institutions as provided by VTCA, Transportation Code § 504.615, estimated to be $221,500 in fiscal year 2012 and $229,000 in fiscal year 2013 and included in the Method of Finance Above, is appropriated for that period to the general academic teaching institution for which it was credited for the purpose of providing scholarships for students who demonstrate a need for financial assistance. One-half of the portion of fees deposited in the state treasury during the biennium ending August 31, 2013 to the credit of the community colleges and independent institutions as provided by VTCA, Transportaion Code § 504.615, estimated to be $35,000 in 2012 and $35,000 in 2013 and included above in the Method of Finance above, is appropriated for that period to the Coordinating Board for the purpose of providing scholarships for students who demonstrate a need for financial assistance at the independent institution or community college for which it is credited.

**23. Appropriations Transfers.** Notwithstanding any other provisions of this bill, the Higher Education Coordinating Board may allow each institution to transfer the lesser of 10 percent or $10,000 between the Texas College Work-Study Program, TEXAS Grant Program, Texas Educational Opportunity Grant Program and the Tuition Equalization Grant Program.

**24. "College for Texans" Campaign License Plate.** The funds provided to the "College for Texans" Campaign are appropriated in accordance with Transportation Code § 504.657 for the purposes of the College for Texans Campaign. One half of all receipts received during the biennium beginning September 1, 2011, estimated to be $500 per year and included in the amounts appropriated in the strategy, are hereby appropriated to the Coordinating Board for the biennium beginning September 1, 2011 for the same purpose. Any balances on hand at the end of fiscal year 2012 are hereby appropriated for fiscal year 2013 for the same purpose.

**25. Boy Scout Scholarships.** The funds provided to the Boy Scout Scholarships are appropriated in accordance with Transportation Code § 504.6545 to provide grants to benefit the Boy Scouts. One half of all receipts received during the biennium beginning September 1, 2011, are hereby appropriated to the Coordinating Board for the biennium beginning September 1, 2011 for the same purpose. Any balances on hand at the end of fiscal year 2012 are hereby appropriated for fiscal year 2013 for the same purpose.

**26. Cotton Boll Scholarships.** The funds provided to the Cotton Boll Scholarships are appropriated in accordance with Transportation Code § 504.636 for the purpose of providing scholarships to students who are pursuing a degree in an agricultural field related to the cotton industry while

enrolled in an institution of higher education. One half of all receipts received during the biennium beginning September 1, 2011, are hereby appropriated to the Coordinating Board for the biennium beginning September 1, 2011 for the same purpose. Any balances on hand at the end of fiscal year 2012 are hereby appropriated for fiscal year 2013 for the same purpose.

**27. Tobacco Settlement Receipts-Baylor College of Medicine.** Included in the amounts appropriated to the Baylor College of Medicine in Strategy, G.2.2, Tobacco-Permanent Health Fund, is an estimated appropriation based on the Baylor College of Medicine's allocation of amounts, under Section 63.003, Education Code, available for distribution out of the Permanent Health Fund for Higher Education, estimated to be $1,915,830 in each year of the 2012-2013 biennium. These funds are to be used for purposes specified in Education Code, §63.002 (c), (d), and (f).

Amounts available for distribution or investment returns in excess of the amounts listed above in Strategy, G.2.2, Tobacco-Permanent Health Fund, are also appropriated. In the event that amounts available for distribution or investment returns are less than the amounts listed above in Strategy, G.2.2, Tobacco-Permanent Health Fund, this Act may not be construed as appropriating funds to make up the difference.

All balances of estimated appropriations from the institution's allocation from the amounts available for distribution out of the Permanent Health Fund for Higher Education, except for any General Revenue, at the close of the fiscal year ending August 31, 2011, estimated to be $50,000 (and included in the Method of Finance above) and the income to said fund during the fiscal year beginning September 1, 2011, are hereby appropriated. Any unexpended appropriations made above as of August 31, 2012, are hereby appropriated for the same purposes in fiscal year 2013.

**28. Texas College Work Study Program and Toward EXcellence, Access, and Success (TEXAS) Grant Program.** Because of the positive effect of work study programs on student participation and success, funds appropriated above to Strategy B.1.8, Student Financial Aid Programs, are intended to maximize the extent to which state funds appropriated for student grants that are awarded with criteria requiring a work study component.

**29. Align Adult Basic Education and Postsecondary Education.** Out of funds appropriated above, the Higher Education Coordinating Board shall coordinate with the Texas Education Agency and Texas Workforce Commission to implement an immediate and long-range coordinated action plan to align Adult Basic Education and postsecondary education. For purposes of developing this action plan, the terms adult education and adult basic education (ABE) refer to adults who lack basic skills in reading, writing, math, or English, including students who are studying for a GED Certificate. This group includes adults who speak English as a second or other language and who may also be referred to as (1) English Language Learners (ELLs), (2) Limited English Proficient (LEP), (3) speakers of English as a second language (ESL), or (4) non-native speakers of English (NNSE). These adult learners may be placed in programs that are referred to as (1) English as as Second Language (ESL), (2) English for speakers of other languages (ESOL), (3) Adult Basic Education/English as a Second Language (ABE/ESL), or another name unique to the institution or program.

To increase the number, success and persistence of students transitioning to postsecondary education, these action plans shall address at a minimum:

a. outreach and advising;
b. assessment, curriculum, and instruction;
c. persistence interventions;
d. state-level accountability systems to monitor performance;
e. service-provider-level performance measures and program evaluation;
f. standards to enhance data quality and sharing among state agencies and service-providers;
g. needs assessment of students and service-providers to identify other structural issues and barriers; and
h. grants (including Federal Funds and Other Funds) to maximize effective use of limited General Revenue Funds.

To measure the effectiveness of this action plan, the Higher Education Coordinating Board, in coordination with the Texas Education Agency, shall calculate annual performance measures for the: (1) number of adults in need of Adult Basic Education services statewide; (2) number of Adult Basic Education students served, including those served by developmental education, by

provider, institution, and statewide; (3) number of students that passed the General Education Diploma test served and not served by TEA; (4) number of Adult Basic Education students exiting the program by provider and statewide; (5) number of Adult Basic Education students exiting the program with a higher education goal by provider and statewide; (6) number of Adult Basic Education students enrolled in higher education by provider, institution, and statewide; and (7) total annual program expenditures by revenue source per provider. The agencies shall prepare a report that summarizes performance, evaluates outcomes, and recommends changes to improve outcomes and the components of the action plan.

For purposes of this rider, the Texas Higher Education Coordinating Board shall be considered the lead agency. The agencies shall also provide recommendations for the coordination and alignment of adult basic education assessments and State College Readiness Standards under Sec. 51.3062. Education Code, for the appropriate student placement in adult basic education or developmental education courses. A progress report shall be submitted on the effectiveness of the action plan to the House Committee on Higher Education, House Appropriations Committee, Senate Education Committee, Senate Finance Committee, the Governor, Texas Workforce Commission, and the Legislative Budget Board by January 31, 2012.

**30. Tobacco Funds - Estimated Appropriation and Unexpended Balance.** Included in the amounts appropriated above to the Texas Higher Education Coordinating Board are estimated appropriations of amounts available for distribution or investment returns out of the Permanent Endowment Fund for the Baylor College of Medicine.

a. Amounts available for distribution or investment returns in excess of the amounts estimated above are also appropriated. In the event that amounts available for distribution or investment returns are less than the amounts estimated above, this Act may not be construed as appropriating funds to make up the difference.

b. All balances of estimated appropriations from the Permanent Endowment Fund for the Baylor College of Medicine and all balances from the institution's allocation from the amounts available for distribution out of the Permanent Health Fund for Higher Education, except for any General Revenue, at the close of the fiscal year ending August 31,2011 estimated to be $50,000 (and included in the Method of Finance above), and the income to said fund during the fiscal years beginning September 1, 2011, are hereby appropriated. Any unexpended appropriations made above as of August 31, 2012, are hereby appropriated for the same purposes for fiscal year 2013.

**31. Annual Financial Aid Report.** The Coordinating Board shall present an annual report concerning student financial aid at Texas public and independent institutions of higher education. This report shall be provided to the Legislative Budget Board by September 1 of each calendar year.

**32. Physician Education Loan Repayment Program Retention Rates.** The Texas Higher Education Coordinating Board shall report the results of a survey of physicians who have completed a Physician Education Loan Repayment Program contract to practice in a health professional shortage area in exchange for a loan repayment award to determine rates of retention in those shortage areas and counties. The Texas Higher Education Coordinating Board shall report the results of the survey to the Legislative Budget Board and the Governor prior to September 1 of every even numbered year.

**33. Dual Credit.** Out of funds appropriated above, the Texas Higher Education Coordinating Board, in conjunction with the Texas Education Agency, shall analyze the fiscal and instructional impacts on student outcomes for dual credit courses taken on high school campuses and on community college campuses. The Higher Education Coordinating Board should use new and existing data, performance measures, ongoing research studies, and survey data to evaluate student outcomes for these courses.

The Higher Education Coordinating Board shall analyze and compare all institution reports and student outcomes to determine the most efficient and effective delivery of dual credit courses. The Higher Education Coordinating Board and the Texas Education Agency shall provide the results of the study and make recommendations to the Legislative Budget Board before March 1, 2012.

**34. Funding for Non-Semester-Length Developmental Education.** Institutions shall analyze the fiscal and instructional impacts on student outcomes for both semester-length and non-semester-length developmental education interventions (including course-based, non-course based,

alternative-entry/exit, and other intensive developmental education activities). The institutions shall prepare a report to the Higher Education Coordinating Board no later than June 1, 2012. The Board, in conjunction with the Legislative Budget Board and institutions of higher education, shall use existing performance measures and data to assist in the evaluation of student outcomes for these interventions, including but not limited to, student success in first-college-level-course by subject, persistence, transfer, and degree or certificate completion.

Out of funds appropriated above, the Board shall analyze and compare all institution reports to determine the most effective and efficient combination of developmental education interventions and make recommendations to the Legislative Budget Board and the Governor before January 1, 2013.

**35. Top 10 Percent Scholarships.** Amounts appropriated above in Strategy B.1.12, Top Ten Percent Scholarships, shall be used to provide scholarships for undergraduate students who have graduated with a grade point average in the top 10 percent of the student's high school graduating class from an accredited Texas High School. All unexpended balances of the Top Ten Percent Scholarship Program as of August 31, 2011, up to $1,500,000 (and included above in the Method of Financing), are hereby appropriated to the Higher Education Coordinating Board for the biennium ending August 31, 2013 for the same purpose.

**36. Texas Armed Forces Scholarship Program.** Out of the funds appropriated above in Strategy B.1.13, Texas Armed Forces Scholarship Program, any unexpended balances on hand at the end of fiscal year 2012 are hereby appropriated for the same purpose in fiscal year 2013.

**37. Professional Nursing Shortage Reduction Program.** Appropriations for the Professional Nurse Shortage program total $15,000,000 in each year of the 2012-13 biennium. Those funds shall be allocated as follows:

The Texas Higher Education Coordinating Board (THECB) shall allocate the funds appropriated in their bill pattern in Strategy D.1.12, as follows:

(a) Up to 5 percent each year may be used for administrative expenses.

(b) In each fiscal year $4,933,500 shall be distributed in an equitable manner to institutions with nursing programs, including institutions graduating their first nursing class, based on increases in numbers of nursing student graduating. The THECB shall apply a weight of 1.5 for increased graduates in nursing educator programs identified with a Classification of Instructional Program code of 51.3808 and 51.3817. The THECB shall allocate up to 50 percent in each fiscal year of the biennium and any unexpended amounts to community colleges.

(c) $6,885,000 in fiscal year 2012 and $6,885,000 in fiscal year 2013 shall be distributed at a rate of $10,000 per year for each additional nursing student enrolled in a professional nursing program to institutions with professional nursing programs based on the following criteria: (1) a graduation rate of 70% or above as reflected in the final 2010 graduation rates reported by the THECB and (2) an increase in new enrollees for fiscal year 2012 equal to 12 percent and 18 percent in fiscal year 2013 of the first-year enrollments for the 2009-10 academic year as reported by the institutions to the Texas Center for Nursing Workforce Studies.

(d) THECB shall allocate any remaining appropriation, estimated to be $3,181,500 in fiscal year 2012 and $3,181,500 in fiscal year 2013 to (1) professional nursing programs with nursing graduation rates below 70 percent as reflected in the final 2010 graduation rates reported by the THECB, (2) hospital-based diploma programs, or (3) new professional nursing programs whose graduation rates which have not been determined by the THECB. From funds available for that purpose, institutions shall receive $20,000 for each additional initial RN graduate in two year programs and $10,000 for each additional graduate in one-year programs. If sufficient funds are not available to provide this allocation, the HECB shall submit a plan to the Legislative Budget Board and to the Governor outlining a method of proration. THECB shall develop an application process for institutions willing to increase the number of nursing graduates. The application shall indicate the number of nursing graduates for initial licensure the institution will produce; indicate the number of payments and payment schedule; identify benchmarks an institution must meet to receive payment; and specify the consequences of failing to meet the benchmarks.

(e) Any funds not expended in fiscal year 2012 may be expended in fiscal year 2013 for the same purposes. If an institution does not meet targets for purposes of subsections b, c and d, the institution shall return these unearned funds to the THECB by August 31 of each fiscal year. The THECB shall reallocate these funds to other qualified programs. All institutions receiving funds shall submit to the THECB a detailed accounting of funds received, obligated or expended.

**38. Consortium of Alzheimer's Disease Centers.** Amounts appropriated above in Strategy D.1.13, Consortium of Alzheimer's Disease Centers, are for the purpose of supporting the Consortium of Alzheimer's Disease Centers. The Coordinating Board shall contract with the Texas Council on Alzheimer's Disease and Related Disorders to direct the Consortium. Any unexpended balances at the end of fiscal year 2012 are hereby appropriated for the same purposes in fiscal year 2013.

**39. Teacher Education Centers.** Funds appropriated above in Strategy E.1.2, Teacher Education, are to be used for the purpose of supporting centers for teacher education at private, independent, general academic institutions that are component institutions of the Texas Association of Developing Colleges. Consideration shall be given to teacher education centers at Jarvis Christian College in Hawkins, Paul Quinn College in Dallas, Texas College in Tyler, Huston-Tillotson University in Austin, and Wiley College in Marshall. These funds may be used to enhance library resources and computer, mathematics and science laboratories. The board may require periodic submission of data and reports as the board considers necessary to assess the overall performance of the centers. The board may obtain the services of a program planner to facilitate and coordinate the process of curriculum development and program redesign to improve teacher preparation at the participating institutions.

By October 1 of each year, the participating institutions shall report data to the board as required to assess the overall performance of the centers.

**40. ABE Community College Grants.** Out of funds appropriated above in Strategy, E.1.7, ABE Community College Grants, $2,000,000 in general revenue for fiscal year 2012 and $2,000,000 in general revenue for fiscal year 2013 shall be used for the purpose of awarding competitive grants to community colleges and public technical institutions to increase participation in adult basic education. Any balances as of August 31, 2012 are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2012.

**41. Intent Concerning Developmental Education Interventions.** It is the intent of the Legislature that developmental education will be offered and conducted to address specific student developmental needs by non semester length developmental education interventions rather than semester length developmental education coursework beginning September 1, 2012.

**42. Texas State Technical College "Returned Value" Funding Model.** The Texas Higher Education Coordinating Board shall work with the Texas State Technical College System, the Legislative Budget Board and other relevant agencies to develop a new A&I funding formula to be implemented for the 2014-15 biennium for the Texas State Technical Colleges. The formula shall reward job placement and graduate earnings projections, not time in training or contact hours.

**43. Texas Grants Donations.** It is the intent of the Legislature that any donations received by the Higher Education Coordinating Board from the Texas Guaranteed Student Loan Corporations would be used to support the Texas Grant Program.

**44. Physician Education Loan Repayment Program.** The funds provided to Strategy D.1.8, Physician Education Loan Repayment Program, are appropriated in accordance with Education Code §§ 61.531 - 61.539 for repayment of eligible student loans received by a physician who meets the stipulated requirements. . Any balances on hand at the end of fiscal year 2012 may be carried over to fiscal year 2013 for the same purpose.

**45. Research Programs.** The appropriations made by this Act for the Norman Hackerman Advanced Research Program shall be distributed in accordance with the provisions of Education Code, Chapter 142. However, no more than 70 percent of the funds shall be designated for The University of Texas and the Texas A&M University Systems in the 2012-13 biennium. Out of funds allocated, up to $750,000 in each year of the biennium may be expended to support the development, implementation, and administration of summer research efforts to provide Texas high school math and science teachers an experience in a research lab supported by a research grant awarded under this section. Institutions receiving transfers of funds under this program shall report to the Coordinating Board in accordance with the provisions of Education Code § 142.005.

Similarly, the Coordinating Board shall report to the Governor and the Legislative Budget Board. Funds allocated for this research program are exempt from Comptroller of Public Accounts rules and regulations.

**46. Family Practice Rural and Public Health Rotations.** Funds appropriated above for Family Practice Residency Programs, include up to $119,955 in 2012 and $119,955 in 2013 for one month rural rotations or one month public health rotations for family practice residents in accordance with the provision of Education Code § 51.918.

**47. Teach for Texas Loan Repayment Assistance Program.**

a. Of the funds appropriated above in Strategy B.1.5, Teach for Texas Loan Repayment Program, any unexpended balances on hand at the end of fiscal year 2012 are hereby appropriated for the same purposes in fiscal year 2013.

b. Any payments received from students are hereby appropriated for the same purposes as the original Teach for Texas Loan Repayment Assistance Program.

**48. Border Faculty Loan Repayment Program.** The Higher Education Coordinating Board may allocate additional funds from Strategy B.1.8, Student Financial Aid Programs, to the Border Faculty Loan Repayment Program, and any unexpended balances on hand at the end of fiscal year 2012 are hereby appropriated for the same purposes in fiscal year 2013.

**49. African American Museum Internship .** Funds appropriated above in Strategy E.1.6, African American Museum Internship, are for the purpose of supporting an internship at the African American Museum in Dallas. The Higher Education Coordinating Board may contract with an institution of higher education to provide for the internship. The Higher Education Coordinating Board may require periodic submission of data and reports as the Board considers necessary to assess the overall performance of the museum internship program. By September 1 of each year, the museum shall report data to the board as required to assess the overall performance of the internship program. The Higher Education Coordinating Board is required to report to the Legislative Budget Board and the Governor's Office concerning the effectiveness of the program by October 1, 2012.

**50. OAG Lawyer's Loan Repayment Program.** The funds provided to Strategy B.1.7, OAG Lawyer's Loan Repayment Program, are appropriated in accordance with Education Code §§ 61.9721-61.9732 for providing education loan repayments for attorneys who agree to work for the Attorney General's Office for one year. Any balances on hand at the end of fiscal year 2012 may be carried over to fiscal year 2013 and such funds are appropriated for fiscal year 2013 for the same purpose.

**51. Texas Cancer Registry.** Contingent on the enactment of legislation authorizing the Cancer Prevention and Research Institute of Texas to issue bonds on an as needed basis, the Department of State Health Services (DSHS) shall use $2,969,554 in fiscal year 2012 and $2,969,554 in fiscal year 2013 from an Interagency Contract (Other Funds) with the Cancer Prevention and Research Institute of Texas (CPRIT) in Strategy A.1.2, Health Registries, Information, and Vital Records, for the purpose of maintaining the infrastructure of the cancer registry.

In the event the legislation authorizing CPRIT to issue bonds on an as needed basis does not pass, not later than December 1, 2011, the Texas Higher Education Coordinating Board shall collect from each health-related institution, including Baylor College of Medicine, and each general academic institution that conducts cancer-related research a total amount of $2,969,554 in fiscal year 2012 and $2,969,554 in fiscal year 2013. The Coordinating Board shall develop a methodology that assesses a proportional share of the cost for each institution. The Coordinating Board shall enter into an interagency cooperation agreement with the Texas Department of State Health Services to transfer the funds to the Department for the purposes of supporting the operations and maintenance of the cancer registry.

**52. Developmental Education.** Funds appropriated above in Strategy E.1.1, Developmental Education Program, $2,000,000 in general revenue for fiscal year 2012 and $2,000,000 in general revenue for fiscal year 2013 shall be used for the purpose of implementing and supporting demonstration projects at community colleges and public technical institutions. The programs would use technology and diagnostic assessments to determine students' needs and college readiness and use educational methods, including non-course based, that would improve developmental education outcomes. Out of funds appropriated to this strategy, the Higher Education Coordinating Board will study the issue of developmental education focusing on

researching best practices to implement statewide and submit a report to the Governor, Lieutenant Governor, Speaker of the House of Appropriations, the Chair of the Senate Finance Committee, the Chair of House Appropriations, Senate Committee on Higher Education and House Committee on Higher Education before January 1, 2013. Any balances remaining as of August 31, 2012 are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2012.

**53. System Administration for Community Colleges.** Out of the amounts appropriated above, the agency shall allocate an amount not to exceed $350,000 in General Revenue Funds to hire a national-level consultant who possesses demonstrated and in-depth expertise in higher education governance issues to provide the Legislative Budget Board and the Governor with a blueprint to establish a state system administration for public community colleges by no later than June 1, 2012. The specific criteria for the consultant's final product shall be determined collaboratively by the Legislative Budget Board, Governor and Texas Higher Education Coordinating Board.

## HIGHER EDUCATION FUND

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 262,500,000 | $ 262,500,000 |
| **Total, Method of Financing** | $ 262,500,000 | $ 262,500,000 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Items of Appropriation:** | | |
| **A. Goal:** HIGHER EDUCATION FUND | | |
| **A.1.1. Strategy:** HIGHER EDUCATION FUND | $ 262,500,000 | $ 262,500,000 |
| **Grand Total,** HIGHER EDUCATION FUND | $ 262,500,000 | $ 262,500,000 |
| **Object-of-Expense Informational Listing:** | | |
| Other Operating Expense | $ 262,500,000 | $ 262,500,000 |
| **Total, Object-of-Expense Informational Listing** | $ 262,500,000 | $ 262,500,000 |

**1. Unexpended Balances.** Any unexpended balances as of August 31, 2011 in the General Revenue Fund pursuant to the provision of Article VII, § 17(a) of the Texas Constitution, are hereby appropriated to the respective institutions for the biennium beginning September 1, 2011 for the same purposes.

## THE UNIVERSITY OF TEXAS SYSTEM ADMINISTRATION

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 7,965,600 | $ 7,965,600 |
| Permanent Endowment Fund Account No. 822, UT Regional Academic Health Center | 1,108,000 | 1,108,000 |
| **Total, Method of Financing** | $ 9,073,600 | $ 9,073,600 |
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 9,073,600 | $ 9,073,600 |
| **Grand Total,** THE UNIVERSITY OF TEXAS SYSTEM ADMINISTRATION | $ 9,073,600 | $ 9,073,600 |

**This bill pattern represents an estimated 40.7% of this agency's estimated total available funds for the biennium.**

| | | | | |
|---|---|---|---|---|
| **Number of Full-Time-Equivalents (FTE)- Appropriated Funds** | | 229.0 | | 229.0 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | | | |
|---|---|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS<br>Provide Instructional and Operations Support.<br>**A.1.1. Strategy:** SYSTEM OFFICE OPERATIONS | $ | 1,425,000 | $ | 1,425,000 |
| **B. Goal:** INFRASTRUCTURE SUPPORT<br>Provide Infrastructure Support.<br>**B.1.1. Strategy:** DEBT SERVICE - NSERB<br>Debt Service for the Natural Science and Engr. Building at UT - Dallas. | $ | 6,540,600 | $ | 6,540,600 |
| **C. Goal:** TOBACCO FUNDS<br>**C.1.1. Strategy:** TOBACCO EARNINGS - RAHC<br>Tobacco Earnings for the Lower Rio Grande Valley RAHC. | $ | 1,108,000 | $ | 1,108,000 |
| **Grand Total,** THE UNIVERSITY OF TEXAS SYSTEM ADMINISTRATION | $ | 9,073,600 | $ | 9,073,600 |

| | | | | |
|---|---|---|---|---|
| **Object-of-Expense Informational Listing:** | | | | |
| Salaries and Wages | $ | 1,425,000 | $ | 1,425,000 |
| Debt Service | | 6,540,600 | | 6,540,600 |
| Other Operating Expense | | 1,108,000 | | 1,108,000 |
| **Total, Object-of-Expense Informational Listing** | $ | 9,073,600 | $ | 9,073,600 |

| | | | | |
|---|---|---|---|---|
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | | | |
| Employee Benefits | | | | |
| Retirement | $ | 507,902 | $ | 526,825 |
| Group Insurance | | 44,246 | | 44,246 |
| Social Security | | 1,349,280 | | 1,396,505 |
| Subtotal, Employee Benefits | $ | 1,901,428 | $ | 1,967,576 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ | 1,901,428 | $ | 1,967,576 |

2. **Aircraft Authorized.** The University of Texas System is authorized to acquire, operate and maintain, including replacing, one passenger airplane. Such airplane should be acquired by gift, if possible, but may be acquired by purchase subject to the authority under Government Code, Chapter 2205. All costs of acquisition, operation and maintenance, including replacement, may be paid out of the Available University Fund allocable to The University of Texas System. The University of Texas System is also authorized to lease on a short-term basis additional aircraft as may be needed from time to time.

3. **Governing Board.** Out of funds appropriated above, an amount not to exceed $100,000 in each year of the biennium shall be for all expenses associated with the travel, entertainment, and lodging of the governing board.

   A separate record of the board's expenditures for these purposes shall be kept and retained in the same manner as the fiscal records of the institution(s) the board governs. None of the funds appropriated above may be used for the travel, entertainment, and lodging expenses of the board except for the specific amount designated above.

**4. Estimated Appropriation and Unexpended Balance.**

a. Included in the amounts appropriated above are estimated appropriations of amounts available for distribution or investment returns out of the Permanent Endowment Fund for the Lower Rio Grande Valley Regional Academic Health Center.

b. Amounts available for distribution or investment returns in excess of the amounts estimated above are also appropriated. In the event that amounts available for distribution or investment returns are less than the amounts estimated above, this Act may not be construed as appropriating funds to make up the difference.

c. All balances of estimated appropriations from the Permanent Endowment Fund for the Lower Rio Grande Valley Regional Academic Health Center, except for any General Revenue, at the close of the fiscal year ending August 31, 2011, and the income to said fund during the fiscal years beginning September 1, 2011, are hereby appropriated. Any unexpended appropriations made above as of August 31, 2012, are hereby appropriated for the same purposes for fiscal year 2013.

## AVAILABLE UNIVERSITY FUND

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| Available University Fund No. 011, estimated | $ 507,006,715 | $ 554,442,953 |
| **Total, Method of Financing** | $ 507,006,715 | $ 554,442,953 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Items of Appropriation:** | | |
| **A. Goal:** MANAGE/ADMINISTER ENDOWMENT FUNDS<br>Provide Management and Administrative Support for Endowment Funds. | | |
| **A.1.1. Strategy:** TEXAS A&M UNIV SYSTEM ALLOCATION<br>Texas A&M Univ. System Available Univ. Fund Allocation. Estimated. | $ 167,973,572 | $ 183,372,651 |
| **A.1.2. Strategy:** THE UNIV OF TEXAS SYSTEM ALLOCATION<br>The Univ. of Texas System Available Univ. Fund Allocation. Estimated. | $ 339,033,143 | $ 371,070,302 |
| **Total, Goal A:** MANAGE/ADMINISTER ENDOWMENT FUNDS | $ 507,006,715 | $ 554,442,953 |
| **Grand Total,** AVAILABLE UNIVERSITY FUND | $ 507,006,715 | $ 554,442,953 |
| **Object-of-Expense Informational Listing:** | | |
| Other Operating Expense | $ 507,006,715 | $ 554,442,953 |
| **Total, Object-of-Expense Informational Listing** | $ 507,006,715 | $ 554,442,953 |

**1. Texas A&M University System Share.** There is hereby appropriated to the Texas A&M University System for the biennium ending August 31, 2013, that portion of the Available University Fund No. 011 apportioned to it by Article VII, § 18(f) of the Texas Constitution, except the part of that portion appropriated by § 18 for the payment of principal and interest on bonds or notes issued thereunder by the Board of Regents of the Texas A&M University System, together with interest and any balance in the Texas A&M University Available Fund No. 011 for any previous fiscal year. The Texas A&M University System is authorized to use a portion of its share of the Available University Fund No. 011 for the matching of private grants for the endowment of scholarships, fellowships, library support, and academic positions at Texas A&M University and Prairie View A&M University.

## AVAILABLE UNIVERSITY FUND
(Continued)

2. **The University of Texas System Share.** There is hereby appropriated for the biennium ending August 31, 2013 that portion of the Available University Fund No. 011 apportioned to The University of Texas System by Article VII, § 18(f) of the Texas Constitution, together with interest and any balance in the Available University Fund No. 011 for any previous years, except that portion appropriated by § 18 for the payment of principal and interest on bonds or notes issued by the Board of Regents of The University of Texas System. This appropriation may be used for new construction, major repairs and rehabilitation, equipment, maintenance, operation, salaries, and support, including the matching of private grants for the endowment of scholarships, fellowships, library support, and academic positions for The University of Texas at Austin and for The University of Texas System Administration and is to be used as the Board of Regents of The University of Texas System may determine.

3. **Transfer Authorization.** The University of Texas System shall transfer from the Available University Fund No. 011 into the Texas A&M University Available Fund No. 047 the respective portion required by Article VII, § 18(f) of the Texas Constitution.

4. **Reporting.**

   a. The University of Texas System Board of Regents and the Texas A&M University System Board of Regents shall report to the Legislature and the Governor no later than December 1 of each year the uses of the Available University Fund (AUF) for each system component and for the system office operations for the two previous years, the current year, and two future years (projected). Each report shall contain detailed information on the following:

      (1) debt service allocations, by component;
      (2) bond proceeds allocations, by component;
      (3) excellence allocations, by component or system office, and their purposes;
      (4) Available University Fund income, interest, beginning-and-end-of-year balances; and
      (5) the rationale used by the respective boards to distribute AUF funds.

   b. In addition, by December 1 of each year, authorized managers of permanent funds and endowments whose earnings are appropriated above shall submit an annual financial report which shall include, at a minimum, an income statement and balance sheet and a summary of the investment return of the fund during the preceding fiscal year. The annual financial report shall also contain:

      (1) a summary of all gains, losses and income from investments and an itemized list of all securities held for the fund on August 31;
      (2) any other information needed by the Governor or the Legislative Budget Board to clearly indicate the nature and extent of investments made of the fund and all income realized from the components of the fund.

   The annual financial report shall be distributed to the Governor and Legislative Budget Board by December 1 of each year of the biennium.

## THE UNIVERSITY OF TEXAS AT ARLINGTON

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 89,448,405 | $ 89,419,389 |
| General Revenue Fund - Dedicated | | |
| Estimated Board Authorized Tuition Increases Account No. 704 | 6,270,883 | 6,270,883 |
| Estimated Other Educational and General Income Account No. 770 | 45,912,226 | 46,332,370 |
| Subtotal, General Revenue Fund - Dedicated | $ 52,183,109 | $ 52,603,253 |
| **Total, Method of Financing** | $ 141,631,514 | $ 142,022,642 |

| | | | | |
|---|---|---|---|---|
| **Items of Appropriation:** | | | | |
| 1. Educational and General State Support | $ | 141,631,514 | $ | 142,022,642 |
| **Grand Total,** THE UNIVERSITY OF TEXAS AT ARLINGTON | $ | 141,631,514 | $ | 142,022,642 |

**This bill pattern represents an estimated 34.7% of this agency's estimated total available funds for the biennium.**

| | | | | |
|---|---|---|---|---|
| **Number of Full-Time-Equivalents (FTE)- Appropriated Funds** | | 2,227.5 | | 2,227.5 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | | | |
|---|---|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | | | |
| Provide Instructional and Operations Support. | | | | |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | $ | 99,939,255 | $ | 99,939,255 |
| **A.1.2. Strategy:** TEACHING EXPERIENCE SUPPLEMENT | $ | 1,961,018 | $ | 1,961,018 |
| **A.1.3. Strategy:** STAFF GROUP INSURANCE PREMIUMS | $ | 4,977,110 | $ | 5,325,511 |
| **A.1.4. Strategy:** WORKERS' COMPENSATION INSURANCE | $ | 215,307 | $ | 215,308 |
| **A.1.5. Strategy:** UNEMPLOYMENT COMPENSATION INSURANCE | $ | 20,930 | $ | 20,929 |
| **A.1.6. Strategy:** TEXAS PUBLIC EDUCATION GRANTS | $ | 5,867,443 | $ | 5,913,030 |
| **Total, Goal A:** INSTRUCTION/OPERATIONS | $ | 112,981,063 | $ | 113,375,051 |
| **B. Goal:** INFRASTRUCTURE SUPPORT | | | | |
| Provide Infrastructure Support. | | | | |
| **B.1.1. Strategy:** E&G SPACE SUPPORT | $ | 15,200,731 | $ | 15,200,731 |
| Educational and General Space Support. | | | | |
| **B.1.2. Strategy:** TUITION REVENUE BOND RETIREMENT | $ | 7,420,453 | $ | 7,417,593 |
| **Total, Goal B:** INFRASTRUCTURE SUPPORT | $ | 22,621,184 | $ | 22,618,324 |
| **C. Goal:** SPECIAL ITEM SUPPORT | | | | |
| Provide Special Item Support. | | | | |
| **C.1.1. Strategy:** SCIENCE EDUCATION CENTER | $ | 133,259 | $ | 133,259 |
| **C.2.1. Strategy:** AUTOMATION AND ROBOTICS INSTITUTE | $ | 887,108 | $ | 887,108 |
| Automation and Robotics Research Institute. | | | | |
| **C.3.1. Strategy:** RURAL HOSPITAL OUTREACH PROGRAM | $ | 32,634 | $ | 32,634 |
| **C.3.2. Strategy:** INSTITUTE OF URBAN STUDIES | $ | 211,166 | $ | 211,166 |
| **C.3.3. Strategy:** MEXICAN AMERICAN STUDIES | $ | 29,613 | $ | 29,613 |
| **C.4.1. Strategy:** INSTITUTIONAL ENHANCEMENT | $ | 1,641,060 | $ | 1,641,060 |
| **C.4.2. Strategy:** AFRICA INTERNATIONAL EXCHANGE | $ | 78,050 | $ | 78,050 |
| **Total, Goal C:** SPECIAL ITEM SUPPORT | $ | 3,012,890 | $ | 3,012,890 |
| **D. Goal:** RESEARCH FUNDS | | | | |
| **D.1.1. Strategy:** RESEARCH DEVELOPMENT FUND | $ | 3,016,377 | $ | 3,016,377 |
| **Grand Total,** THE UNIVERSITY OF TEXAS AT ARLINGTON | $ | 141,631,514 | $ | 142,022,642 |

| | | | | |
|---|---|---|---|---|
| **Object-of-Expense Informational Listing:** | | | | |
| Salaries and Wages | $ | 35,577,349 | $ | 34,188,830 |
| Other Personnel Costs | | 651,218 | | 627,581 |
| Faculty Salaries (Higher Education Only) | | 77,912,954 | | 79,912,395 |
| Professional Fees and Services | | 11,669 | | 0 |
| Fuels and Lubricants | | 38,951 | | 43,755 |
| Consumable Supplies | | 1,107,234 | | 437,548 |
| Utilities | | 6,168,945 | | 7,215,931 |
| Travel | | 24,631 | | 19,519 |
| Rent - Building | | 1,536 | | 0 |
| Rent - Machine and Other | | 9,722 | | 0 |
| Debt Service | | 7,420,453 | | 7,417,593 |

| | | |
|---|---|---|
| Other Operating Expense | 6,704,983 | 6,246,460 |
| Grants | 5,867,443 | 5,913,030 |
| Capital Expenditures | 134,426 | 0 |
| **Total, Object-of-Expense Informational Listing** | $ 141,631,514 | $ 142,022,642 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 7,093,339 | $ 7,357,617 |
| Group Insurance | 9,218,273 | 9,218,273 |
| Social Security | 8,392,215 | 8,685,943 |
| Subtotal, Employee Benefits | $ 24,703,827 | $ 25,261,833 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 24,703,827 | $ 25,261,833 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for The University of Texas at Arlington. 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 University of Texas at Arlington. In order to achieve the objectives and service standards established by this Act, The University of Texas at Arlington shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years | 44% | 46% |
| Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years | 22% | 24% |
| Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year | 74% | 77% |
| Certification Rate of Teacher Education Graduates | 97% | 97% |
| Percent of Baccalaureate Graduates Who Are First Generation College Graduates | 42% | 42% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years | 58% | 60% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years | 38% | 40% |
| Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty | 32% | 32% |
| State Licensure Pass Rate of Engineering Graduates | 80% | 80% |
| State Licensure Pass Rate of Nursing Graduates | 99% | 99% |
| Dollar Value of External or Sponsored Research Funds (in Millions) | 40.23 | 45.46 |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | | |
| **Efficiencies:** | | |
| Administrative Cost as a Percent of Total Expenditures | 7.5% | 7.5% |

3. **Robotics Engineering Research Program Transferability Authority.** The University of Texas at Arlington is hereby authorized to transfer or utilize from funds appropriated above an amount not to exceed $356,250 to the Robotics Engineering Research Program in addition to the amount specified for that item. However, no funds may be transferred from any specified amount for faculty salaries, general scholarships, or minority scholarships and recruitment.

4. **Center for Mexican American Studies.** The University of Texas at Arlington is hereby authorized to transfer or utilize, from funds appropriated above, an amount not to exceed $213,750 for the operation of the Center for Mexican American Studies.

5. **Urban Studies Institute.** All funds collected by the Urban Studies Institute are hereby appropriated to The University of Texas at Arlington for the Urban Studies Institute. It is the intent of the Legislature that services provided by the Institute shall be provided at a reduced cost based upon financial need and the availability of like services.

# THE UNIVERSITY OF TEXAS AT AUSTIN

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 247,397,392 | $ 245,147,339 |
| General Revenue Fund - Dedicated | | |
| Estimated Board Authorized Tuition Increases Account No. 704 | 19,904,678 | 19,904,678 |
| Estimated Other Educational and General Income Account No. 770 | 83,064,436 | 86,321,142 |
| Subtotal, General Revenue Fund - Dedicated | $ 102,969,114 | $ 106,225,820 |
| **Total, Method of Financing** | $ 350,366,506 | $ 351,373,159 |
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 350,366,506 | $ 351,373,159 |
| **Grand Total,** THE UNIVERSITY OF TEXAS AT AUSTIN | $ 350,366,506 | $ 351,373,159 |
| **This bill pattern represents an estimated 18.7% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE)- Appropriated Funds** | 6,520.6 | 6,520.6 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| Provide Instructional and Operations Support. | | |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | $ 214,862,914 | $ 214,862,914 |
| **A.1.2. Strategy:** TEACHING EXPERIENCE SUPPLEMENT | $ 5,326,625 | $ 5,326,625 |
| **A.1.3. Strategy:** STAFF GROUP INSURANCE PREMIUMS | $ 8,711,166 | $ 9,320,954 |
| **A.1.4. Strategy:** WORKERS' COMPENSATION INSURANCE | $ 619,142 | $ 619,142 |
| **A.1.5. Strategy:** UNEMPLOYMENT COMPENSATION INSURANCE | $ 31,772 | $ 31,772 |
| **A.1.6. Strategy:** TEXAS PUBLIC EDUCATION GRANTS | $ 12,770,003 | $ 13,172,093 |
| **Total, Goal A:** INSTRUCTION/OPERATIONS | $ 242,321,622 | $ 243,333,500 |
| **B. Goal:** INFRASTRUCTURE SUPPORT | | |
| Provide Infrastructure Support. | | |
| **B.1.1. Strategy:** E&G SPACE SUPPORT | $ 59,063,021 | $ 59,063,021 |
| Educational and General Space Support. | | |
| **B.1.2. Strategy:** TUITION REVENUE BOND RETIREMENT | $ 13,879,564 | $ 13,874,339 |
| **Total, Goal B:** INFRASTRUCTURE SUPPORT | $ 72,942,585 | $ 72,937,360 |
| **C. Goal:** SPECIAL ITEM SUPPORT | | |
| Provide Special Item Support. | | |
| **C.1.1. Strategy:** READINESS | $ 1,500,000 | $ 1,500,000 |
| **C.2.1. Strategy:** MARINE SCIENCE INSTITUTE | $ 1,703,977 | $ 1,703,977 |
| Marine Science Institute - Port Aransas. | | |
| **C.2.2. Strategy:** INSTITUTE FOR GEOPHYSICS | $ 786,070 | $ 786,070 |
| **C.2.3. Strategy:** BUREAU OF ECONOMIC GEOLOGY | $ 5,517,637 | $ 5,517,637 |
| **C.2.4. Strategy:** BUREAU OF BUSINESS RESEARCH | $ 174,365 | $ 174,365 |
| **C.2.5. Strategy:** MCDONALD OBSERVATORY | $ 3,765,190 | $ 3,765,190 |
| **C.2.6. Strategy:** ADVANCED STUDIES IN ASTRONOMY | $ 432,006 | $ 432,006 |
| Center for Advanced Studies in Astronomy. | | |
| **C.3.1. Strategy:** TEXAS MEMORIAL MUSEUM | $ 108,823 | $ 108,823 |
| **C.3.2. Strategy:** PUBLIC POLICY INSTITUTE | $ 144,161 | $ 144,161 |
| **C.3.3. Strategy:** POLICY DISPUTE RESOLUTION CENTER | $ 258,306 | $ 258,306 |
| Center for Public Policy Dispute Resolution. | | |

| | | |
|---|---|---|
| **C.3.4. Strategy:** LATINO WWII ORAL HISTORY | $ 32,812 | $ 32,812 |
| **C.3.5. Strategy:** GARNER MUSEUM | $ 168,750 | $ 168,750 |
| **C.4.1. Strategy:** INSTITUTIONAL ENHANCEMENT | $ 2,118,420 | $ 2,118,420 |
| **Total, Goal C:** SPECIAL ITEM SUPPORT | $ 16,710,517 | $ 16,710,517 |
| **D. Goal:** RESEARCH FUNDS | | |
| **D.1.1. Strategy:** COMPETITIVE KNOWLEDGE FUND | $ 18,391,782 | $ 18,391,782 |
| **Grand Total,** THE UNIVERSITY OF TEXAS AT AUSTIN | $ 350,366,506 | $ 351,373,159 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 73,098,572 | $ 71,710,905 |
| Other Personnel Costs | 1,477,717 | 1,516,376 |
| Faculty Salaries (Higher Education Only) | 142,264,430 | 144,915,787 |
| Utilities | 43,247,160 | 42,980,727 |
| Debt Service | 13,879,564 | 13,874,339 |
| Other Operating Expense | 63,629,060 | 63,202,932 |
| Grants | 12,770,003 | 13,172,093 |
| **Total, Object-of-Expense Informational Listing** | $ 350,366,506 | $ 351,373,159 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 21,220,611 | $ 22,011,231 |
| Group Insurance | 23,599,339 | 23,599,339 |
| Social Security | 23,817,798 | 24,651,421 |
| Subtotal, Employee Benefits | $ 68,637,748 | $ 70,261,991 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 68,637,748 | $ 70,261,991 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for The University of Texas at Austin. 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 University of Texas at Austin. In order to achieve the objectives and service standards established by this Act, The University of Texas at Austin shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years | 82.1% | 83.3% |
| Percent of First-time, Full-time, Degree seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years | 56.5% | 58% |
| Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year | 92% | 92% |
| Certification Rate of Teacher Education Graduates | 99% | 99% |
| Percent of Baccalaureate Graduates Who Are First Generation College Graduates | 19% | 19% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years | 83.5% | 83.8% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years | 22.9% | 22.9% |
| Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty | 40% | 40% |
| State Licensure Pass Rate of Law Graduates | 92% | 92% |
| State Licensure Pass Rate of Engineering Graduates | 90% | 90% |
| State Licensure Pass Rate of Nursing Graduates | 95% | 95% |
| State Licensure Pass Rate of Pharmacy Graduates | 99% | 99% |
| Dollar Value of External or Sponsored Research Funds (in Millions) | 530 | 559.9 |

| | | |
|---|---|---|
| **A.1.1. Strategy:** OPERATIONS SUPPORT | | |
| **Efficiencies:** | | |
| Administrative Cost as a Percent of Total Expenditures | 5% | 5% |

**3.** **Bureau of Economic Geology Contingency.** Contingent upon certification by the Comptroller of Public Accounts that increased activity by the Bureau of Economic Geology will generate at least $9,000,000 for the biennium in additional revenue to the General Revenue Fund, $4,500,000 in each year of the biennium is included in the appropriation above for the Bureau of Economic Geology.

**4.** **University Interscholastic League Financial Reporting.** As part of the financial report required in the Education Code § 33.083, the University Interscholastic League (UIL) shall provide the following financial information to the Governor, the presiding officer of each house of the legislature, and the Legislative Budget Board before November 20th each year. The report shall provide the following financial information in the format and order identified below for the preceding two fiscal years:

1. Total revenues.
2. Total expenditures.
3. Excess (Deficit) of revenue over expenditures.
4. Total fund balance.
5. Total interest income earned on fund balances belonging to UIL that are deposited with the University of Texas at Austin for the benefit of the league.
6. Total member school district earnings from event rebates and other sources.
7. Total UIL earnings from gate receipts, administrative charges, retained excess revenues from UIL managed events and other sources.
8. Total University of Texas at Austin earnings levied on all UIL expenditures and total expenses incurred by the University of Texas at Austin in providing administrative services for the University Interscholastic League.

This information shall be reported for all UIL funds, by all budget groups including but not limited to the General Fee, Music, Interscholastic League Press Conference, Athletic/Academic and Corporate budget groups, and individual event/tournament budgets. The UIL shall contract annually with an independent certified public accountant to audit this financial report. In lieu of pursuing a contract for independent audit services and at the discretion of the State Auditor, the State Auditor's Office may conduct the audit. Copies of this report shall be furnished on request to members of the legislature and shall be posted on the UIL's web site.

**5.** **Public Policy Clinics.** Out of the funds appropriated above, up to $155,859 in each year of the biennium shall be used for the Irma Lerma Rangel Public Policy Clinics in the Department of Government. The clinics shall be focused on public policy issues salient to the State of Texas and to be offered as graduate-level seminars to help maximize the partnership with the Tomas Rivera Center, the Center for Migration and Border Studies and other academic institutions. These funds shall be used to pay for the Irma Lerma Rangel Research Fellowships in Law and Public Policy, surveys, and other expenses associated with the clinics.

**6.** **Garner Museum.** Out of funds appropriated above in Strategy, C.3.5, Garner Museum, $106,875 each year will be used for repair and maintenance of the Garner Museum.

**7.** **Legislative Law Clinic.** Out of the funds appropriated above, $210,000 in each year of the biennium shall be used for the continuation of the Legislative Lawyering Clinic in the School of Law. These funds shall be used to pay for clinic academic and administrative personnel, research, surveys, and other expenses associated with the clinic.

**8.** **Readiness Project.** Out of funds approved above to Strategy C.1.1. Readiness, $3,000,000 shall be used to establish a statewide program to create and deploy modular courses to improve college readiness, reduce the need for developmental education, and improve student success, to be developed by a consortium of universities from multiple university systems and community colleges organized by the University of Texas at Austin. The courses would incorporate college readiness assignments based on the state college and career readiness standards that have been developed and field tested by faculty and instructional support staff from Texas A&M University, the University of Texas at Austin, public junior colleges, and public school districts. The courses should use diagnostic assessments and advanced technology to determine student's specific needs, include open-source instructional materials, include professional development institutes and online resources for instructors, and incorporate the best available research about how students learn

complex material. The courses may be designed so that they can be deployed as dual credit courses. Any unexpended balances remaining as of August 31, 2012 are hereby appropriated for the fiscal year beginning September 1, 2012.

## THE UNIVERSITY OF TEXAS AT DALLAS

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 73,170,725 | $ 72,607,656 |
| General Revenue Fund - Dedicated | | |
| Estimated Board Authorized Tuition Increases Account No. 704 | 5,770,000 | 5,770,000 |
| Estimated Other Educational and General Income Account No. 770 | 31,158,316 | 32,037,165 |
| Subtotal, General Revenue Fund - Dedicated | $ 36,928,316 | $ 37,807,165 |
| **Total, Method of Financing** | $ 110,099,041 | $ 110,414,821 |
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 110,099,041 | $ 110,414,821 |
| **Grand Total,** THE UNIVERSITY OF TEXAS AT DALLAS | $ 110,099,041 | $ 110,414,821 |
| **This bill pattern represents an estimated 28% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE)-Appropriated Funds** | 1,370.6 | 1,370.6 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| Provide Instructional and Operations Support. | | |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | $ 72,633,612 | $ 72,633,612 |
| **A.1.2. Strategy:** TEACHING EXPERIENCE SUPPLEMENT | $ 946,055 | $ 946,055 |
| **A.1.3. Strategy:** STAFF GROUP INSURANCE PREMIUMS | $ 3,213,912 | $ 3,438,889 |
| **A.1.4. Strategy:** WORKERS' COMPENSATION INSURANCE | $ 93,750 | $ 97,500 |
| **A.1.5. Strategy:** UNEMPLOYMENT COMPENSATION INSURANCE | $ 93,750 | $ 97,500 |
| **A.1.6. Strategy:** TEXAS PUBLIC EDUCATION GRANTS | $ 2,884,194 | $ 2,967,369 |
| **A.1.7. Strategy:** ORGANIZED ACTIVITIES | $ 7,397,465 | $ 7,397,465 |
| **Total, Goal A:** INSTRUCTION/OPERATIONS | $ 87,262,738 | $ 87,578,390 |
| **B. Goal:** INFRASTRUCTURE SUPPORT | | |
| Provide Infrastructure Support. | | |
| **B.1.1. Strategy:** E&G SPACE SUPPORT | $ 11,586,599 | $ 11,586,599 |
| Educational and General Space Support. | | |
| **B.1.2. Strategy:** TUITION REVENUE BOND RETIREMENT | $ 3,343,800 | $ 3,343,928 |
| **Total, Goal B:** INFRASTRUCTURE SUPPORT | $ 14,930,399 | $ 14,930,527 |
| **C. Goal:** SPECIAL ITEM SUPPORT | | |
| Provide Special Item Support. | | |
| **C.1.1. Strategy:** CENTER FOR APPLIED BIOLOGY | $ 365,940 | $ 365,940 |
| **C.1.2. Strategy:** NANOTECHNOLOGY | $ 146,376 | $ 146,376 |

| | | |
|---|---|---|
| **C.2.1. Strategy:** ACADEMIC BRIDGE PROGRAM<br>Intensive Summer Academic Bridge Program. | $ 146,376 | $ 146,376 |
| **C.3.1. Strategy:** SCIENCE, ENGINEERING, MATH | $ 669,148 | $ 669,148 |
| **Total, Goal C:** SPECIAL ITEM SUPPORT | $ 1,327,840 | $ 1,327,840 |
| **D. Goal:** RESEARCH FUNDS | | |
| **D.1.1. Strategy:** RESEARCH DEVELOPMENT FUND | $ 4,212,943 | $ 4,212,943 |
| **D.2.1. Strategy:** COMPETITIVE KNOWLEDGE FUND | $ 2,365,121 | $ 2,365,121 |
| **Total, Goal D:** RESEARCH FUNDS | $ 6,578,064 | $ 6,578,064 |
| **Grand Total,** THE UNIVERSITY OF TEXAS AT DALLAS | $ 110,099,041 | $ 110,414,821 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 39,806,769 | $ 36,529,509 |
| Other Personnel Costs | 1,679,038 | 711,949 |
| Faculty Salaries (Higher Education Only) | 51,696,635 | 55,958,119 |
| Travel | 24,412 | 15,500 |
| Debt Service | 3,343,800 | 3,343,928 |
| Other Operating Expense | 10,664,193 | 10,883,447 |
| Grants | 2,884,194 | 2,967,369 |
| Capital Expenditures | 0 | 5,000 |
| **Total, Object-of-Expense Informational Listing** | $ 110,099,041 | $ 110,414,821 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 5,631,699 | $ 5,841,520 |
| Group Insurance | 6,920,386 | 6,920,386 |
| Social Security | 6,635,768 | 6,868,020 |
| Subtotal, Employee Benefits | $ 19,187,853 | $ 19,629,926 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 19,187,853 | $ 19,629,926 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for The University of Texas at Dallas. 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 University of Texas at Dallas. In order to achieve the objectives and service standards established by this Act, The University of Texas at Dallas shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years | 62.33% | 62.98% |
| Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years | 41% | 41% |
| Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year | 85% | 85% |
| Certification Rate of Teacher Education Graduates | 100% | 100% |
| Percent of Baccalaureate Graduates Who Are First Generation College Graduates | 41.2% | 41.33% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years | 73% | 74% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years | 48.75% | 49% |
| Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty | 32.08% | 33.82% |

## THE UNIVERSITY OF TEXAS AT DALLAS
(Continued)

| | | |
|---|---|---|
| Dollar Value of External or Sponsored Research Funds (in Millions) | 60 | 65 |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | | |
| **Efficiencies:** | | |
| Administrative Cost as a Percent of Total Expenditures | 8.1% | 8.1% |

## THE UNIVERSITY OF TEXAS AT EL PASO

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 68,822,630 | $ 68,959,082 |
| General Revenue Fund - Dedicated | | |
| Estimated Board Authorized Tuition Increases Account No. 704 | 2,985,736 | 2,985,736 |
| Estimated Other Educational and General Income Account No. 770 | 24,458,550 | 24,529,364 |
| Subtotal, General Revenue Fund - Dedicated | $ 27,444,286 | $ 27,515,100 |
| Permanent Endowment Fund Account No. 817, UT El Paso, estimated | 1,385,000 | 1,385,000 |
| **Total, Method of Financing** | $ 97,651,916 | $ 97,859,182 |
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 97,651,916 | $ 97,859,182 |
| **Grand Total,** THE UNIVERSITY OF TEXAS AT EL PASO | $ 97,651,916 | $ 97,859,182 |
| **This bill pattern represents an estimated 42.7% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE)- Appropriated Funds** | 1,826.9 | 1,826.9 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| Provide Instructional and Operations Support. | | |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | $ 58,497,622 | $ 58,497,622 |
| **A.1.2. Strategy:** TEACHING EXPERIENCE SUPPLEMENT | $ 1,791,702 | $ 1,791,702 |
| **A.1.3. Strategy:** STAFF GROUP INSURANCE PREMIUMS | $ 2,816,412 | $ 3,013,563 |
| **A.1.4. Strategy:** WORKERS' COMPENSATION INSURANCE | $ 182,398 | $ 182,398 |
| **A.1.5. Strategy:** UNEMPLOYMENT COMPENSATION INSURANCE | $ 2,642 | $ 2,642 |
| **A.1.6. Strategy:** TEXAS PUBLIC EDUCATION GRANTS | $ 3,583,681 | $ 3,592,618 |
| **Total, Goal A:** INSTRUCTION/OPERATIONS | $ 66,874,457 | $ 67,080,545 |
| **B. Goal:** INFRASTRUCTURE SUPPORT | | |
| Provide Infrastructure Support. | | |
| **B.1.1. Strategy:** E&G SPACE SUPPORT | $ 11,153,950 | $ 11,153,950 |
| Educational and General Space Support. | | |
| **B.1.2. Strategy:** TUITION REVENUE BOND RETIREMENT | $ 7,295,203 | $ 7,296,380 |
| **Total, Goal B:** INFRASTRUCTURE SUPPORT | $ 18,449,153 | $ 18,450,330 |
| **C. Goal:** SPECIAL ITEM SUPPORT | | |
| Provide Special Item Support. | | |
| **C.1.1. Strategy:** BORDER STUDIES INSTITUTE | $ 58,016 | $ 58,016 |
| Inter-American and Border Studies Institute. | | |

| | | | | |
|---|---|---|---|---|
| **C.1.2. Strategy:** ENVIRONMENTAL RESOURCE MANAGEMENT<br>Center for Environmental Resource Management. | $ | 154,695 | $ | 154,695 |
| **C.1.3. Strategy:** CENTER FOR LAW AND BORDER STUDIES | $ | 294,297 | $ | 294,297 |
| **C.2.1. Strategy:** EL PASO CENTENNIAL MUSEUM | $ | 80,541 | $ | 80,541 |
| **C.2.2. Strategy:** RURAL NURSING HEALTH CARE<br>Rural Nursing Health Care Services. | $ | 42,464 | $ | 42,464 |
| **C.2.3. Strategy:** MANUFACTURE/MATERIALS MANAGEMENT<br>Institute for Manufacturing and Materials Management. | $ | 59,157 | $ | 59,157 |
| **C.2.4. Strategy:** ECONOMIC/ENTERPRISE DEVELOPMENT<br>Texas Centers for Economic and Enterprise Development. | $ | 566,004 | $ | 566,004 |
| **C.2.5. Strategy:** ACADEMIC EXCELLENCE<br>Collaborative for Academic Excellence. | $ | 77,348 | $ | 77,348 |
| **C.2.6. Strategy:** BORDER COMMUNITY HEALTH<br>Border Community Health Education Institute. | $ | 191,294 | $ | 191,294 |
| **C.2.7. Strategy:** BORDER HEALTH RESEARCH | $ | 206,009 | $ | 206,009 |
| **C.2.8. Strategy:** US-MEXICO IMMIGRATION CENTER<br>United States - Mexico Immigration Center. | $ | 29,430 | $ | 29,430 |
| **C.3.1. Strategy:** INSTITUTIONAL ENHANCEMENT | $ | 5,721,531 | $ | 5,721,532 |
| **Total, Goal C:** SPECIAL ITEM SUPPORT | $ | 7,480,786 | $ | 7,480,787 |
| **D. Goal:** RESEARCH FUNDS | | | | |
| **D.1.1. Strategy:** RESEARCH DEVELOPMENT FUND | $ | 3,462,520 | $ | 3,462,520 |
| **E. Goal:** TOBACCO FUNDS | | | | |
| **E.1.1. Strategy:** TOBACCO EARNINGS - UTEP<br>Tobacco Earnings for the University of Texas at El Paso. | $ | 1,385,000 | $ | 1,385,000 |
| **Grand Total,** THE UNIVERSITY OF TEXAS AT EL PASO | $ | 97,651,916 | $ | 97,859,182 |
| **Object-of-Expense Informational Listing:** | | | | |
| Salaries and Wages | $ | 33,474,137 | $ | 33,074,197 |
| Other Personnel Costs | | 3,001,452 | | 3,198,603 |
| Faculty Salaries (Higher Education Only) | | 44,532,106 | | 43,666,414 |
| Debt Service | | 7,295,203 | | 7,296,380 |
| Other Operating Expense | | 5,765,337 | | 7,030,970 |
| Grants | | 3,583,681 | | 3,592,618 |
| **Total, Object-of-Expense Informational Listing** | $ | 97,651,916 | $ | 97,859,182 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | | | |
| Employee Benefits | | | | |
| Retirement | $ | 5,547,947 | $ | 5,754,648 |
| Group Insurance | | 10,127,080 | | 10,127,080 |
| Social Security | | 6,460,675 | | 6,686,799 |
| Subtotal, Employee Benefits | $ | 22,135,702 | $ | 22,568,527 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ | 22,135,702 | $ | 22,568,527 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for The University of Texas at El Paso. 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 University of Texas at El Paso. In order to achieve the objectives and service standards established by this Act, The University of Texas at El Paso shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

## THE UNIVERSITY OF TEXAS AT EL PASO
(Continued)

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years | 35% | 35% |
| Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year | 72% | 72% |
| Certification Rate of Teacher Education Graduates | 89% | 89% |
| Percent of Baccalaureate Graduates Who Are First Generation College Graduates | 61% | 61% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years | 51% | 51% |
| Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty | 36% | 36% |
| State Licensure Pass Rate of Engineering Graduates | 75% | 75% |
| State Licensure Pass Rate of Nursing Graduates | 91% | 91% |
| Dollar Value of External or Sponsored Research Funds (in Millions) | 46 | 49 |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | | |
| **Efficiencies:** | | |
| Administrative Cost as a Percent of Total Expenditures | 7.5% | 7.5% |

3. **Transfer of Consortium Funds.** Funds identified for the Texas Centers for Border Economic and Enterprise Development are to be distributed among the member institutions of the consortium by transfers from appropriations to The University of Texas at El Paso to The University of Texas-Pan American and Texas A&M International University. Such transfers are subject to the special and general provisions of this Act and are authorized as follows:

| | 2012 | 2013 |
|---|---|---|
| Texas A&M International University: | | |
| Institute for International Trade | $ 137,887 | $137,887 |
| The University of Texas - Pan American: | | |
| Center for Entrepreneurship and Economic Development | $ 228,713 | $228,713 |

4. **Estimated Appropriation and Unexpended Balance.**

a. Included in the amounts appropriated above are estimated appropriations of amounts available for distribution or investment returns out of the Permanent Endowment Fund for The University of Texas at El Paso.

b. Amounts available for distribution or investment returns in excess of the amounts estimated above are also appropriated to the institution. In the event that amounts available for distribution or investment returns are less than the amounts estimated above, this Act may not be construed as appropriating funds to makeup the difference.

c. All balances of estimated appropriations from the Permanent Endowment Fund for The University of Texas at El Paso, except for any General Revenue, at the close of the fiscal year ending August 31, 2010, and the income to said fund during the fiscal years beginning September 1, 2011, are hereby appropriated. Any unexpended appropriations made above as of August 31, 2012, are hereby appropriated to the institution for the same purposes for fiscal year 2013.

## THE UNIVERSITY OF TEXAS - PAN AMERICAN

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 55,480,654 | $ 55,408,868 |
| General Revenue Fund - Dedicated | | |
| Estimated Board Authorized Tuition Increases Account No. 704 | 2,057,700 | 2,057,700 |

| | | | | |
|---|---|---|---|---|
| Estimated Other Educational and General Income Account No. 770 | | 23,526,416 | | 23,841,328 |
| Subtotal, General Revenue Fund - Dedicated | $ | 25,584,116 | $ | 25,899,028 |
| Interagency Contracts | | 228,713 | | 228,713 |
| **Total, Method of Financing** | $ | 81,293,483 | $ | 81,536,609 |
| **Items of Appropriation:** | | | | |
| 1. Educational and General State Support | $ | 81,293,483 | $ | 81,536,609 |
| **Grand Total,** THE UNIVERSITY OF TEXAS - PAN AMERICAN | $ | 81,293,483 | $ | 81,536,609 |
| **This bill pattern represents an estimated 36.2% of this agency's estimated total available funds for the biennium.** | | | | |
| **Number of Full-Time-Equivalents (FTE)- Appropriated Funds** | | 1,509.3 | | 1,524.4 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | | | |
|---|---|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | | | |
| Provide Instructional and Operations Support. | | | | |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | $ | 47,881,228 | $ | 47,881,228 |
| **A.1.2. Strategy:** TEACHING EXPERIENCE SUPPLEMENT | $ | 2,326,073 | $ | 2,326,073 |
| **A.1.3. Strategy:** STAFF GROUP INSURANCE PREMIUMS | $ | 2,844,013 | $ | 3,043,096 |
| **A.1.4. Strategy:** WORKERS' COMPENSATION INSURANCE | $ | 112,490 | $ | 112,490 |
| **A.1.5. Strategy:** TEXAS PUBLIC EDUCATION GRANTS | $ | 3,662,244 | $ | 3,705,694 |
| **Total, Goal A:** INSTRUCTION/OPERATIONS | $ | 56,826,048 | $ | 57,068,581 |
| **B. Goal:** INFRASTRUCTURE SUPPORT | | | | |
| Provide Infrastructure Support. | | | | |
| **B.1.1. Strategy:** E&G SPACE SUPPORT | $ | 8,885,817 | $ | 8,885,817 |
| Educational and General Space Support. | | | | |
| **B.1.2. Strategy:** TUITION REVENUE BOND RETIREMENT | $ | 7,217,824 | $ | 7,218,417 |
| **Total, Goal B:** INFRASTRUCTURE SUPPORT | $ | 16,103,641 | $ | 16,104,234 |
| **C. Goal:** SPECIAL ITEM SUPPORT | | | | |
| Provide Special Item Support. | | | | |
| **C.1.1. Strategy:** PROF DEVELOPMENT/DISTANCE LEARNING | $ | 113,326 | $ | 113,326 |
| Professional Development/Distance Learning. | | | | |
| **C.1.2. Strategy:** COOPERATIVE PHARMACY DOCTORATE | $ | 135,991 | $ | 135,991 |
| **C.1.3. Strategy:** STARR COUNTY UPPER LEVEL CENTER | $ | 67,996 | $ | 67,996 |
| **C.1.4. Strategy:** MCALLEN TEACHING SITE | $ | 400,000 | $ | 400,000 |
| **C.2.1. Strategy:** ECONOMIC DEVELOPMENT | $ | 473,690 | $ | 473,690 |
| Center for Entrepreneurship and Economic Development. | | | | |
| **C.2.2. Strategy:** CENTER FOR MANUFACTURING | $ | 208,042 | $ | 208,042 |
| **C.2.3. Strategy:** UT SYSTEM K-12 COLLABORATION | $ | 79,663 | $ | 79,663 |
| UT System K-12 Collaboration Initiative. | | | | |
| **C.2.4. Strategy:** TRADE & TECHNOLOGY/TELECOMM | $ | 59,748 | $ | 59,748 |
| Trade and Technology/Telecommunications. | | | | |
| **C.2.5. Strategy:** DIABETES REGISTRY | $ | 114,434 | $ | 114,434 |
| **C.2.6. Strategy:** TEXAS/MEXICO BORDER HEALTH | $ | 158,656 | $ | 158,656 |
| **C.3.1. Strategy:** INSTITUTIONAL ENHANCEMENT | $ | 5,751,677 | $ | 5,751,677 |
| **C.3.2. Strategy:** TRANSITION TO COLLEGE | $ | 226,652 | $ | 226,652 |
| Successful Transition to College Project. | | | | |
| **Total, Goal C:** SPECIAL ITEM SUPPORT | $ | 7,789,875 | $ | 7,789,875 |

| | | |
|---|---|---|
| **D. Goal:** RESEARCH FUNDS | | |
| **D.1.1. Strategy:** RESEARCH DEVELOPMENT FUND | $ 573,919 | $ 573,919 |
| **Grand Total,** THE UNIVERSITY OF TEXAS - PAN AMERICAN | $ 81,293,483 | $ 81,536,609 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 31,572,519 | $ 28,627,688 |
| Other Personnel Costs | 112,490 | 112,490 |
| Faculty Salaries (Higher Education Only) | 32,136,195 | 35,313,578 |
| Travel | 110,094 | 103,324 |
| Debt Service | 7,217,824 | 7,218,417 |
| Other Operating Expense | 4,919,812 | 4,966,425 |
| Client Services | 1,562,305 | 1,488,993 |
| Grants | 3,662,244 | 3,705,694 |
| **Total, Object-of-Expense Informational Listing** | $ 81,293,483 | $ 81,536,609 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 4,189,705 | $ 4,345,801 |
| Group Insurance | 6,968,205 | 6,968,205 |
| Social Security | 5,701,191 | 5,900,733 |
| Subtotal, Employee Benefits | $ 16,859,101 | $ 17,214,739 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 16,859,101 | $ 17,214,739 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for The University of Texas - Pan American. 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 University of Texas - Pan American. In order to achieve the objectives and service standards established by this Act, The University of Texas - Pan American shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years | 42.6% | 45.1% |
| Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years | 21.7% | 23.2% |
| Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year | 75.8% | 76.3% |
| Certification Rate of Teacher Education Graduates | 85% | 85% |
| Percent of Baccalaureate Graduates Who Are First Generation College Graduates | 70% | 70% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years | 76.1% | 80.1% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years | 45.5% | 47.5% |
| Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty | 45.5% | 45.5% |
| State Licensure Pass Rate of Nursing Graduates | 90% | 90% |
| Dollar Value of External or Sponsored Research Funds (in Millions) | 10 | 10.75 |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | | |
| **Efficiencies:** | | |
| Administrative Cost as a Percent of Total Expenditures | 9.7% | 9.7% |

3. **Center for Manufacturing.** Included in the appropriation above to The University of Texas - Pan American in Strategy C.2.2, Center for Manufacturing, is $208,042 in each year of the

biennium for the Center for Manufacturing contingent upon certification by the Comptroller of Public Accounts that increased activity by the center will generate at least $416,084 for the biennium in additional revenue to the General Revenue Fund.

## THE UNIVERSITY OF TEXAS AT BROWNSVILLE

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 23,706,578 | $ 23,718,203 |
| General Revenue Fund - Dedicated | | |
| Estimated Board Authorized Tuition Increases Account No. 704 | 374,340 | 374,340 |
| Estimated Other Educational and General Income Account No. 770 | 4,708,459 | 4,746,798 |
| Subtotal, General Revenue Fund - Dedicated | $ 5,082,799 | $ 5,121,138 |
| **Total, Method of Financing** | $ 28,789,377 | $ 28,839,341 |
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 28,789,377 | $ 28,839,341 |
| **Grand Total,** THE UNIVERSITY OF TEXAS AT BROWNSVILLE | $ 28,789,377 | $ 28,839,341 |
| **This bill pattern represents an estimated 19.1% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE)-Appropriated Funds** | 591.2 | 591.2 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| Provide Instructional and Operations Support. | | |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | $ 11,726,833 | $ 11,726,833 |
| **A.1.2. Strategy:** TEACHING EXPERIENCE SUPPLEMENT | $ 665,846 | $ 665,846 |
| **A.1.3. Strategy:** STAFF GROUP INSURANCE PREMIUMS | $ 612,278 | $ 655,138 |
| **A.1.4. Strategy:** WORKERS' COMPENSATION INSURANCE | $ 12,741 | $ 12,741 |
| **A.1.5. Strategy:** TEXAS PUBLIC EDUCATION GRANTS | $ 793,086 | $ 798,509 |
| **Total, Goal A:** INSTRUCTION/OPERATIONS | $ 13,810,784 | $ 13,859,067 |
| **B. Goal:** INFRASTRUCTURE SUPPORT | | |
| Provide Infrastructure Support. | | |
| **B.1.1. Strategy:** E&G SPACE SUPPORT | $ 3,407,238 | $ 3,407,238 |
| Educational and General Space Support. | | |
| **B.1.2. Strategy:** TUITION REVENUE BOND RETIREMENT | $ 5,624,359 | $ 5,626,041 |
| **B.1.3. Strategy:** LEASE OF FACILITIES | $ 1,291,597 | $ 1,291,597 |
| **Total, Goal B:** INFRASTRUCTURE SUPPORT | $ 10,323,194 | $ 10,324,876 |
| **C. Goal:** SPECIAL ITEM SUPPORT | | |
| Provide Special Item Support. | | |
| **C.1.1. Strategy:** ECONOMIC DEVELOPMENT | $ 250,000 | $ 250,000 |
| Texas Center for Border Economic Development. | | |
| **C.1.2. Strategy:** K-16 COLLABORATION IN UTB SRV AREA | $ 155,859 | $ 155,859 |
| K-16 Collaboration in the UTB Service Area. | | |

| | | |
|---|---|---|
| **C.2.1. Strategy:** INSTITUTIONAL ENHANCEMENT | $ 3,798,284 | $ 3,798,283 |
| **Total, Goal C:** SPECIAL ITEM SUPPORT | $ 4,204,143 | $ 4,204,142 |
| **D. Goal:** RESEARCH FUNDS | | |
| **D.1.1. Strategy:** RESEARCH DEVELOPMENT FUND | $ 451,256 | $ 451,256 |
| **Grand Total,** THE UNIVERSITY OF TEXAS AT BROWNSVILLE | $ 28,789,377 | $ 28,839,341 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 5,538,716 | $ 5,557,386 |
| Other Personnel Costs | 57,230 | 57,230 |
| Faculty Salaries (Higher Education Only) | 14,828,271 | 14,828,270 |
| Rent - Building | 1,291,597 | 1,291,597 |
| Debt Service | 5,624,359 | 5,626,041 |
| Other Operating Expense | 656,118 | 680,308 |
| Grants | 793,086 | 798,509 |
| **Total, Object-of-Expense Informational Listing** | $ 28,789,377 | $ 28,839,341 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 3,214,124 | $ 3,333,873 |
| Group Insurance | 2,822,615 | 2,822,615 |
| Social Security | 1,650,399 | 1,708,163 |
| Subtotal, Employee Benefits | $ 7,687,138 | $ 7,864,651 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 7,687,138 | $ 7,864,651 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for The University of Texas at Brownsville. 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 University of Texas at Brownsville. In order to achieve the objectives and service standards established by this Act, The University of Texas at Brownsville shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years | 37% | 37% |
| Percent of First-time, Full-time, Degree-seeking Undergraduates who earn a Baccalaureate Degree within Four Academic Years | 30% | 30% |
| Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year | 70% | 75% |
| Certification Rate of Teacher Education Graduates | 88% | 88% |
| Percent of Baccalaureate Graduates Who Are First Generation College Graduates | 60% | 60% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years | 72.5% | 75% |
| Percent of Incoming Full-time, Undergraduate Transfer Students who Graduate Within Two Years | 47.5% | 50% |
| Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-track Faculty | 63.4% | 63.4% |
| Dollar Value of External or Sponsored Research Funds (in Millions) | 5 | 5 |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two years | 33.33% | 33.33% |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | | |
| **Efficiencies:** | | |
| Administrative Cost as a Percent of Total Expenditures | 7.5% | 7.5% |

3. **Texas Center for Border Economic Development.** Included in the appropriation above to The University of Texas at Brownsville in Strategy C.1.1, Economic Development, is $250,000 in each year of the biennium for the Texas Center for Border Economic Development contingent upon certification by the Comptroller of Public Accounts that increased activity by the center will generate at least $500,000 for the biennium in additional revenue to the General Revenue Fund.

## THE UNIVERSITY OF TEXAS OF THE PERMIAN BASIN

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 23,559,695 | $ 23,556,545 |
| General Revenue Fund - Dedicated | | |
| Estimated Board Authorized Tuition Increases Account No. 704 | 224,687 | 224,687 |
| GR Dedicated - Estimated Other Educational and General Income Account No. 770 | 4,923,793 | 4,956,154 |
| Subtotal, General Revenue Fund - Dedicated | $ 5,148,480 | $ 5,180,841 |
| **Total, Method of Financing** | $ 28,708,175 | $ 28,737,386 |
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 28,708,175 | $ 28,737,386 |
| **Grand Total,** THE UNIVERSITY OF TEXAS OF THE PERMIAN BASIN | $ 28,708,175 | $ 28,737,386 |
| **This bill pattern represents an estimated 55.6% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE)- Appropriated Funds** | 335.8 | 335.8 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| Provide Instructional and Operations Support. | | |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | $ 8,730,432 | $ 8,730,432 |
| **A.1.2. Strategy:** TEACHING EXPERIENCE SUPPLEMENT | $ 351,109 | $ 351,109 |
| **A.1.3. Strategy:** STAFF GROUP INSURANCE PREMIUMS | $ 393,839 | $ 421,408 |
| **A.1.4. Strategy:** WORKERS' COMPENSATION INSURANCE | $ 20,896 | $ 20,896 |
| **A.1.5. Strategy:** TEXAS PUBLIC EDUCATION GRANTS | $ 711,693 | $ 716,198 |
| **A.1.6. Strategy:** HOLD HARMLESS | $ 461,657 | $ 461,657 |
| **Total, Goal A:** INSTRUCTION/OPERATIONS | $ 10,669,626 | $ 10,701,700 |
| **B. Goal:** INFRASTRUCTURE SUPPORT | | |
| Provide Infrastructure Support. | | |
| **B.1.1. Strategy:** E&G SPACE SUPPORT | $ 2,552,149 | $ 2,552,149 |
| Educational and General Space Support. | | |
| **B.1.2. Strategy:** TUITION REVENUE BOND RETIREMENT | $ 8,481,563 | $ 8,478,700 |
| **Total, Goal B:** INFRASTRUCTURE SUPPORT | $ 11,033,712 | $ 11,030,849 |
| **C. Goal:** SPECIAL ITEM SUPPORT | | |
| Provide Special Item Support. | | |
| **C.1.1. Strategy:** PERFORMING ARTS CENTER | $ 178,125 | $ 178,125 |
| **C.1.2. Strategy:** INSTRUCTION ENHANCEMENT | $ 3,206,250 | $ 3,206,250 |
| **C.2.1. Strategy:** CENTER FOR ENERGY | $ 186,747 | $ 186,747 |
| **C.3.1. Strategy:** PUBLIC LEADERSHIP INSTITUTE | $ 497,993 | $ 497,993 |
| John Ben Shepperd Public Leadership Institute. | | |

| | | |
|---|---|---|
| **C.3.2. Strategy:** SMALL BUSINESS DEVELOPMENT CENTER | $ 139,957 | $ 139,957 |
| **C.4.1. Strategy:** INSTITUTIONAL ENHANCEMENT | $ 2,642,561 | $ 2,642,561 |
| **Total, Goal C:** SPECIAL ITEM SUPPORT | $ 6,851,633 | $ 6,851,633 |
| **D. Goal:** RESEARCH FUNDS | | |
| **D.1.1. Strategy:** RESEARCH DEVELOPMENT FUND | $ 153,204 | $ 153,204 |
| **Grand Total,** THE UNIVERSITY OF TEXAS OF THE PERMIAN BASIN | $ 28,708,175 | $ 28,737,386 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 7,202,660 | $ 6,915,666 |
| Other Personnel Costs | 173,370 | 223,607 |
| Faculty Salaries (Higher Education Only) | 7,125,821 | 8,390,518 |
| Professional Fees and Services | 135,530 | 57,189 |
| Consumable Supplies | 89,116 | 81,429 |
| Utilities | 1,130,179 | 1,406,938 |
| Travel | 50,816 | 34,006 |
| Rent - Building | 1,904 | 2,443 |
| Rent - Machine and Other | 49,381 | 61,980 |
| Debt Service | 8,481,563 | 8,478,700 |
| Other Operating Expense | 3,019,672 | 2,094,412 |
| Grants | 711,693 | 716,198 |
| Capital Expenditures | 536,470 | 274,300 |
| **Total, Object-of-Expense Informational Listing** | $ 28,708,175 | $ 28,737,386 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 965,718 | $ 1,001,698 |
| Group Insurance | 1,811,198 | 1,811,198 |
| Social Security | 1,352,463 | 1,399,799 |
| Subtotal, Employee Benefits | $ 4,129,379 | $ 4,212,695 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 4,129,379 | $ 4,212,695 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for The University of Texas of the Permian Basin. 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 University of Texas of the Permian Basin. In order to achieve the objectives and service standards established by this Act, The University of Texas of the Permian Basin shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years | 31% | 31% |
| Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years | 16.5% | 16.5% |
| Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year | 62% | 62% |
| Certification Rate of Teacher Education Graduates | 92% | 92% |
| Percent of Baccalaureate Graduates Who Are First Generation College Graduates | 66% | 66% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years | 65% | 65% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years | 34% | 34% |
| Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty | 40% | 40% |

| | | |
|---|---|---|
| Dollar Value of External or Sponsored Research Funds (in Millions) | 1.2 | 1.2 |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | | |
| **Efficiencies:** | | |
| Administrative Cost as a Percent of Total Expenditures | 8% | 8% |

3. **Definition of Allowable Expenses for Public Leadership Institute.** Appropriated funds for the John Ben Shepperd Public Leadership Institute may be used to pay for costs associated with the Institute's education programs for public secondary and university-level students. Allowable costs include, but are not limited to, registration fees, group or air transportation, lodging, meals, training costs, and related expenses.

## THE UNIVERSITY OF TEXAS AT SAN ANTONIO

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 89,254,368 | $ 89,292,896 |
| General Revenue Fund - Dedicated | | |
| GR Dedicated - Estimated Board Authorized Tuition Increases Account No. 704 | 3,603,474 | 3,603,474 |
| GR Dedicated - Estimated Other Educational and General Income Account No. 770 | 37,227,045 | 37,514,515 |
| Subtotal, General Revenue Fund - Dedicated | $ 40,830,519 | $ 41,117,989 |
| **Total, Method of Financing** | $ 130,084,887 | $ 130,410,885 |
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 130,084,887 | $ 130,410,885 |
| **Grand Total,** THE UNIVERSITY OF TEXAS AT SAN ANTONIO | $ 130,084,887 | $ 130,410,885 |
| **This bill pattern represents an estimated 29.1% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE)- Appropriated Funds** | 2,321.9 | 2,321.9 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| Provide Instructional and Operations Support. | | |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | $ 77,349,265 | $ 77,349,265 |
| **A.1.2. Strategy:** TEACHING EXPERIENCE SUPPLEMENT | $ 2,029,659 | $ 2,029,659 |
| **A.1.3. Strategy:** STAFF GROUP INSURANCE PREMIUMS | $ 4,075,983 | $ 4,361,305 |
| **A.1.4. Strategy:** WORKERS' COMPENSATION INSURANCE | $ 132,225 | $ 132,225 |
| **A.1.5. Strategy:** UNEMPLOYMENT COMPENSATION INSURANCE | $ 242 | $ 242 |
| **A.1.6. Strategy:** TEXAS PUBLIC EDUCATION GRANTS | $ 5,468,253 | $ 5,506,181 |
| **Total, Goal A:** INSTRUCTION/OPERATIONS | $ 89,055,627 | $ 89,378,877 |
| **B. Goal:** INFRASTRUCTURE SUPPORT | | |
| Provide Infrastructure Support. | | |
| **B.1.1. Strategy:** E&G SPACE SUPPORT | $ 13,958,868 | $ 13,958,868 |
| Educational and General Space Support. | | |
| **B.1.2. Strategy:** TUITION REVENUE BOND RETIREMENT | $ 11,225,875 | $ 11,228,623 |
| **Total, Goal B:** INFRASTRUCTURE SUPPORT | $ 25,184,743 | $ 25,187,491 |

| | | | | |
|---|---|---|---|---|
| **C. Goal:** SPECIAL ITEM SUPPORT | | | | |
| Provide Special Item Support. | | | | |
| **C.1.1. Strategy:** TEXAS PRE-ENGINEERING PROGRAM | $ | 417,892 | $ | 417,892 |
| **C.2.1. Strategy:** LIFE SCIENCE INSTITUTE | $ | 735,000 | $ | 735,000 |
| **C.3.1. Strategy:** SMALL BUSINESS DEVELOPMENT CENTER | $ | 3,791,138 | $ | 3,791,138 |
| **C.3.2. Strategy:** INSTITUTE OF TEXAN CULTURES | $ | 1,464,844 | $ | 1,464,844 |
| **C.3.3. Strategy:** SW TX BORDER SBDC | $ | 1,213,169 | $ | 1,213,169 |
| South-West Texas Border Network SBDC. | | | | |
| **C.4.1. Strategy:** INSTITUTIONAL ENHANCEMENT | $ | 4,057,500 | $ | 4,057,500 |
| **C.4.2. Strategy:** DOWNTOWN CAMPUS PHASE II | $ | 927,886 | $ | 927,886 |
| **C.4.3. Strategy:** TEXAS STATE DATA CENTER | $ | 491,440 | $ | 491,440 |
| **Total, Goal C:** SPECIAL ITEM SUPPORT | $ | 13,098,869 | $ | 13,098,869 |
| **D. Goal:** RESEARCH FUNDS | | | | |
| **D.1.1. Strategy:** RESEARCH DEVELOPMENT FUND | $ | 2,745,648 | $ | 2,745,648 |
| **Grand Total,** THE UNIVERSITY OF TEXAS AT SAN ANTONIO | $ | 130,084,887 | $ | 130,410,885 |
| **Object-of-Expense Informational Listing:** | | | | |
| Salaries and Wages | $ | 47,309,168 | $ | 48,430,590 |
| Other Personnel Costs | | 4,208,450 | | 4,493,772 |
| Faculty Salaries (Higher Education Only) | | 58,435,801 | | 57,454,023 |
| Utilities | | 2,796 | | 0 |
| Debt Service | | 11,225,875 | | 11,228,623 |
| Other Operating Expense | | 3,434,544 | | 3,297,696 |
| Grants | | 5,468,253 | | 5,506,181 |
| **Total, Object-of-Expense Informational Listing** | $ | 130,084,887 | $ | 130,410,885 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | | | |
| Employee Benefits | | | | |
| Retirement | $ | 6,509,004 | $ | 6,751,511 |
| Group Insurance | | 10,216,998 | | 10,216,998 |
| Social Security | | 7,554,143 | | 7,818,538 |
| Subtotal, Employee Benefits | $ | 24,280,145 | $ | 24,787,047 |
| Debt Service | | | | |
| Lease Payments | $ | 3,034 | $ | 2,552 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ | 24,283,179 | $ | 24,789,599 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for The University of Texas at San Antonio. 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 University of Texas at San Antonio. In order to achieve the objectives and service standards established by this Act, The University of Texas at San Antonio shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years | 41.47% | 43.37% |
| Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years | 9.36% | 9.36% |
| Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year | 70.4% | 71.8% |
| Certification Rate of Teacher Education Graduates | 97% | 97% |

| | | |
|---|---|---|
| Percent of Baccalaureate Graduates Who Are First Generation College Graduates | 50% | 50% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years | 79.09% | 83.16% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years | 29.5% | 30% |
| Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty | 30% | 30% |
| State Licensure Pass Rate of Engineering Graduates | 76% | 76% |
| Dollar Value of External or Sponsored Research Funds (in Millions) | 40.6 | 43.1 |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | | |
| **Efficiencies:** | | |
| Administrative Cost as a Percent of Total Expenditures | 9% | 9% |

3. **Contingent Upon Certification: Texas State Data Center.** Out of funds appropriated above in Strategy C.4.3, Texas State Data Center, $150,000 in fiscal year 2012 and $150,000 in fiscal year 2013 are appropriated from the General Revenue Fund for the operation of the Texas State Data Center at The University of Texas at San Antonio, contingent upon certification by the Comptroller of Public Accounts that increased activity resulting from the work of the Texas State Data Center will generate at least $300,000 for the biennium in additional revenue to the General Revenue Fund.

4. **South-West Texas Border Network SBDC.** Out of the funds appropriated above in Strategy C.3.3, South-West Texas Border Network SBDC, $1,213,169 in fiscal year 2012 and $1,213,169 in fiscal year 2013 are appropriated from the General Revenue Fund for the operation of the South-West Texas Border Network SBDC Rural Development Initiative at the University of Texas at San Antonio, contingent upon certification by the Comptroller of Public Accounts that increased activities resulting from the South-West Texas Border Network SBDC will generate at least $2,426,338 for the biennium in additional revenue to the General Revenue Fund.

5. **Institute of Texan Cultures.** Out of the funds appropriated above, it is the intent of the Legislature that The University of Texas at San Antonio spend up to $1,464,844 each year of the biennium for the Institute of Texan Cultures.

6. **Unexpended Balances Between Fiscal Years: San Antonio Life Sciences Institute.** Any unexpended balances as of August 31, 2012, from the appropriations identified in Strategy C.2.1, San Antonio Life Sciences Institute, are hereby appropriated to The University of Texas at San Antonio for the same purpose for the fiscal year beginning September 1, 2012.

## THE UNIVERSITY OF TEXAS AT TYLER

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 25,896,880 | $ 25,907,848 |
| GR Dedicated - Estimated Other Educational and General Income Account No. 770 | 7,149,410 | 7,193,407 |
| **Total, Method of Financing** | $ 33,046,290 | $ 33,101,255 |
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 33,046,290 | $ 33,101,255 |
| **Grand Total,** THE UNIVERSITY OF TEXAS AT TYLER | $ 33,046,290 | $ 33,101,255 |
| **This bill pattern represents an estimated 45.5% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE)- Appropriated Funds** | 474.0 | 474.0 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | | | |
|---|---|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | | | |
| Provide Instructional and Operations Support. | | | | |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | $ | 15,854,265 | $ | 15,854,265 |
| **A.1.2. Strategy:** TEACHING EXPERIENCE SUPPLEMENT | $ | 599,219 | $ | 599,219 |
| **A.1.3. Strategy:** STAFF GROUP INSURANCE PREMIUMS | $ | 711,012 | $ | 760,783 |
| **A.1.4. Strategy:** WORKERS' COMPENSATION INSURANCE | $ | 42,752 | $ | 42,752 |
| **A.1.5. Strategy:** TEXAS PUBLIC EDUCATION GRANTS | $ | 1,099,796 | $ | 1,106,403 |
| **A.1.6. Strategy:** HOLD HARMLESS | $ | 5,359 | $ | 5,359 |
| **Total, Goal A:** INSTRUCTION/OPERATIONS | $ | 18,312,403 | $ | 18,368,781 |
| **B. Goal:** INFRASTRUCTURE SUPPORT | | | | |
| Provide Infrastructure Support. | | | | |
| **B.1.1. Strategy:** E&G SPACE SUPPORT | $ | 3,205,377 | $ | 3,205,377 |
| Educational and General Space Support. | | | | |
| **B.1.2. Strategy:** TUITION REVENUE BOND RETIREMENT | $ | 5,232,088 | $ | 5,230,675 |
| **Total, Goal B:** INFRASTRUCTURE SUPPORT | $ | 8,437,465 | $ | 8,436,052 |
| **C. Goal:** SPECIAL ITEM SUPPORT | | | | |
| Provide Special Item Support. | | | | |
| **C.1.1. Strategy:** 4-YEAR START UP OPERATIONS | $ | 505,396 | $ | 505,396 |
| **C.1.2. Strategy:** LONGVIEW CAMPUS | $ | 1,346,363 | $ | 1,346,363 |
| **C.2.1. Strategy:** INSTITUTIONAL ENHANCEMENT | $ | 4,227,627 | $ | 4,227,627 |
| **Total, Goal C:** SPECIAL ITEM SUPPORT | $ | 6,079,386 | $ | 6,079,386 |
| **D. Goal:** RESEARCH FUNDS | | | | |
| **D.1.1. Strategy:** RESEARCH DEVELOPMENT FUND | $ | 217,036 | $ | 217,036 |
| **Grand Total,** THE UNIVERSITY OF TEXAS AT TYLER | $ | 33,046,290 | $ | 33,101,255 |
| **Object-of-Expense Informational Listing:** | | | | |
| Salaries and Wages | $ | 12,510,358 | $ | 12,068,706 |
| Other Personnel Costs | | 1,158,650 | | 1,167,694 |
| Faculty Salaries (Higher Education Only) | | 11,686,015 | | 12,168,014 |
| Professional Fees and Services | | 2,292 | | 0 |
| Consumable Supplies | | 16,946 | | 11,417 |
| Utilities | | 50,268 | | 31,607 |
| Travel | | 36,824 | | 0 |
| Debt Service | | 5,232,088 | | 5,230,675 |
| Other Operating Expense | | 1,253,053 | | 1,316,739 |
| Grants | | 1,099,796 | | 1,106,403 |
| **Total, Object-of-Expense Informational Listing** | $ | 33,046,290 | $ | 33,101,255 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | | | |
| Employee Benefits | | | | |
| Retirement | $ | 1,642,058 | $ | 1,703,237 |
| Group Insurance | | 3,083,030 | | 3,083,030 |
| Social Security | | 2,229,769 | | 2,307,811 |
| Subtotal, Employee Benefits | $ | 6,954,857 | $ | 7,094,078 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ | 6,954,857 | $ | 7,094,078 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for The University of Texas at Tyler. 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 University of Texas at Tyler. In order to achieve the objectives and service

standards established by this Act, The University of Texas at Tyler shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years | 35% | 35% |
| Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year | 72% | 72% |
| Certification Rate of Teacher Education Graduates | 95% | 95% |
| Percent of Baccalaureate Graduates Who Are First Generation College Graduates | 55% | 55% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years | 60% | 60% |
| Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track faculty | 70% | 70% |
| State Licensure Pass Rate of Engineering Graduates | 95% | 95% |
| State Licensure Pass Rate of Nursing Graduates | 100% | 100% |
| Dollar Value of External or Sponsored Research Funds (in Millions) | 2.5 | 2.5 |

## TEXAS A&M UNIVERSITY SYSTEM ADMINISTRATIVE AND GENERAL OFFICES

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 2,236,934 | $ 2,236,934 |
| General Revenue Fund - Dedicated | | |
| GR Dedicated - Texas A&M University Mineral Income Account No. 096, estimated | 2,810,000 | 2,810,000 |
| GR Dedicated - Texas State Rifle Association License Plates No. 5130 | 7,000 | 7,000 |
| Subtotal, General Revenue Fund - Dedicated | $ 2,817,000 | $ 2,817,000 |
| **Total, Method of Financing** | $ 5,053,934 | $ 5,053,934 |
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 5,053,934 | $ 5,053,934 |
| **Grand Total,** TEXAS A&M UNIVERSITY SYSTEM ADMINISTRATIVE AND GENERAL OFFICES | $ 5,053,934 | $ 5,053,934 |
| **This bill pattern represents an estimated 43.2% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE)- Appropriated Funds** | 171.1 | 171.1 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| Provide Instructional and Operations Support. | | |
| **A.1.1. Strategy:** SYSTEM OFFICE OPERATIONS | $ 4,191,348 | $ 4,191,348 |
| **B. Goal:** SPECIAL ITEM SUPPORT | | |
| Provide Special Item Support. | | |
| **B.1.1. Strategy:** SCHOLARSHIPS | $ 770,711 | $ 770,711 |

## TEXAS A&M UNIVERSITY SYSTEM ADMINISTRATIVE AND GENERAL OFFICES
(Continued)

| | | |
|---|---|---|
| **B.2.1. Strategy:** TASK FORCE | $ 91,875 | $ 91,875 |
| **Total, Goal B:** SPECIAL ITEM SUPPORT | $ 862,586 | $ 862,586 |
| **Grand Total,** TEXAS A&M UNIVERSITY SYSTEM ADMINISTRATIVE AND GENERAL OFFICES | $ 5,053,934 | $ 5,053,934 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 4,191,348 | $ 4,191,348 |
| Other Operating Expense | 91,875 | 91,875 |
| Client Services | 770,711 | 770,711 |
| **Total, Object-of-Expense Informational Listing** | $ 5,053,934 | $ 5,053,934 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 87,497 | $ 90,757 |
| Group Insurance | 124,476 | 124,476 |
| Social Security | 109,526 | 113,359 |
| Subtotal, Employee Benefits | $ 321,499 | $ 328,592 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 321,499 | $ 328,592 |

2. **Governing Board.** Out of the funds appropriated above, an amount not to exceed $325,000 in each year of the biennium shall be for all expenses associated with the governing board's duties including, but not limited to: travel, entertainment, lodging, and expenses of state employees who provide services for the governing board.

   A separate record of the board's expenditures shall be kept and retained in the same manner as the fiscal records of the institution(s) the board governs. No funds may be used for the governing board's expenses except for the specific amounts designated above. Funds appropriated for the governing board's expenses may be used for any other purpose covered by this Act.

3. **Mineral Fund Appropriated.** Appropriated in the funds above to the Board of Regents of the Texas A&M University System are the funds in the Texas A&M University System Special Mineral Fund to be invested by said board in accordance with Education Code § 85.70. The income from said Fund is included in the appropriation above to the Board of Regents of the Texas A&M University System to be disbursed for the purposes provided for and in accordance with the provisions of the above citation. Mineral Funds are estimated to be $2,810,000 in fiscal year 2012 and $2,810,000 in fiscal year 2013.

4. **Texas State Rifle Association License Plates.** The funds provided to Texas A&M University System are appropriated in accordance with Transportation Code §504.631 to supplement existing and future scholarship programs supported by the Texas State Rifle Association and to support the 4-H Shooting Sports Program for youth. One-half of all receipts received during the biennium in the General Revenue-Dedicated Texas State Rifle Association License Plates. Account No. 5130 beginning September 1, 2011 (estimated to be $7,000 per year), are hereby appropriated to the Texas A&M University System for the biennium beginning September 1, 2011.

## TEXAS A&M UNIVERSITY

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 229,328,294 | $ 228,682,766 |
| General Revenue Fund - Dedicated | | |
| GR Dedicated - Estimated Board Authorized Tuition Increases Account No. 704 | 8,925,668 | 8,925,668 |

| | | |
|---|---|---|
| GR Dedicated - Estimated Other Educational and General Income Account No. 770 | 82,741,615 | 84,196,675 |
| Subtotal, General Revenue Fund - Dedicated | $ 91,667,283 | $ 93,122,343 |
| Real Estate Fee Trust Account No. 969 | 4,291,967 | 4,506,566 |
| **Total, Method of Financing** | $ 325,287,544 | $ 326,311,675 |
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 325,287,544 | $ 326,311,675 |
| **Grand Total,** TEXAS A&M UNIVERSITY | $ 325,287,544 | $ 326,311,675 |
| **This bill pattern represents an estimated 28% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE)- Appropriated Funds** | 5,817.4 | 5,817.4 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| Provide Instructional and Operations Support. | | |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | $ 220,779,551 | $ 220,779,551 |
| **A.1.2. Strategy:** TEACHING EXPERIENCE SUPPLEMENT | $ 5,780,065 | $ 5,780,065 |
| **A.1.3. Strategy:** STAFF GROUP INSURANCE PREMIUMS | $ 9,188,800 | $ 9,832,022 |
| **A.1.4. Strategy:** WORKERS' COMPENSATION INSURANCE | $ 1,443,395 | $ 1,443,395 |
| **A.1.5. Strategy:** TEXAS PUBLIC EDUCATION GRANTS | $ 9,433,575 | $ 9,600,811 |
| **A.1.6. Strategy:** ORGANIZED ACTIVITIES | $ 14,000,000 | $ 14,000,000 |
| **Total, Goal A:** INSTRUCTION/OPERATIONS | $ 260,625,386 | $ 261,435,844 |
| **B. Goal:** INFRASTRUCTURE SUPPORT | | |
| Provide Infrastructure Support. | | |
| **B.1.1. Strategy:** E&G SPACE SUPPORT | $ 36,132,676 | $ 36,132,676 |
| Educational and General Space Support. | | |
| **B.1.2. Strategy:** TUITION REVENUE BOND RETIREMENT | $ 2,730,361 | $ 2,729,435 |
| **Total, Goal B:** INFRASTRUCTURE SUPPORT | $ 38,863,037 | $ 38,862,111 |
| **C. Goal:** SPECIAL ITEM SUPPORT | | |
| Provide Special Item Support. | | |
| **C.1.1. Strategy:** CYCLOTRON INSTITUTE | $ 390,560 | $ 390,560 |
| **C.1.2. Strategy:** SEA GRANT PROGRAM | $ 256,270 | $ 256,270 |
| **C.1.3. Strategy:** ENERGY RESOURCES PROGRAM | $ 393,133 | $ 393,133 |
| **C.1.4. Strategy:** PUBLIC POLICY RESOURCE LABORATORY | $ 29,386 | $ 29,386 |
| **C.1.5. Strategy:** REAL ESTATE RESEARCH CENTER | $ 4,291,967 | $ 4,506,566 |
| **C.2.1. Strategy:** SCHOOL OF ARCHITECTURE | $ 534,570 | $ 534,570 |
| **Total, Goal C:** SPECIAL ITEM SUPPORT | $ 5,895,886 | $ 6,110,485 |
| **D. Goal:** RESEARCH FUNDS | | |
| **D.1.1. Strategy:** COMPETITIVE KNOWLEDGE FUND | $ 19,903,235 | $ 19,903,235 |
| **Grand Total,** TEXAS A&M UNIVERSITY | $ 325,287,544 | $ 326,311,675 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 112,243,173 | $ 101,934,592 |
| Other Personnel Costs | 12,078,199 | 9,155,378 |
| Faculty Salaries (Higher Education Only) | 134,002,782 | 135,455,639 |
| Professional Salaries - Faculty Equivalent (Higher Education Only) | 146,469 | 236,695 |
| Professional Fees and Services | 668,275 | 675,708 |
| Fuels and Lubricants | 42,895 | 60,470 |
| Consumable Supplies | 496,737 | 666,037 |

| | | |
|---|---|---|
| Utilities | 2,682,204 | 5,467,336 |
| Travel | 160,554 | 194,494 |
| Rent - Building | 133,481 | 160,272 |
| Rent - Machine and Other | 176,729 | 181,147 |
| Debt Service | 2,732,029 | 2,731,055 |
| Other Operating Expense | 50,043,542 | 59,547,311 |
| Client Services | 52,755 | 50,788 |
| Grants | 9,433,575 | 9,600,811 |
| Capital Expenditures | 194,145 | 193,942 |
| **Total, Object-of-Expense Informational Listing** | $ 325,287,544 | $ 326,311,675 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 16,602,997 | $ 17,221,578 |
| Group Insurance | 26,784,149 | 26,784,149 |
| Social Security | 20,821,194 | 21,549,936 |
| Subtotal, Employee Benefits | $ 64,208,340 | $ 65,555,663 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 64,208,340 | $ 65,555,663 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas A&M University. 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 Texas A&M University. In order to achieve the objectives and service standards established by this Act, the Texas A&M University shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years | 77% | 77% |
| Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years | 49% | 49% |
| Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year | 90% | 90% |
| Certification Rate of Teacher Education Graduates | 96% | 96% |
| Percent of Baccalaureate Graduates Who Are First Generation College Graduates | 30% | 30% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years | 79% | 80% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years | 17% | 18% |
| Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty | 40% | 40% |
| State Licensure Pass Rate of Engineering Graduates | 90% | 90% |
| State Licensure Examination Pass Rate of Veterinary Medicine Graduates | 100% | 100% |
| Dollar Value of External or Sponsored Research Funds (in Millions) | 153.5 | 157.8 |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | | |
| **Efficiencies:** | | |
| Administrative Cost as a Percent of Total Expenditures | 4.1% | 4.1% |

3. **Real Estate Research Center.** Funds derived from the provisions of Education Code §86.51, Subchapter C in support of the Real Estate Research Center at Texas A&M University, are appropriated above to said Center for the purposes stipulated therein. No employee paid from funds appropriated by this Act shall be paid both a salary and compensatory per diem for concurrent service as a state employee and as a board or commission member.

# TEXAS A&M UNIVERSITY AT GALVESTON

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 15,498,067 | $ 15,466,607 |
| General Revenue Fund - Dedicated | | |
| GR Dedicated - Estimated Board Authorized Tuition Increases Account No. 704 | 35,000 | 35,000 |
| GR Dedicated - Estimated Other Educational and General Income Account No. 770 | 3,335,744 | 3,403,204 |
| Subtotal, General Revenue Fund - Dedicated | $ 3,370,744 | $ 3,438,204 |
| **Total, Method of Financing** | $ 18,868,811 | $ 18,904,811 |
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 18,868,811 | $ 18,904,811 |
| **Grand Total,** TEXAS A&M UNIVERSITY AT GALVESTON | $ 18,868,811 | $ 18,904,811 |
| **This bill pattern represents an estimated 42.9% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE)- Appropriated Funds** | 247.6 | 247.6 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| Provide Instructional and Operations Support. | | |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | $ 8,064,549 | $ 8,064,549 |
| **A.1.2. Strategy:** TEACHING EXPERIENCE SUPPLEMENT | $ 178,668 | $ 178,668 |
| **A.1.3. Strategy:** STAFF GROUP INSURANCE PREMIUMS | $ 320,284 | $ 342,704 |
| **A.1.4. Strategy:** WORKERS' COMPENSATION INSURANCE | $ 62,774 | $ 62,774 |
| **A.1.5. Strategy:** UNEMPLOYMENT COMPENSATION INSURANCE | $ 544 | $ 544 |
| **A.1.6. Strategy:** TEXAS PUBLIC EDUCATION GRANTS | $ 379,384 | $ 387,151 |
| **Total, Goal A:** INSTRUCTION/OPERATIONS | $ 9,006,203 | $ 9,036,390 |
| **B. Goal:** INFRASTRUCTURE SUPPORT | | |
| Provide Infrastructure Support. | | |
| **B.1.1. Strategy:** E&G SPACE SUPPORT | $ 3,615,064 | $ 3,615,064 |
| Educational and General Space Support. | | |
| **B.1.2. Strategy:** TUITION REVENUE BOND RETIREMENT | $ 3,834,365 | $ 3,840,178 |
| **Total, Goal B:** INFRASTRUCTURE SUPPORT | $ 7,449,429 | $ 7,455,242 |
| **C. Goal:** SPECIAL ITEM SUPPORT | | |
| Provide Special Item Support. | | |
| **C.1.1. Strategy:** COASTAL ZONE LABORATORY | $ 17,161 | $ 17,161 |
| **C.1.2. Strategy:** TEXAS INSTITUTE OF OCEANOGRAPHY | $ 351,994 | $ 351,994 |
| **C.2.1. Strategy:** INSTITUTIONAL ENHANCEMENT | $ 1,743,853 | $ 1,743,853 |
| **Total, Goal C:** SPECIAL ITEM SUPPORT | $ 2,113,008 | $ 2,113,008 |
| **D. Goal:** RESEARCH FUNDS | | |
| **D.1.1. Strategy:** RESEARCH DEVELOPMENT FUND | $ 300,171 | $ 300,171 |
| **Grand Total,** TEXAS A&M UNIVERSITY AT GALVESTON | $ 18,868,811 | $ 18,904,811 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 7,333,708 | $ 7,169,734 |
| Other Personnel Costs | 196,849 | 323,056 |
| Faculty Salaries (Higher Education Only) | 5,501,349 | 5,124,271 |

| | | |
|---|---|---|
| Professional Fees and Services | 832 | 764 |
| Fuels and Lubricants | 105 | 102 |
| Consumable Supplies | 77,948 | 73,856 |
| Utilities | 3,249 | 2,809 |
| Travel | 35,048 | 33,492 |
| Rent - Machine and Other | 1,899 | 1,703 |
| Debt Service | 3,834,365 | 3,840,178 |
| Other Operating Expense | 1,504,075 | 1,947,695 |
| Grants | 379,384 | 387,151 |
| **Total, Object-of-Expense Informational Listing** | $ 18,868,811 | $ 18,904,811 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 772,724 | $ 801,514 |
| Group Insurance | 1,206,917 | 1,206,917 |
| Social Security | 1,034,155 | 1,070,350 |
| Subtotal, Employee Benefits | $ 3,013,796 | $ 3,078,781 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 3,013,796 | $ 3,078,781 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas A&M University at Galveston. 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 Texas A&M University at Galveston. In order to achieve the objectives and service standards established by this Act, the Texas A&M University at Galveston shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years | 42% | 44% |
| Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years | 24% | 27% |
| Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year | 62% | 64% |
| Percent of Baccalaureate Graduates Who Are First Generation College Graduates | 38.3% | 38.3% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years | 73% | 74% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years | 19% | 20% |
| Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty | 37% | 37% |
| Dollar Value of External or Sponsored Research Funds (in Millions) | 3.5 | 3.5 |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | | |
| **Efficiencies:** | | |
| Administrative Cost as a Percent of Total Expenditures | 9.5% | 9.5% |

3. **Training Vessel.** No funds appropriated to Texas A&M University at Galveston may be expended for purchase of a training vessel.

# PRAIRIE VIEW A&M UNIVERSITY

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 45,549,924 | $ 45,373,944 |
| General Revenue Fund - Dedicated | | |
| Estimated Board Authorized Tuition Increases Account No. 704 | 1,398,354 | 1,398,354 |
| Estimated Other Educational and General Income Account No. 770 | 12,361,800 | 12,669,003 |
| Center for Study and Prevention of Juvenile Crime and Delinquency Account No. 5029 | 1,944,000 | 1,944,000 |
| Subtotal, General Revenue Fund - Dedicated | $ 15,704,154 | $ 16,011,357 |
| **Total, Method of Financing** | $ 61,254,078 | $ 61,385,301 |
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 61,254,078 | $ 61,385,301 |
| **Grand Total,** PRAIRIE VIEW A&M UNIVERSITY | $ 61,254,078 | $ 61,385,301 |
| **This bill pattern represents an estimated 40.5% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE)- Appropriated Funds** | 921.3 | 921.3 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| Provide Instructional and Operations Support. | | |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | $ 23,722,888 | $ 23,722,888 |
| **A.1.2. Strategy:** TEACHING EXPERIENCE SUPPLEMENT | $ 816,203 | $ 816,203 |
| **A.1.3. Strategy:** STAFF GROUP INSURANCE PREMIUMS | $ 1,354,312 | $ 1,449,115 |
| **A.1.4. Strategy:** WORKERS' COMPENSATION INSURANCE | $ 148,834 | $ 148,834 |
| **A.1.5. Strategy:** UNEMPLOYMENT COMPENSATION INSURANCE | $ 4,654 | $ 4,654 |
| **A.1.6. Strategy:** TEXAS PUBLIC EDUCATION GRANTS | $ 1,827,663 | $ 1,868,534 |
| **A.1.7. Strategy:** HOLD HARMLESS | $ 4,116,407 | $ 4,116,407 |
| **Total, Goal A:** INSTRUCTION/OPERATIONS | $ 31,990,961 | $ 32,126,635 |
| **B. Goal:** INFRASTRUCTURE SUPPORT | | |
| Provide Infrastructure Support. | | |
| **B.1.1. Strategy:** E&G SPACE SUPPORT | $ 5,234,436 | $ 5,234,436 |
| Educational and General Space Support. | | |
| **B.1.2. Strategy:** TUITION REVENUE BOND RETIREMENT | $ 6,350,502 | $ 6,346,054 |
| **Total, Goal B:** INFRASTRUCTURE SUPPORT | $ 11,584,938 | $ 11,580,490 |
| **C. Goal:** SPECIAL ITEM SUPPORT | | |
| Provide Special Item Support. | | |
| **C.1.1. Strategy:** STUDENT NURSE STIPENDS | $ 113,978 | $ 113,978 |
| **C.1.2. Strategy:** HONORS PROGRAM | $ 59,227 | $ 59,227 |
| **C.2.1. Strategy:** AGRICULTURE RESEARCH CENTER | $ 1,287,127 | $ 1,287,126 |
| Cooperative Agriculture Research Center. | | |
| **C.3.1. Strategy:** EXTENSION AND PUBLIC SERVICE | $ 1,919,926 | $ 1,919,926 |
| **C.3.2. Strategy:** JUVENILE CRIME PREVENTION CENTER | $ 1,944,000 | $ 1,944,000 |
| **C.3.3. Strategy:** COMMUNITY DEVELOPMENT | $ 124,466 | $ 124,465 |
| **C.4.1. Strategy:** INSTITUTIONAL ENHANCEMENT | $ 3,273,205 | $ 3,273,204 |
| **C.4.2. Strategy:** UNIVERSITY REALIGNMENT | $ 50,000 | $ 50,000 |
| **Total, Goal C:** SPECIAL ITEM SUPPORT | $ 8,771,929 | $ 8,771,926 |

| | | |
|---|---|---|
| **D. Goal:** ACADEMIC DEVELOPMENT INITIATIVE | | |
| **D.1.1. Strategy:** ACADEMIC DEVELOPMENT INITIATIVE | $ 8,906,250 | $ 8,906,250 |
| **Grand Total,** PRAIRIE VIEW A&M UNIVERSITY | $ 61,254,078 | $ 61,385,301 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 17,446,708 | $ 16,278,089 |
| Other Personnel Costs | 1,064,656 | 2,010,755 |
| Faculty Salaries (Higher Education Only) | 18,480,009 | 18,729,038 |
| Professional Salaries - Faculty Equivalent (Higher Education Only) | 129,170 | 142,968 |
| Professional Salaries - Extension (Texas AgriLife Extension Svc) | 825,241 | 763,921 |
| Professional Fees and Services | 1,576,253 | 1,570,214 |
| Fuels and Lubricants | 811 | 19,593 |
| Consumable Supplies | 151,933 | 90,167 |
| Utilities | 1,516,055 | 2,860,109 |
| Travel | 27,295 | 28,882 |
| Rent - Building | 4,816 | 2,389 |
| Rent - Machine and Other | 13,023 | 141,055 |
| Debt Service | 6,350,502 | 6,346,054 |
| Other Operating Expense | 9,450,999 | 8,602,607 |
| Client Services | 2,265,910 | 1,930,926 |
| Grants | 1,827,663 | 1,868,534 |
| Capital Expenditures | 123,034 | 0 |
| **Total, Object-of-Expense Informational Listing** | $ 61,254,078 | $ 61,385,301 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 2,704,102 | $ 2,804,849 |
| Group Insurance | 4,199,850 | 4,199,850 |
| Social Security | 3,379,683 | 3,497,972 |
| Subtotal, Employee Benefits | $ 10,283,635 | $ 10,502,671 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 10,283,635 | $ 10,502,671 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Prairie View A&M University. 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 Prairie View A&M University. In order to achieve the objectives and service standards established by this Act, the Prairie View A&M University shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years | 36% | 36% |
| Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years | 12% | 12% |
| Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year | 73% | 73% |
| Certification Rate of Teacher Education Graduates | 63% | 63% |
| Percent of Baccalaureate Graduates Who Are First Generation College Graduates | 50% | 50% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years | 46% | 46% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years | 16% | 16.5% |
| Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty | 54% | 54% |

| | | |
|---|---|---|
| State Licensure Pass Rate of Engineering Graduates | 50% | 50% |
| State Licensure Pass Rate of Nursing Graduates | 99% | 99% |
| Dollar Value of External or Sponsored Research Funds (in Millions) | 8 | 8 |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | | |
| **Efficiencies:** | | |
| Administrative Cost as a Percent of Total Expenditures | 12% | 12% |

3. **Establishment of America's Promise School.** Out of the funds appropriated above Prairie View A&M University will jointly operate an America's Promise School with Waller Independent School District. The school will be a full service pre-kindergarten through fourth grade community-centered elementary school based around the America's Promise concept, which includes the following five promises: (1) an ongoing relationship with a caring adult/mentor; (2) safe places and structured activities before and after school; (3) a healthy start, including nutritional and health-related services; (4) students developing marketable skills through effective education; and (5) opportunities for the students to serve and give back to the community.

4. **Academic Development Initiative.** Funds appropriated above in Strategy D.1.1, Academic Development Initiative, in the amount of $8,906,250 in fiscal year 2012 and $8,906,250 in fiscal year 2013, are to be used for (1) proven academic success programs such as Access, the University College, and the Undergraduate Medical Academy, (2) proven graduate programs, (3) undergraduate education, and (4) initiatives to target enrollment growth. Prairie View A&M University and Texas A&M University System shall jointly create and submit an accountability report outlining use of these funds by November 1 of each fiscal year to the Texas A&M University system Board of Regents, the Texas Higher Education Coordinating Board, the Legislative Budget Board, and the Governor. This accountability report shall set forth goals to be achieved with the Academic Development Initiative funding, establish milestones and timelines showing progress toward meeting the goals. For milestones that are not met, the report will include recommended actions to achieve the milestones or recommended changes to more efficiently meet the goals of the Academics Development Initiative. Any unexpended balances as of August 31, 2012, (estimated to be $0) appropriated by the Legislature for the Academic Development Initiative, are hereby appropriated to Prairie View A&M University for the fiscal year beginning September 1, 2012.

## TARLETON STATE UNIVERSITY

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 29,760,680 | $ 29,703,793 |
| General Revenue Fund - Dedicated | | |
| GR Dedicated - Estimated Board Authorized Tuition Increases Account No. 704 | 386,258 | 386,258 |
| GR Dedicated - Estimated Other Educational and General Income Account No. 770 | 11,778,946 | 11,934,149 |
| Subtotal, General Revenue Fund - Dedicated | $ 12,165,204 | $ 12,320,407 |
| **Total, Method of Financing** | $ 41,925,884 | $ 42,024,200 |
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 41,925,884 | $ 42,024,200 |
| **Grand Total,** TARLETON STATE UNIVERSITY | $ 41,925,884 | $ 42,024,200 |
| **This bill pattern represents an estimated 37.1% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE)- Appropriated Funds** | 692.0 | 692.0 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | | | |
|---|---|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | | | |
| Provide Instructional and Operations Support. | | | | |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | $ | 22,107,047 | $ | 22,107,047 |
| **A.1.2. Strategy:** TEACHING EXPERIENCE SUPPLEMENT | $ | 892,535 | $ | 892,535 |
| **A.1.3. Strategy:** STAFF GROUP INSURANCE PREMIUMS | $ | 1,176,444 | $ | 1,258,795 |
| **A.1.4. Strategy:** WORKERS' COMPENSATION INSURANCE | $ | 75,782 | $ | 75,783 |
| **A.1.5. Strategy:** UNEMPLOYMENT COMPENSATION INSURANCE | $ | 14,026 | $ | 14,027 |
| **A.1.6. Strategy:** TEXAS PUBLIC EDUCATION GRANTS | $ | 1,733,018 | $ | 1,755,206 |
| **A.1.7. Strategy:** ORGANIZED ACTIVITIES | $ | 420,000 | $ | 420,000 |
| **Total, Goal A:** INSTRUCTION/OPERATIONS | $ | 26,418,852 | $ | 26,523,393 |
| **B. Goal:** INFRASTRUCTURE SUPPORT | | | | |
| Provide Infrastructure Support. | | | | |
| **B.1.1. Strategy:** E&G SPACE SUPPORT | $ | 4,971,908 | $ | 4,971,908 |
| Educational and General Space Support. | | | | |
| **B.1.2. Strategy:** TUITION REVENUE BOND RETIREMENT | $ | 4,930,705 | $ | 4,924,480 |
| **Total, Goal B:** INFRASTRUCTURE SUPPORT | $ | 9,902,613 | $ | 9,896,388 |
| **C. Goal:** SPECIAL ITEM SUPPORT | | | | |
| Provide Special Item Support. | | | | |
| **C.1.1. Strategy:** TARLETON OUTREACH | $ | 35,625 | $ | 35,625 |
| **C.1.2. Strategy:** MULTI-INSTITUTION TEACHING CENTER | $ | 1,500,000 | $ | 1,500,000 |
| **C.2.1. Strategy:** ENVIRONMENTAL RESEARCH | $ | 748,094 | $ | 748,094 |
| Institute for Applied Environmental Research. | | | | |
| **C.2.2. Strategy:** AGRICULTURE CENTER | $ | 175,335 | $ | 175,335 |
| Tarleton Agriculture Center. | | | | |
| **C.3.1. Strategy:** SMALL BUSINESS DEVELOPMENT | $ | 110,000 | $ | 110,000 |
| Small Business Development Center. | | | | |
| **C.4.1. Strategy:** INSTITUTIONAL ENHANCEMENT | $ | 2,242,167 | $ | 2,242,167 |
| **Total, Goal C:** SPECIAL ITEM SUPPORT | $ | 4,811,221 | $ | 4,811,221 |
| **D. Goal:** RESEARCH FUNDS | | | | |
| **D.1.1. Strategy:** RESEARCH DEVELOPMENT FUND | $ | 793,198 | $ | 793,198 |
| **Grand Total,** TARLETON STATE UNIVERSITY | $ | 41,925,884 | $ | 42,024,200 |
| **Object-of-Expense Informational Listing:** | | | | |
| Salaries and Wages | $ | 12,186,488 | $ | 12,289,331 |
| Other Personnel Costs | | 354,844 | | 336,819 |
| Faculty Salaries (Higher Education Only) | | 15,167,428 | | 15,242,249 |
| Professional Salaries - Faculty Equivalent (Higher Education Only) | | 72,585 | | 72,578 |
| Professional Fees and Services | | 3,929 | | 3,923 |
| Fuels and Lubricants | | 38,869 | | 38,637 |
| Consumable Supplies | | 331,911 | | 330,860 |
| Utilities | | 288,903 | | 451,513 |
| Travel | | 143,462 | | 143,353 |
| Rent - Building | | 712 | | 712 |
| Rent - Machine and Other | | 111,927 | | 111,748 |
| Debt Service | | 4,930,705 | | 4,924,480 |
| Other Operating Expense | | 6,561,103 | | 6,322,791 |
| Grants | | 1,733,018 | | 1,755,206 |
| **Total, Object-of-Expense Informational Listing** | $ | 41,925,884 | $ | 42,024,200 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | | | |
| Employee Benefits | | | | |
| Retirement | $ | 1,955,920 | $ | 2,028,793 |

| | | |
|---|---|---|
| Group Insurance | 3,302,110 | 3,302,110 |
| Social Security | 2,513,197 | 2,601,159 |
| Subtotal, Employee Benefits | $ 7,771,227 | $ 7,932,062 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 7,771,227 | $ 7,932,062 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Tarleton State University. 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 Tarleton State University. In order to achieve the objectives and service standards established by this Act, the Tarleton State University shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years | 40% | 40% |
| Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years | 19.5% | 20% |
| Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year | 68% | 68.5% |
| Certification Rate of Teacher Education Graduates | 98.75% | 98.75% |
| Percent of Baccalaureate Graduates Who Are First Generation College Graduates | 60% | 60% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years | 72% | 72.5% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years | 36.5% | 37% |
| Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty | 46.5% | 47% |
| State Licensure Pass Rate of Nursing Graduates | 100% | 100% |
| Dollar Value of External or Sponsored Research Funds (in Millions) | 7.5 | 7.5 |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | | |
| **Efficiencies:** | | |
| Administrative Cost as a Percent of Total Expenditures | 9% | 9% |

3. **Scholarship Match.** Out of the funds appropriated above, funds may be used to provide a match for funds collected by a one dollar per semester credit hour fee for a student endowment scholarship and internship adopted by student referendum, pursuant to Education Code § 56.242.

4. **Bosque River Monitoring Project.** The Institute for Applied Environmental Research shall conduct water quality monitoring for the Bosque River. The institute shall coordinate the collection and reporting of data to conform with Texas Commission on Environmental Quality protocols. The Institute shall report on the water quality in the Bosque River by July 1 and February 1 of each year to the Commission. It is legislative intent that the water quality monitoring efforts of the Institute for Applied Environmental Research, Texas Commission on Environmental Quality, and other appropriate agencies and entities be cooperative and non-duplicative.

5. **Multi-Institution Teaching Center.** Out of funds appropriated above in Strategy C.1.2. Higher Education Multi-Institution Teaching Center (MITC), $3,000,000 shall be used to increase access to public higher education in the greater Midlothian community. The MITC shall be a collaborative program led by Tarleton State University along with Texas A&M University - Commerce and Navarro Community College. The MITC shall collaborate with the citizens of the greater Midlothian community to meet the educational needs of the community. Funds may be used for, but not limited to, developing new programs, hiring faculty and staff, providing classroom and office space, necessary computer/technology infrastructure and support, and library materials. Any unexpended balances remaining as of August 31, 2012 are hereby appropriated for the fiscal year beginning September 1, 2012.

# TEXAS A&M UNIVERSITY - CENTRAL TEXAS

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 12,707,887 | $ 12,645,041 |
| General Revenue Fund - Dedicated | | |
| GR Dedicated - Estimated Board Authorized Tuition Increases Account No. 704 | 261,100 | 261,100 |
| GR Dedicated - Estimated Other Educational and General Income Account No. 770 | 2,323,164 | 2,401,411 |
| Subtotal, General Revenue Fund - Dedicated | $ 2,584,264 | $ 2,662,511 |
| **Total, Method of Financing** | $ 15,292,151 | $ 15,307,552 |
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 15,292,151 | $ 15,307,552 |
| **Grand Total,** TEXAS A&M UNIVERSITY - CENTRAL TEXAS | $ 15,292,151 | $ 15,307,552 |
| **This bill pattern represents an estimated 75.3% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE)- Appropriated Funds** | 123.8 | 123.8 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| Provide Instructional and Operations Support. | | |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | $ 5,603,940 | $ 5,603,940 |
| **A.1.2. Strategy:** TEACHING EXPERIENCE SUPPLEMENT | $ 172,105 | $ 172,105 |
| **A.1.3. Strategy:** STAFF GROUP INSURANCE PREMIUMS | $ 103,500 | $ 110,745 |
| **A.1.4. Strategy:** WORKERS' COMPENSATION INSURANCE | $ 7,350 | $ 7,350 |
| **A.1.5. Strategy:** UNEMPLOYMENT COMPENSATION INSURANCE | $ 6,458 | $ 6,458 |
| **A.1.6. Strategy:** TEXAS PUBLIC EDUCATION GRANTS | $ 333,146 | $ 343,202 |
| **Total, Goal A:** INSTRUCTION/OPERATIONS | $ 6,226,499 | $ 6,243,800 |
| **B. Goal:** INFRASTRUCTURE SUPPORT | | |
| Provide Infrastructure Support. | | |
| **B.1.1. Strategy:** E&G SPACE SUPPORT | $ 1,708,085 | $ 1,708,085 |
| Educational and General Space Support. | | |
| **B.1.2. Strategy:** TUITION REVENUE BOND RETIREMENT | $ 1,647,150 | $ 1,645,250 |
| **Total, Goal B:** INFRASTRUCTURE SUPPORT | $ 3,355,235 | $ 3,353,335 |
| **C. Goal:** SPECIAL ITEM SUPPORT | | |
| **C.1.1. Strategy:** TRANSITION FUNDING | $ 5,710,417 | $ 5,710,417 |
| **Grand Total,** TEXAS A&M UNIVERSITY - CENTRAL TEXAS | $ 15,292,151 | $ 15,307,552 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 3,060,443 | $ 3,565,186 |
| Other Personnel Costs | 1,063,385 | 1,166,155 |
| Faculty Salaries (Higher Education Only) | 4,416,659 | 3,068,623 |
| Professional Fees and Services | 5,933 | 5,039 |
| Fuels and Lubricants | 4,196 | 3,332 |
| Consumable Supplies | 2,335 | 2,032 |
| Utilities | 286,039 | 238,309 |
| Travel | 40,051 | 36,980 |
| Rent - Building | 1,348,907 | 1,596,950 |
| Rent - Machine and Other | 29,143 | 4,063 |
| Debt Service | 1,647,150 | 1,645,250 |
| Other Operating Expense | 2,580,976 | 3,160,215 |

## TEXAS A&M UNIVERSITY - CENTRAL TEXAS
(Continued)

| | | |
|---|---|---|
| Client Services | 734,111 | 725,983 |
| Capital Expenditures | 72,823 | 89,435 |
| **Total, Object-of-Expense Informational Listing** | $ 15,292,151 | $ 15,307,552 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 360,781 | $ 374,223 |
| Group Insurance | 510,993 | 510,993 |
| Social Security | 605,277 | 626,462 |
| Subtotal, Employee Benefits | $ 1,477,051 | $ 1,511,678 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 1,477,051 | $ 1,511,678 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas A&M University - Central Texas. 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 Texas A&M University - Central Texas. In order to achieve the objectives and service standards established by this Act, the Texas A&M University - Central Texas shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| % of Baccalaureate Graduates Who Are First Generation College Graduates | 65% | 65% |
| Percent of Full-time, Degree-seeking Transfer Students Who Earn a Baccalaureate Degree Within Four Years | 67% | 68% |
| Percent of Full-time, Degree-seeking Transfer Students Who Earn a Baccalaureate Degree Within Two Years | 49% | 49% |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | | |
| **Efficiencies:** | | |
| Administrative Cost as a Percent of Total Expenditures | 16% | 16% |

3. **Transition Funding - Texas A&M University - Central Texas.** It is the intent of the legislature that non-formula General Revenue operations funding in Strategy C.1.1 Transition Funding for Texas A&M University - Central Texas will be phased out as formula funding increases until the institution researches 6,000 full time student equivalents.

## TEXAS A&M UNIVERSITY - CORPUS CHRISTI

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 40,577,915 | $ 40,546,501 |
| General Revenue Fund - Dedicated | | |
| GR Dedicated - Estimated Board Authorized Tuition Increases Account No. 704 | 584,863 | 584,863 |
| GR Dedicated - Estimated Other Educational and General Income Account No. 770 | 13,678,174 | 13,810,758 |
| Subtotal, General Revenue Fund - Dedicated | $ 14,263,037 | $ 14,395,621 |
| **Total, Method of Financing** | $ 54,840,952 | $ 54,942,122 |

| | | | | |
|---|---|---|---|---|
| **Items of Appropriation:** | | | | |
| 1. Educational and General State Support | $ | 54,840,952 | $ | 54,942,122 |
| **Grand Total,** TEXAS A&M UNIVERSITY - CORPUS CHRISTI | $ | 54,840,952 | $ | 54,942,122 |

**This bill pattern represents an estimated 37.2% of this agency's estimated total available funds for the biennium.**

| | | | | |
|---|---|---|---|---|
| **Number of Full-Time-Equivalents (FTE)- Appropriated Funds** | | 736.5 | | 736.5 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | | | |
|---|---|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | | | |
| Provide Instructional and Operations Support. | | | | |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | $ | 26,581,534 | $ | 26,581,534 |
| **A.1.2. Strategy:** TEACHING EXPERIENCE SUPPLEMENT | $ | 989,731 | $ | 989,731 |
| **A.1.3. Strategy:** STAFF GROUP INSURANCE PREMIUMS | $ | 1,255,994 | $ | 1,343,915 |
| **A.1.4. Strategy:** WORKERS' COMPENSATION INSURANCE | $ | 70,547 | $ | 70,547 |
| **A.1.5. Strategy:** UNEMPLOYMENT COMPENSATION INSURANCE | $ | 6,880 | $ | 6,880 |
| **A.1.6. Strategy:** TEXAS PUBLIC EDUCATION GRANTS | $ | 1,859,491 | $ | 1,876,726 |
| **A.1.7. Strategy:** HOLD HARMLESS | $ | 28,695 | $ | 28,695 |
| **Total, Goal A:** INSTRUCTION/OPERATIONS | $ | 30,792,872 | $ | 30,898,028 |
| **B. Goal:** INFRASTRUCTURE SUPPORT | | | | |
| Provide Infrastructure Support. | | | | |
| **B.1.1. Strategy:** E&G SPACE SUPPORT | $ | 6,128,425 | $ | 6,128,425 |
| Educational and General Space Support. | | | | |
| **B.1.2. Strategy:** TUITION REVENUE BOND RETIREMENT | $ | 6,782,345 | $ | 6,778,359 |
| **Total, Goal B:** INFRASTRUCTURE SUPPORT | $ | 12,910,770 | $ | 12,906,784 |
| **C. Goal:** SPECIAL ITEM SUPPORT | | | | |
| Provide Special Item Support. | | | | |
| **C.1.1. Strategy:** ENGINEERING PROGRAM | $ | 1,425,000 | $ | 1,425,000 |
| **C.1.2. Strategy:** SCHOOL NURSING PROGRAM | $ | 207,293 | $ | 207,293 |
| School Nursing Program for Early Childhood Development Center. | | | | |
| **C.1.3. Strategy:** ENVIRONMENTAL LEARNING CENTER | $ | 118,454 | $ | 118,454 |
| **C.2.1. Strategy:** CENTER FOR COASTAL STUDIES | $ | 180,028 | $ | 180,028 |
| **C.2.2. Strategy:** GULF OF MEXICO ENVIRONMENTAL LAB | $ | 177,680 | $ | 177,680 |
| Gulf of Mexico Environment Research Laboratory. | | | | |
| **C.3.1. Strategy:** WATER RESOURCES CENTER | $ | 44,564 | $ | 44,564 |
| **C.3.2. Strategy:** ART MUSEUM | $ | 234,644 | $ | 234,644 |
| **C.3.3. Strategy:** CSTL BEND ECO DEV & BUS INNOV CTR | $ | 500,000 | $ | 500,000 |
| Coastal Bend Economic Development and Business Innovation Center. | | | | |
| **C.4.1. Strategy:** INSTITUTIONAL ENHANCEMENT | $ | 7,143,469 | $ | 7,143,469 |
| **Total, Goal C:** SPECIAL ITEM SUPPORT | $ | 10,031,132 | $ | 10,031,132 |
| **D. Goal:** RESEARCH FUNDS | | | | |
| **D.1.1. Strategy:** RESEARCH FUNDS | $ | 1,106,178 | $ | 1,106,178 |
| **Grand Total,** TEXAS A&M UNIVERSITY - CORPUS CHRISTI | $ | 54,840,952 | $ | 54,942,122 |

| | | | | |
|---|---|---|---|---|
| **Object-of-Expense Informational Listing:** | | | | |
| Salaries and Wages | $ | 16,795,281 | $ | 17,621,730 |
| Other Personnel Costs | | 85,677 | | 56,134 |
| Faculty Salaries (Higher Education Only) | | 19,817,187 | | 20,395,405 |
| Professional Salaries - Faculty Equivalent (Higher Education Only) | | 105,946 | | 184,913 |

| | | |
|---|---|---|
| Professional Fees and Services | 87,415 | 11,748 |
| Fuels and Lubricants | 1,983 | 1,771 |
| Consumable Supplies | 320,902 | 198,791 |
| Utilities | 3,066,233 | 3,083,855 |
| Travel | 103,168 | 128,798 |
| Rent - Building | 54,065 | 4,438 |
| Rent - Machine and Other | 25,214 | 14,185 |
| Debt Service | 6,782,345 | 6,778,359 |
| Other Operating Expense | 4,488,359 | 3,971,454 |
| Client Services | 81,117 | 0 |
| Grants | 1,859,491 | 1,876,726 |
| Capital Expenditures | 1,166,569 | 613,815 |
| **Total, Object-of-Expense Informational Listing** | $ 54,840,952 | $ 54,942,122 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 2,334,181 | $ 2,421,146 |
| Group Insurance | 4,035,540 | 4,035,540 |
| Social Security | 3,143,624 | 3,253,651 |
| Subtotal, Employee Benefits | $ 9,513,345 | $ 9,710,337 |
| Debt Service | | |
| Lease Payments | $ 155,677 | $ 126,730 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 9,669,022 | $ 9,837,067 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas A&M University - Corpus Christi. 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 Texas A&M University - Corpus Christi. In order to achieve the objectives and service standards established by this Act, the Texas A&M University - Corpus Christi shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years | 40.7% | 41% |
| Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years | 18% | 18% |
| Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year | 64% | 65% |
| Certification Rate of Teacher Education Graduates | 96% | 96% |
| Percent of Baccalaureate Graduates Who Are First Generation College Graduates | 55% | 55% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years | 71% | 72% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years | 26% | 26% |
| Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty | 48% | 48% |
| State Licensure Pass Rate of Nursing Graduates | 99% | 99% |
| Dollar Value of External or Sponsored Research Funds (in Millions) | 11 | 11 |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | | |
| **Efficiencies:** | | |
| Administrative Cost as a Percent of Total Expenditures | 8.6% | 8.6% |

3. **Coastal Bend Business Innovation Center.** Contingent upon certification by the Comptroller of Public Accounts that increased activity by the Coastal Bend Business Innovation Center will

generate at least $1,000,000 additional revenue to the General Revenue Fund, $500,000 in each year of the biennium is included in the appropriation above for the Coastal Bend Business Innovation Center.

4. **Art Museum Contingency.** Out of the General Revenue funds appropriated above, $187,821 in each year of the biennium for the Art Museum is contingent upon the Art Museum receiving at least $375,643 each year from local gifts, grants, and donations for the purposes of the operations of the Art Museum. In the event that gifts, grants, or donations for each fiscal year total less than $375,643, the appropriation in each fiscal year is reduced to an amount equal to one-half of the total gifts, grants, and donations received in that fiscal year.

5. **Engineering Program.** Funds appropriated above in Strategy C.1.1, Engineering Program in the amount of $1,425,000 per year shall be used to support an engineering program.

## TEXAS A&M UNIVERSITY - KINGSVILLE

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 27,103,318 | $ 26,926,884 |
| General Revenue Fund - Dedicated | | |
| GR Dedicated - Estimated Board Authorized Tuition Increases Account No. 704 | 372,000 | 372,000 |
| GR Dedicated - Estimated Other Educational and General Income Account No. 770 | 10,151,193 | 10,442,858 |
| Subtotal, General Revenue Fund - Dedicated | $ 10,523,193 | $ 10,814,858 |
| **Total, Method of Financing** | $ 37,626,511 | $ 37,741,742 |
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 37,626,511 | $ 37,741,742 |
| **Grand Total,** TEXAS A&M UNIVERSITY - KINGSVILLE | $ 37,626,511 | $ 37,741,742 |
| **This bill pattern represents an estimated 36% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE)- Appropriated Funds** | 690.4 | 690.4 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| Provide Instructional and Operations Support. | | |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | $ 18,348,116 | $ 18,348,116 |
| **A.1.2. Strategy:** TEACHING EXPERIENCE SUPPLEMENT | $ 803,687 | $ 803,687 |
| **A.1.3. Strategy:** STAFF GROUP INSURANCE PREMIUMS | $ 1,180,131 | $ 1,262,742 |
| **A.1.4. Strategy:** WORKERS' COMPENSATION INSURANCE | $ 135,440 | $ 134,896 |
| **A.1.5. Strategy:** UNEMPLOYMENT COMPENSATION INSURANCE | $ 1,416 | $ 1,410 |
| **A.1.6. Strategy:** TEXAS PUBLIC EDUCATION GRANTS | $ 1,311,072 | $ 1,346,895 |
| **A.1.7. Strategy:** ORGANIZED ACTIVITIES | $ 261,650 | $ 261,650 |
| **A.1.8. Strategy:** HOLD HARMLESS | $ 1,195,852 | $ 1,195,852 |
| **Total, Goal A:** INSTRUCTION/OPERATIONS | $ 23,237,364 | $ 23,355,248 |

| | | | | |
|---|---|---|---|---|
| **B. Goal:** INFRASTRUCTURE SUPPORT | | | | |
| Provide Infrastructure Support. | | | | |
| **B.1.1. Strategy:** E&G SPACE SUPPORT | $ | 4,559,570 | $ | 4,559,570 |
| Educational and General Space Support. | | | | |
| **B.1.2. Strategy:** TUITION REVENUE BOND RETIREMENT | $ | 2,724,693 | $ | 2,724,339 |
| **Total, Goal B:** INFRASTRUCTURE SUPPORT | $ | 7,284,263 | $ | 7,283,909 |
| **C. Goal:** SPECIAL ITEM SUPPORT | | | | |
| Provide Special Item Support. | | | | |
| **C.1.1. Strategy:** PHD IN ENGINEERING | $ | 81,230 | $ | 81,230 |
| **C.2.1. Strategy:** CITRUS CENTER | $ | 500,284 | $ | 498,280 |
| **C.2.2. Strategy:** WILDLIFE RESEARCH INSTITUTE | $ | 240,298 | $ | 240,298 |
| **C.2.3. Strategy:** INSTITUTE FOR RANCH MANAGEMENT | $ | 255,000 | $ | 255,000 |
| **C.3.1. Strategy:** JOHN E. CONNOR MUSEUM | $ | 18,386 | $ | 18,311 |
| **C.3.2. Strategy:** SOUTH TEXAS ARCHIVES | $ | 73,845 | $ | 73,550 |
| **C.4.1. Strategy:** INSTITUTIONAL ENHANCEMENT | $ | 5,012,738 | $ | 5,012,813 |
| **Total, Goal C:** SPECIAL ITEM SUPPORT | $ | 6,181,781 | $ | 6,179,482 |
| **D. Goal:** RESEARCH DEVELOPMENT FUND | | | | |
| **D.1.1. Strategy:** RESEARCH DEVELOPMENT FUND | $ | 923,103 | $ | 923,103 |
| **Grand Total,** TEXAS A&M UNIVERSITY - KINGSVILLE | $ | 37,626,511 | $ | 37,741,742 |
| **Object-of-Expense Informational Listing:** | | | | |
| Salaries and Wages | $ | 12,229,362 | $ | 14,416,982 |
| Other Personnel Costs | | 503,743 | | 403,179 |
| Faculty Salaries (Higher Education Only) | | 15,757,638 | | 15,083,162 |
| Professional Salaries - Faculty Equivalent (Higher Education Only) | | 699,145 | | 388,733 |
| Professional Fees and Services | | 16,459 | | 16,579 |
| Fuels and Lubricants | | 7,703 | | 22,442 |
| Consumable Supplies | | 15,360 | | 131,775 |
| Utilities | | 1,391,613 | | 19,829 |
| Travel | | 12,358 | | 33,994 |
| Rent - Building | | 0 | | 1 |
| Rent - Machine and Other | | 33,815 | | 11,516 |
| Debt Service | | 2,724,693 | | 2,724,339 |
| Other Operating Expense | | 2,913,469 | | 3,126,815 |
| Client Services | | 0 | | 15,501 |
| Grants | | 1,311,072 | | 1,346,895 |
| Capital Expenditures | | 10,081 | | 0 |
| **Total, Object-of-Expense Informational Listing** | $ | 37,626,511 | $ | 37,741,742 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | | | |
| Employee Benefits | | | | |
| Retirement | $ | 2,200,340 | $ | 2,282,319 |
| Group Insurance | | 3,889,611 | | 3,889,611 |
| Social Security | | 2,812,011 | | 2,910,432 |
| Subtotal, Employee Benefits | $ | 8,901,962 | $ | 9,082,362 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ | 8,901,962 | $ | 9,082,362 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas A&M University - Kingsville. 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 Texas A&M University - Kingsville. In order to achieve the objectives and service standards established by this Act, the Texas A&M University - Kingsville shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

## TEXAS A&M UNIVERSITY - KINGSVILLE
(Continued)

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years | 27% | 27% |
| Percent of First-time, Full-time, Degree seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years | 12% | 12% |
| Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year | 63% | 63% |
| Certification Rate of Teacher Education Graduates | 95% | 95% |
| Percent of Baccalaureate Graduates Who Are First Generation College Graduates | 55% | 55% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years | 57% | 58% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years | 31% | 32% |
| Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty | 49% | 49% |
| State Licensure Pass Rate of Engineering Graduates | 88% | 88% |
| Dollar Value of External or Sponsored Research Funds (in Millions) | 16 | 18 |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | | |
| **Efficiencies:** | | |
| Administrative Cost as a Percent of Total Expenditures | 10.9% | 10.9% |

3. **Contingency Appropriation: Wildlife Research Institute and Institute for Ranch Management.** Of the amounts appropriated above, $62,080 for Texas A&M University Kingsville Wildlife Research Institute and $510,000 for the Institute for Ranch Management is contingent upon certification by the Comptroller of Public Accounts that the activities of the Institutes will generate revenue to the General Revenue Fund sufficient to offset the appropriations. The Comptroller shall specify the supporting information to be provided by the Institutes and may require independent verification of the information. If the Comptroller finds the information is sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriations up to the amount certified, not to exceed $572,080 for the 2012-13 biennium, shall be made available for the intended purposes.

## TEXAS A&M UNIVERSITY - SAN ANTONIO

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 14,640,060 | $ 14,647,537 |
| General Revenue Fund - Dedicated | | |
| GR Dedicated - Estimated Board Authorized Tuition Increases Account No. 704 | 235,098 | 235,098 |
| GR Dedicated - Estimated Other Educational and General Income Account No. 770 | 3,680,427 | 3,687,143 |
| Subtotal, General Revenue Fund - Dedicated | $ 3,915,525 | $ 3,922,241 |
| **Total, Method of Financing** | $ 18,555,585 | $ 18,569,778 |
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 18,555,585 | $ 18,569,778 |
| **Grand Total,** TEXAS A&M UNIVERSITY - SAN ANTONIO | $ 18,555,585 | $ 18,569,778 |
| **This bill pattern represents an estimated 63.8% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE)- Appropriated Funds** | 220.0 | 220.0 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | | | |
|---|---|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | | | |
| Provide Instructional and Operations Support. | | | | |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | $ | 7,118,946 | $ | 7,118,946 |
| **A.1.2. Strategy:** TEACHING EXPERIENCE SUPPLEMENT | $ | 190,222 | $ | 190,222 |
| **A.1.3. Strategy:** STAFF GROUP INSURANCE PREMIUMS | $ | 158,089 | $ | 169,156 |
| **A.1.4. Strategy:** WORKERS' COMPENSATION INSURANCE | $ | 16,049 | $ | 18,457 |
| **A.1.5. Strategy:** UNEMPLOYMENT COMPENSATION INSURANCE | $ | 967 | $ | 1,112 |
| **A.1.6. Strategy:** TEXAS PUBLIC EDUCATION GRANTS | $ | 490,238 | $ | 491,061 |
| **Total, Goal A:** INSTRUCTION/OPERATIONS | $ | 7,974,511 | $ | 7,988,954 |
| **B. Goal:** INFRASTRUCTURE SUPPORT | | | | |
| Provide Infrastructure Support. | | | | |
| **B.1.1. Strategy:** E&G SPACE SUPPORT | $ | 2,146,161 | $ | 2,146,161 |
| Educational and General Space Support. | | | | |
| **B.1.2. Strategy:** TUITION REVENUE BOND RETIREMENT | $ | 2,636,088 | $ | 2,635,838 |
| **Total, Goal B:** INFRASTRUCTURE SUPPORT | $ | 4,782,249 | $ | 4,781,999 |
| **C. Goal:** SPECIAL ITEM SUPPORT | | | | |
| Provide Special Item Support. | | | | |
| **C.1.1. Strategy:** TRANSITION FUNDING | $ | 5,798,825 | $ | 5,798,825 |
| **Grand Total,** TEXAS A&M UNIVERSITY - SAN ANTONIO | $ | 18,555,585 | $ | 18,569,778 |
| **Object-of-Expense Informational Listing:** | | | | |
| Salaries and Wages | $ | 5,706,723 | $ | 9,159,688 |
| Other Personnel Costs | | 460,143 | | 11,104 |
| Faculty Salaries (Higher Education Only) | | 3,719,098 | | 4,627,736 |
| Professional Fees and Services | | 1,492 | | 0 |
| Utilities | | 1,576,930 | | 0 |
| Travel | | 3,563 | | 0 |
| Debt Service | | 2,636,088 | | 2,635,838 |
| Other Operating Expense | | 4,122,213 | | 2,065,272 |
| Capital Expenditures | | 329,335 | | 70,140 |
| **Total, Object-of-Expense Informational Listing** | $ | 18,555,585 | $ | 18,569,778 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | | | |
| Employee Benefits | | | | |
| Retirement | $ | 480,675 | $ | 498,584 |
| Group Insurance | | 543,393 | | 543,393 |
| Social Security | | 843,779 | | 873,312 |
| Subtotal, Employee Benefits | $ | 1,867,847 | $ | 1,915,289 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ | 1,867,847 | $ | 1,915,289 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas A&M University - San Antonio. 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 Texas A&M University - San Antonio. In order to achieve the objectives and service standards established by this Act, the Texas A&M University - San Antonio shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

## TEXAS A&M UNIVERSITY - SAN ANTONIO
(Continued)

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Percent of Semester Credit Hours Completed | 92.9% | 92.9% |
| Certification Rate of Teacher Education Graduates | 97% | 97% |
| % of Baccalaureate Graduates Who Are First Generation College Graduates | 60% | 60% |
| Percent of Full-time, Degree-seeking Transfer Students Who Earn a Baccalaureate Degree within Two Years | 56% | 56% |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | | |
| **Efficiencies:** | | |
| Administrative Cost As a Percent of Total Expenditures | 15% | 12% |

3. **Transition Funding - Texas A&M University - San Antonio.** It is the intent of the legislature that non-formula General Revenue operations funding in Strategy C.1.1 Transition Funding for Texas A&M University - San Antonio will be phased out as formula funding increases until the institution researches 6,000 full time student equivalents.

## TEXAS A&M INTERNATIONAL UNIVERSITY

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 29,047,148 | $ 28,962,373 |
| General Revenue Fund - Dedicated | | |
| GR Dedicated - Estimated Board Authorized Tuition Increases Account No. 704 | 374,643 | 374,643 |
| GR Dedicated - Estimated Other Educational and General Income Account No. 770 | 7,314,522 | 7,467,221 |
| Subtotal, General Revenue Fund - Dedicated | $ 7,689,165 | $ 7,841,864 |
| Interagency Contracts | 137,887 | 137,887 |
| **Total, Method of Financing** | $ 36,874,200 | $ 36,942,124 |
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 36,874,200 | $ 36,942,124 |
| **Grand Total,** TEXAS A&M INTERNATIONAL UNIVERSITY | $ 36,874,200 | $ 36,942,124 |
| **This bill pattern represents an estimated 44.6% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE)- Appropriated Funds** | 815.5 | 815.5 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| Provide Instructional and Operations Support. | | |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | $ 14,115,309 | $ 14,115,309 |
| **A.1.2. Strategy:** TEACHING EXPERIENCE SUPPLEMENT | $ 650,912 | $ 650,912 |
| **A.1.3. Strategy:** STAFF GROUP INSURANCE PREMIUMS | $ 686,341 | $ 734,385 |
| **A.1.4. Strategy:** WORKERS' COMPENSATION INSURANCE | $ 26,391 | $ 26,390 |

| | | |
|---|---|---|
| **A.1.5. Strategy:** UNEMPLOYMENT COMPENSATION INSURANCE | $ 199 | $ 199 |
| **A.1.6. Strategy:** TEXAS PUBLIC EDUCATION GRANTS | $ 1,046,959 | $ 1,067,561 |
| **Total, Goal A:** INSTRUCTION/OPERATIONS | $ 16,526,111 | $ 16,594,756 |
| **B. Goal:** INFRASTRUCTURE SUPPORT | | |
| Provide Infrastructure Support. | | |
| **B.1.1. Strategy:** E&G SPACE SUPPORT | $ 3,400,068 | $ 3,400,068 |
| Educational and General Space Support. | | |
| **B.1.2. Strategy:** TUITION REVENUE BOND RETIREMENT | $ 8,443,630 | $ 8,442,909 |
| **Total, Goal B:** INFRASTRUCTURE SUPPORT | $ 11,843,698 | $ 11,842,977 |
| **C. Goal:** SPECIAL ITEM SUPPORT | | |
| Provide Special Item Support. | | |
| **C.1.1. Strategy:** PHD PROGRAM IN BUSINESS | $ 1,091,015 | $ 1,091,015 |
| **C.2.1. Strategy:** INSTITUTE FOR INTERNATIONAL TRADE | $ 195,027 | $ 195,027 |
| **C.2.2. Strategy:** SMALL BUSINESS DEVELOPMENT CENTER | $ 165,000 | $ 165,000 |
| **C.3.1. Strategy:** INSTITUTIONAL ENHANCEMENT | $ 5,426,726 | $ 5,426,726 |
| **C.3.2. Strategy:** FACULTY ENHANCEMENT | $ 750,000 | $ 750,000 |
| **C.3.3. Strategy:** OUTREACH AND ENROLLMENT | $ 750,000 | $ 750,000 |
| **Total, Goal C:** SPECIAL ITEM SUPPORT | $ 8,377,768 | $ 8,377,768 |
| **D. Goal:** RESEARCH FUNDS | | |
| **D.1.1. Strategy:** RESEARCH DEVELOPMENT FUND | $ 126,623 | $ 126,623 |
| **Grand Total,** TEXAS A&M INTERNATIONAL UNIVERSITY | $ 36,874,200 | $ 36,942,124 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 11,261,672 | $ 11,427,056 |
| Other Personnel Costs | 5,404,545 | 5,399,715 |
| Faculty Salaries (Higher Education Only) | 6,405,867 | 6,498,184 |
| Professional Fees and Services | 91,895 | 52,492 |
| Fuels and Lubricants | 8,484 | 1,557 |
| Consumable Supplies | 432,101 | 382,405 |
| Utilities | 1,172,654 | 1,202,634 |
| Travel | 52,242 | 52,874 |
| Rent - Building | 825 | 837 |
| Rent - Machine and Other | 176,800 | 156,184 |
| Debt Service | 8,443,630 | 8,442,909 |
| Other Operating Expense | 2,166,535 | 2,057,549 |
| Client Services | 143,064 | 143,064 |
| Grants | 1,046,959 | 1,067,561 |
| Capital Expenditures | 66,927 | 57,103 |
| **Total, Object-of-Expense Informational Listing** | $ 36,874,200 | $ 36,942,124 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 1,477,745 | $ 1,532,802 |
| Group Insurance | 1,910,265 | 1,910,265 |
| Social Security | 1,995,017 | 2,064,843 |
| Subtotal, Employee Benefits | $ 5,383,027 | $ 5,507,910 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 5,383,027 | $ 5,507,910 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas A&M International University. 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 Texas A&M International University. In order to achieve the objectives

and service standards established by this Act, the Texas A&M International University shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years | 42% | 42% |
| Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years | 25% | 25% |
| Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year | 70% | 70% |
| Certification Rate of Teacher Education Graduates | 75% | 75% |
| Percent of Baccalaureate Graduates Who Are First Generation College Graduates | 60% | 60% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years | 69% | 69% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years | 32% | 35% |
| Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty | 50% | 50% |
| Dollar Value of External or Sponsored Research Funds (in Millions) | 1.9 | 1.9 |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | | |
| **Efficiencies:** | | |
| Administrative Cost as a Percent of Total Expenditures | 11.5% | 11.5% |

## WEST TEXAS A&M UNIVERSITY

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 26,753,272 | $ 26,528,888 |
| General Revenue Fund - Dedicated | | |
| GR Dedicated - Estimated Board Authorized Tuition Increases Account No. 704 | 532,084 | 532,084 |
| GR Dedicated - Estimated Other Educational and General Income Account No. 770 | 9,078,003 | 9,422,692 |
| Subtotal, General Revenue Fund - Dedicated | $ 9,610,087 | $ 9,954,776 |
| **Total, Method of Financing** | $ 36,363,359 | $ 36,483,664 |
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 36,363,359 | $ 36,483,664 |
| **Grand Total,** WEST TEXAS A&M UNIVERSITY | $ 36,363,359 | $ 36,483,664 |
| **This bill pattern represents an estimated 35% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE)-Appropriated Funds** | 644.2 | 644.2 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| Provide Instructional and Operations Support. | | |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | $ 19,355,492 | $ 19,355,492 |

| | | | | |
|---|---|---|---|---|
| **A.1.2. Strategy:** TEACHING EXPERIENCE SUPPLEMENT | $ | 938,755 | $ | 938,755 |
| **A.1.3. Strategy:** STAFF GROUP INSURANCE PREMIUMS | $ | 1,270,520 | $ | 1,359,457 |
| **A.1.4. Strategy:** WORKERS' COMPENSATION INSURANCE | $ | 33,500 | $ | 34,001 |
| **A.1.5. Strategy:** UNEMPLOYMENT COMPENSATION INSURANCE | $ | 18,070 | $ | 18,070 |
| **A.1.6. Strategy:** TEXAS PUBLIC EDUCATION GRANTS | $ | 1,418,311 | $ | 1,467,150 |
| **A.1.7. Strategy:** ORGANIZED ACTIVITIES | $ | 91,885 | $ | 91,885 |
| **Total, Goal A:** INSTRUCTION/OPERATIONS | $ | 23,126,533 | $ | 23,264,810 |
| **B. Goal:** INFRASTRUCTURE SUPPORT | | | | |
| Provide Infrastructure Support. | | | | |
| **B.1.1. Strategy:** E&G SPACE SUPPORT | $ | 4,219,264 | $ | 4,219,264 |
| Educational and General Space Support. | | | | |
| **B.1.2. Strategy:** TUITION REVENUE BOND RETIREMENT | $ | 3,657,195 | $ | 3,649,268 |
| **Total, Goal B:** INFRASTRUCTURE SUPPORT | $ | 7,876,459 | $ | 7,868,532 |
| **C. Goal:** SPECIAL ITEM SUPPORT | | | | |
| Provide Special Item Support. | | | | |
| **C.1.1. Strategy:** KILLGORE RESEARCH CENTER | $ | 31,193 | $ | 31,193 |
| **C.1.2. Strategy:** WIND ENERGY RESEARCH | $ | 68,890 | $ | 74,500 |
| **C.1.3. Strategy:** INDUSTRY SUPPORT & DEVELOPMENT | $ | 623,438 | $ | 623,438 |
| Agriculture Industry Support and Development. | | | | |
| **C.1.4. Strategy:** INTEGRATED PEST MANAGEMENT | $ | 93,514 | $ | 93,514 |
| Integrated Pest Management. | | | | |
| **C.2.1. Strategy:** PANHANDLE-PLAINS MUSEUM | $ | 391,729 | $ | 376,074 |
| Panhandle-Plains Historical Museum. | | | | |
| **C.2.2. Strategy:** RURAL AGRI-BUSINESS | $ | 750,000 | $ | 750,000 |
| Rural Agri-Business Incubator & Accelerator. | | | | |
| **C.2.3. Strategy:** SMALL BUSINESS DEVELOPMENT CENTER | $ | 187,109 | $ | 187,109 |
| **C.3.1. Strategy:** INSTITUTIONAL ENHANCEMENT | $ | 2,873,618 | $ | 2,873,618 |
| **Total, Goal C:** SPECIAL ITEM SUPPORT | $ | 5,019,491 | $ | 5,009,446 |
| **D. Goal:** RESEARCH FUNDS | | | | |
| **D.1.1. Strategy:** RESEARCH DEVELOPMENT FUND | $ | 340,876 | $ | 340,876 |
| **Grand Total,** WEST TEXAS A&M UNIVERSITY | $ | 36,363,359 | $ | 36,483,664 |
| **Object-of-Expense Informational Listing:** | | | | |
| Salaries and Wages | $ | 12,582,572 | $ | 13,289,343 |
| Other Personnel Costs | | 450,579 | | 18,070 |
| Faculty Salaries (Higher Education Only) | | 15,304,080 | | 15,471,260 |
| Professional Salaries - Faculty Equivalent (Higher Education Only) | | 11,471 | | 0 |
| Fuels and Lubricants | | 24,733 | | 0 |
| Consumable Supplies | | 223,105 | | 63,942 |
| Utilities | | 39,811 | | 30,906 |
| Travel | | 69,322 | | 13,625 |
| Rent - Machine and Other | | 6,629 | | 0 |
| Debt Service | | 3,657,195 | | 3,649,268 |
| Other Operating Expense | | 2,241,138 | | 2,150,736 |
| Grants | | 1,418,311 | | 1,467,231 |
| Capital Expenditures | | 334,413 | | 329,283 |
| **Total, Object-of-Expense Informational Listing** | $ | 36,363,359 | $ | 36,483,664 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | | | |
| Employee Benefits | | | | |
| Retirement | $ | 1,717,285 | $ | 1,781,266 |

| | | |
|---|---|---|
| Group Insurance | 3,973,731 | 3,973,731 |
| Social Security | 2,408,171 | 2,492,457 |
| Subtotal, Employee Benefits | $ 8,099,187 | $ 8,247,454 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 8,099,187 | $ 8,247,454 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the West Texas A&M University. 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 West Texas A&M University. In order to achieve the objectives and service standards established by this Act, the West Texas A&M University shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years | 38% | 38% |
| Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years | 27.1% | 27.6% |
| Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year | 68% | 69% |
| Certification Rate of Teacher Education Graduates | 95% | 96% |
| Percent of Baccalaureate Graduates Who Are First Generation College Graduates | 52.3% | 53.4% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years | 58.6% | 59.7% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years | 26.8% | 27.4% |
| Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty | 54% | 55% |
| State Licensure Pass Rate of Nursing Graduates | 100% | 100% |
| Dollar Value of External or Sponsored Research Funds (in Millions) | 3.4 | 3.5 |

3. **Rural Agricultural/Business Incubator and Accelerator.** Contingent upon certification by the Comptroller of Public Accounts that increased activity by the Rural Agricultural/Business Incubator and Accelerator will generate at least $1,500,000 additional revenue to the General Revenue Fund, $750,000 in each year of the biennium is included in the appropriation above for the Rural Agricultural/Business Incubator and Accelerator. It is the intent of the Legislature that state funds provided to the Rural Agricultural/Business Incubator and Accelerator be used by the Center to attract federal funds on a dollar-for-dollar basis.

## TEXAS A&M UNIVERSITY - COMMERCE

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 33,305,541 | $ 33,275,685 |
| General Revenue Fund - Dedicated | | |
| GR Dedicated - Estimated Board Authorized Tuition Increases Account No. 704 | 2,515,000 | 2,515,000 |
| GR Dedicated - Estimated Other Educational and General Income Account No. 770 | 9,055,001 | 9,254,401 |
| Subtotal, General Revenue Fund - Dedicated | $ 11,570,001 | $ 11,769,401 |
| **Total, Method of Financing** | $ 44,875,542 | $ 45,045,086 |

| | | | | |
|---|---|---|---|---|
| **Items of Appropriation:** | | | | |
| 1. Educational and General State Support | $ | 44,875,542 | $ | 45,045,086 |
| **Grand Total,** TEXAS A&M UNIVERSITY - COMMERCE | $ | 44,875,542 | $ | 45,045,086 |

**This bill pattern represents an estimated 42.9% of this agency's estimated total available funds for the biennium.**

| | | | | |
|---|---|---|---|---|
| **Number of Full-Time-Equivalents (FTE)- Appropriated Funds** | | 801.7 | | 801.7 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | | | |
|---|---|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | | | |
| Provide Instructional and Operations Support. | | | | |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | $ | 30,915,346 | $ | 30,915,346 |
| **A.1.2. Strategy:** TEACHING EXPERIENCE SUPPLEMENT | $ | 542,296 | $ | 542,296 |
| **A.1.3. Strategy:** STAFF GROUP INSURANCE PREMIUMS | $ | 2,094,726 | $ | 2,241,358 |
| **A.1.4. Strategy:** WORKERS' COMPENSATION INSURANCE | $ | 85,180 | $ | 85,180 |
| **A.1.5. Strategy:** UNEMPLOYMENT COMPENSATION INSURANCE | $ | 21,210 | $ | 21,210 |
| **A.1.6. Strategy:** TEXAS PUBLIC EDUCATION GRANTS | $ | 1,751,529 | $ | 1,775,771 |
| **A.1.7. Strategy:** ORGANIZED ACTIVITIES | $ | 73,956 | $ | 73,956 |
| **Total, Goal A:** INSTRUCTION/OPERATIONS | $ | 35,484,243 | $ | 35,655,117 |
| **B. Goal:** INFRASTRUCTURE SUPPORT | | | | |
| Provide Infrastructure Support. | | | | |
| **B.1.1. Strategy:** E&G SPACE SUPPORT | $ | 4,645,737 | $ | 4,645,737 |
| Educational and General Space Support. | | | | |
| **B.1.2. Strategy:** TUITION REVENUE BOND RETIREMENT | $ | 1,999,857 | $ | 1,998,528 |
| **Total, Goal B:** INFRASTRUCTURE SUPPORT | $ | 6,645,594 | $ | 6,644,265 |
| **C. Goal:** SPECIAL ITEM SUPPORT | | | | |
| Provide Special Item Support. | | | | |
| **C.1.1. Strategy:** INDUSTRIAL ENGINEERING PROGRAM | $ | 181,420 | $ | 181,419 |
| Bachelor of Science Degree Program in Industrial Engineering. | | | | |
| **C.2.1. Strategy:** EDUCATIONAL OUTREACH | $ | 492,357 | $ | 492,357 |
| Mesquite/Metroplex/Northeast Texas. | | | | |
| **C.3.1. Strategy:** INSTITUTIONAL ENHANCEMENT | $ | 1,853,552 | $ | 1,853,552 |
| **Total, Goal C:** SPECIAL ITEM SUPPORT | $ | 2,527,329 | $ | 2,527,328 |
| **D. Goal:** RESEARCH FUNDS | | | | |
| **D.1.1. Strategy:** RESEARCH DEVELOPMENT FUND | $ | 218,376 | $ | 218,376 |
| **Grand Total,** TEXAS A&M UNIVERSITY - COMMERCE | $ | 44,875,542 | $ | 45,045,086 |

| | | | | |
|---|---|---|---|---|
| **Object-of-Expense Informational Listing:** | | | | |
| Salaries and Wages | $ | 16,399,814 | $ | 15,567,458 |
| Other Personnel Costs | | 445,468 | | 406,004 |
| Faculty Salaries (Higher Education Only) | | 20,156,092 | | 20,099,948 |
| Professional Fees and Services | | 2,567 | | 2,396 |
| Consumable Supplies | | 6,694 | | 0 |
| Utilities | | 1,521,656 | | 2,259,951 |
| Travel | | 6,833 | | 6,378 |
| Rent - Machine and Other | | 0 | | 2,114 |
| Debt Service | | 1,999,857 | | 1,998,528 |
| Other Operating Expense | | 2,585,032 | | 2,926,538 |
| Grants | | 1,751,529 | | 1,775,771 |
| **Total, Object-of-Expense Informational Listing** | $ | 44,875,542 | $ | 45,045,086 |

## TEXAS A&M UNIVERSITY - COMMERCE
(Continued)

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

| | | |
|---|---|---|
| Employee Benefits | | |
| Retirement | $ 2,162,527 | $ 2,243,097 |
| Group Insurance | 4,075,954 | 4,075,954 |
| Social Security | 3,039,847 | 3,146,242 |
| Subtotal, Employee Benefits | $ 9,278,328 | $ 9,465,293 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 9,278,328 | $ 9,465,293 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas A&M University - Commerce. 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 Texas A&M University - Commerce. In order to achieve the objectives and service standards established by this Act, the Texas A&M University - Commerce shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years | 42% | 42.5% |
| Percent of First-time, Full-time, Degree seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years | 15% | 15% |
| Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year | 70% | 70% |
| Certification Rate of Teacher Education Graduates | 93% | 93% |
| Percent of Baccalaureate Graduates Who Are First Generation College Graduates | 62% | 62% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years | 70% | 70% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years | 34.5% | 35% |
| Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty | 50% | 50% |
| Dollar Value of External or Sponsored Research Funds (in Millions) | 7 | 10 |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | | |
| **Efficiencies:** | | |
| Administrative Cost as a Percent of Total Expenditures | 9.4% | 9.4% |

## TEXAS A&M UNIVERSITY - TEXARKANA

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 15,245,865 | $ 15,124,790 |
| General Revenue Fund - Dedicated | | |
| GR Dedicated - Estimated Board Authorized Tuition Increases Account No. 704 | 176,576 | 176,576 |
| GR Dedicated - Estimated Other Educational and General Income Account No. 770 | 1,937,930 | 2,093,231 |
| Subtotal, General Revenue Fund - Dedicated | $ 2,114,506 | $ 2,269,807 |
| **Total, Method of Financing** | $ 17,360,371 | $ 17,394,597 |

| | | | | |
|---|---|---|---|---|
| **Items of Appropriation:** | | | | |
| 1. Educational and General State Support | $ | 17,360,371 | $ | 17,394,597 |
| **Grand Total,** TEXAS A&M UNIVERSITY - TEXARKANA | $ | 17,360,371 | $ | 17,394,597 |

**This bill pattern represents an estimated 72.7% of this agency's estimated total available funds for the biennium.**

| | | | | |
|---|---|---|---|---|
| **Number of Full-Time-Equivalents (FTE)- Appropriated Funds** | | 151.2 | | 151.2 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | | | |
|---|---|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | | | |
| Provide Instructional and Operations Support. | | | | |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | $ | 4,391,562 | $ | 4,391,562 |
| **A.1.2. Strategy:** TEACHING EXPERIENCE SUPPLEMENT | $ | 161,937 | $ | 161,937 |
| **A.1.3. Strategy:** STAFF GROUP INSURANCE PREMIUMS | $ | 258,269 | $ | 276,349 |
| **A.1.4. Strategy:** TEXAS PUBLIC EDUCATION GRANTS | $ | 290,679 | $ | 307,396 |
| **Total, Goal A:** INSTRUCTION/OPERATIONS | $ | 5,102,447 | $ | 5,137,244 |
| **B. Goal:** INFRASTRUCTURE SUPPORT | | | | |
| Provide Infrastructure Support. | | | | |
| **B.1.1. Strategy:** E&G SPACE SUPPORT | $ | 1,484,930 | $ | 1,484,930 |
| Educational and General Space Support. | | | | |
| **B.1.2. Strategy:** TUITION REVENUE BOND RETIREMENT | $ | 5,868,093 | $ | 5,867,527 |
| **B.1.3. Strategy:** LEASE OF FACILITIES | $ | 1,203 | $ | 1,203 |
| **Total, Goal B:** INFRASTRUCTURE SUPPORT | $ | 7,354,226 | $ | 7,353,660 |
| **C. Goal:** SPECIAL ITEM SUPPORT | | | | |
| Provide Special Item Support. | | | | |
| **C.1.1. Strategy:** ACADEMIC PROGRAMS | $ | 714,879 | $ | 714,879 |
| **C.2.1. Strategy:** NE TEXAS EDUCATION PARTNERSHIP | $ | 36,666 | $ | 36,666 |
| Northeast Texas Education Partnership. | | | | |
| **C.3.1. Strategy:** LOWER-DIVISION TRANSITION FUNDING | $ | 73,534 | $ | 73,534 |
| **C.3.2. Strategy:** INSTITUTIONAL ENHANCEMENT | $ | 1,974,115 | $ | 1,974,110 |
| **C.3.3. Strategy:** DOWNWARD EXPANSION | $ | 2,100,000 | $ | 2,100,000 |
| **Total, Goal C:** SPECIAL ITEM SUPPORT | $ | 4,899,194 | $ | 4,899,189 |
| **D. Goal:** RESEARCH FUNDS | | | | |
| **D.1.1. Strategy:** RESEARCH DEVELOPMENT FUND | $ | 4,504 | $ | 4,504 |
| **Grand Total,** TEXAS A&M UNIVERSITY - TEXARKANA | $ | 17,360,371 | $ | 17,394,597 |

| | | | | |
|---|---|---|---|---|
| **Object-of-Expense Informational Listing:** | | | | |
| Salaries and Wages | $ | 2,637,027 | $ | 2,774,938 |
| Other Personnel Costs | | 214,521 | | 433,788 |
| Faculty Salaries (Higher Education Only) | | 4,029,525 | | 4,273,136 |
| Professional Fees and Services | | 25,640 | | 0 |
| Consumable Supplies | | 11,035 | | 0 |
| Utilities | | 167,499 | | 120,023 |
| Travel | | 40,763 | | 26,873 |
| Debt Service | | 5,868,093 | | 5,867,527 |
| Other Operating Expense | | 4,056,166 | | 2,989,068 |
| Client Services | | 12,111 | | 601,848 |
| Grants | | 290,679 | | 307,396 |
| Capital Expenditures | | 7,312 | | 0 |
| **Total, Object-of-Expense Informational Listing** | $ | 17,360,371 | $ | 17,394,597 |

## TEXAS A&M UNIVERSITY - TEXARKANA
(Continued)

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

| | | |
|---|---|---|
| Employee Benefits | | |
| Retirement | $ 529,081 | $ 548,793 |
| Group Insurance | 961,414 | 961,414 |
| Social Security | 676,365 | 700,038 |
| Subtotal, Employee Benefits | $ 2,166,860 | $ 2,210,245 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 2,166,860 | $ 2,210,245 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas A&M University - Texarkana. 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 Texas A&M University - Texarkana. In order to achieve the objectives and service standards established by this Act, the Texas A&M University - Texarkana shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Certification Rate of Teacher Education Graduates | 95% | 95% |
| Percent of Baccalaureate Graduates Who Are First Generation College Graduates | 60% | 60% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years | 76% | 76% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years | 38% | 38% |
| Persistence Rate of First-time, Full-time, Degree-seeking Transfer Students after One Academic Year (Upper-level Institutions Only) | 83% | 83% |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | | |
| **Efficiencies:** | | |
| Administrative Cost as a Percent of Total Expenditures | 14.5% | 14.5% |

3. **Scholarship Match.** Out of the funds appropriated above, funds may be used to provide a match for funds collected by a two dollar per semester credit hour fee for a student endowment scholarship and internship program adopted by student referendum, pursuant to Education Code § 56.242.

4. **Transition Funding - Texas A&M University - Texarkana.** It is the intent of the legislature that non-formula General Revenue operations funding in Strategy C.3.3, Downward Expansion for Texas A&M University - Texarkana will be phased out as formula funding increases until the institution researches 6,000 full time student equivalents.

## UNIVERSITY OF HOUSTON SYSTEM ADMINISTRATION

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 25,975,144 | $ 25,693,318 |
| **Total, Method of Financing** | $ 25,975,144 | $ 25,693,318 |
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 25,975,144 | $ 25,693,318 |
| **Grand Total,** UNIVERSITY OF HOUSTON SYSTEM ADMINISTRATION | $ 25,975,144 | $ 25,693,318 |

**This bill pattern represents an estimated 74.5% of this agency's estimated total available funds for the biennium.**

| | | | | |
|---|---|---|---|---|
| **Number of Full-Time-Equivalents (FTE)-Appropriated Funds** | | 98.5 | | 98.5 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | | | |
|---|---|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS<br>Provide Instructional and Operations Support. | | | | |
| **A.1.1. Strategy:** SYSTEM OFFICE OPERATIONS | $ | 1,425,000 | $ | 1,425,000 |
| **B. Goal:** INFRASTRUCTURE SUPPORT<br>Provide Infrastructure Support. | | | | |
| **B.1.1. Strategy:** UH TUITION REVENUE BOND RETIREMENT<br>University of Houston Tuition Revenue Bond Retirement. | $ | 10,692,367 | $ | 10,694,047 |
| **B.1.2. Strategy:** UH CLEAR LAKE REV BOND RETIREMENT<br>University of Houston Clear Lake Tuition Revenue Bond Retirement. | $ | 3,021,588 | $ | 3,024,363 |
| **B.1.3. Strategy:** UH DOWNTOWN REVENUE BOND RETIREMENT<br>University of Houston Downtown Tuition Revenue Bond Retirement. | $ | 6,194,460 | $ | 6,192,117 |
| **B.1.4. Strategy:** UH VICTORIA REVENUE BOND RETIREMENT<br>University of Houston Victoria Tuition Revenue Bond Retirement. | $ | 4,054,768 | $ | 3,770,830 |
| **Total, Goal B:** INFRASTRUCTURE SUPPORT | $ | 23,963,183 | $ | 23,681,357 |
| **C. Goal:** SPECIAL ITEM SUPPORT<br>Provide Special Item Support. | | | | |
| **C.1.1. Strategy:** NASA PROGRAMS<br>High School Cooperative Education Program w/NASA & Tech Outreach Pgm. | $ | 586,961 | $ | 586,961 |
| **Grand Total,** UNIVERSITY OF HOUSTON SYSTEM ADMINISTRATION | $ | 25,975,144 | $ | 25,693,318 |
| **Object-of-Expense Informational Listing:** | | | | |
| Salaries and Wages | $ | 1,425,000 | $ | 1,425,000 |
| Debt Service | | 23,963,183 | | 23,681,357 |
| Other Operating Expense | | 100,000 | | 100,000 |
| Client Services | | 486,961 | | 486,961 |
| **Total, Object-of-Expense Informational Listing** | $ | 25,975,144 | $ | 25,693,318 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | | | |
| Employee Benefits | | | | |
| Retirement | $ | 326,990 | $ | 339,173 |
| Group Insurance | | 641,898 | | 641,898 |
| Social Security | | 527,110 | | 545,559 |
| Subtotal, Employee Benefits | $ | 1,495,998 | $ | 1,526,630 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ | 1,495,998 | $ | 1,526,630 |

2. **Governing Board.** Out of the funds appropriated above, an amount not to exceed $175,000 in each year of the biennium shall be for all expenses associated with the governing board's duties including, but not limited to: travel, entertainment, lodging, and expenses of state employees who provide services for the governing board.

A separate record of the board's expenditures shall be kept and retained in the same manner as the fiscal records of the institution(s) the board governs. No funds may be used for the governing board's expenses except for the specific amounts designated above. Funds appropriated for the governing board's expenses may be used for any other purpose covered by this Act.

## UNIVERSITY OF HOUSTON

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 129,132,679 | $ 128,198,995 |
| General Revenue Fund - Dedicated | | |
| GR Dedicated - Estimated Board Authorized Tuition Increases Account No. 704 | 13,684,074 | 13,684,074 |
| GR Dedicated - Estimated Other Educational and General Income Account No. 770 | 54,345,148 | 55,770,433 |
| Subtotal, General Revenue Fund - Dedicated | $ 68,029,222 | $ 69,454,507 |
| **Total, Method of Financing** | $ 197,161,901 | $ 197,653,502 |
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 197,161,901 | $ 197,653,502 |
| **Grand Total,** UNIVERSITY OF HOUSTON | $ 197,161,901 | $ 197,653,502 |
| **This bill pattern represents an estimated 24.6% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE)- Appropriated Funds** | 2,700.0 | 2,700.0 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| Provide Instructional and Operations Support. | | |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | $ 134,682,795 | $ 134,682,794 |
| **A.1.2. Strategy:** TEACHING EXPERIENCE SUPPLEMENT | $ 2,642,533 | $ 2,642,533 |
| **A.1.3. Strategy:** STAFF GROUP INSURANCE PREMIUMS | $ 4,996,924 | $ 5,346,713 |
| **A.1.4. Strategy:** WORKERS' COMPENSATION INSURANCE | $ 349,930 | $ 349,930 |
| **A.1.5. Strategy:** TEXAS PUBLIC EDUCATION GRANTS | $ 6,995,555 | $ 7,137,368 |
| **Total, Goal A:** INSTRUCTION/OPERATIONS | $ 149,667,737 | $ 150,159,338 |
| **B. Goal:** INFRASTRUCTURE SUPPORT | | |
| Provide Infrastructure Support. | | |
| **B.1.1. Strategy:** E&G SPACE SUPPORT | $ 24,995,042 | $ 24,995,042 |
| Educational and General Space Support. | | |
| **C. Goal:** SPECIAL ITEM SUPPORT | | |
| Provide Special Item Support. | | |
| **C.1.1. Strategy:** COMPLEX SYSTEMS RESEARCH CLUSTER | $ 690,000 | $ 690,000 |
| **C.1.2. Strategy:** ENERGY RESEARCH CLUSTER | $ 3,567,500 | $ 3,567,500 |
| **C.2.1. Strategy:** SMALL BUSINESS DEVELOPMENT | $ 3,070,697 | $ 3,070,697 |
| University of Houston Small Business Development Center. | | |
| **C.2.2. Strategy:** HEALTH SCIENCES RESEARCH CLUSTER | $ 2,217,500 | $ 2,217,500 |
| **C.2.3. Strategy:** EDUCATION & COMMUNITY ADVANCEMENT | $ 1,151,509 | $ 1,151,509 |
| Education and Community Advancement. | | |
| **C.3.1. Strategy:** INSTITUTIONAL ENHANCEMENT | $ 3,387,201 | $ 3,387,201 |
| **Total, Goal C:** SPECIAL ITEM SUPPORT | $ 14,084,407 | $ 14,084,407 |

| | | |
|---|---|---|
| **D. Goal:** RESEARCH FUNDS | | |
| **D.1.1. Strategy:** RESEARCH DEVELOPMENT FUND | $ 5,352,736 | $ 5,352,736 |
| **D.2.1. Strategy:** COMPETITIVE KNOWLEDGE FUND | $ 3,061,979 | $ 3,061,979 |
| **Total, Goal D:** RESEARCH FUNDS | $ 8,414,715 | $ 8,414,715 |
| **Grand Total,** UNIVERSITY OF HOUSTON | $ 197,161,901 | $ 197,653,502 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 71,577,373 | $ 72,737,730 |
| Other Personnel Costs | 2,748,439 | 2,406,918 |
| Faculty Salaries (Higher Education Only) | 89,567,271 | 90,205,173 |
| Professional Salaries - Faculty Equivalent (Higher Education Only) | 867,481 | 465,722 |
| Professional Fees and Services | 208,556 | 111,703 |
| Fuels and Lubricants | 235,974 | 12,710 |
| Consumable Supplies | 2,556,155 | 0 |
| Utilities | 1,074,386 | 469,045 |
| Travel | 16,449 | 15,962 |
| Rent - Building | 44,345 | 42,868 |
| Rent - Machine and Other | 616 | 248,502 |
| Other Operating Expense | 20,701,634 | 20,117,040 |
| Grants | 6,995,555 | 7,137,368 |
| Capital Expenditures | 567,667 | 3,682,761 |
| **Total, Object-of-Expense Informational Listing** | $ 197,161,901 | $ 197,653,502 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 10,750,544 | $ 11,151,079 |
| Group Insurance | 13,628,552 | 13,628,552 |
| Social Security | 13,615,761 | 14,092,312 |
| Subtotal, Employee Benefits | $ 37,994,857 | $ 38,871,943 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 37,994,857 | $ 38,871,943 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the University of Houston. 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 University of Houston. In order to achieve the objectives and service standards established by this Act, the University of Houston shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years | 48% | 50% |
| Percent of First-time, Full-time, Degree seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years | 18% | 19% |
| Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year | 84% | 86% |
| Certification Rate of Teacher Education Graduates | 90% | 90% |
| Percent of Baccalaureate Graduates Who Are First Generation College Graduates | 42% | 42% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years | 56% | 57% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two years | 20% | 21% |
| Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty | 35% | 35% |
| State Licensure Pass Rate of Law Graduates | 93% | 93% |

| | | |
|---|---|---|
| State Licensure Pass Rate of Engineering Graduates | 88% | 88% |
| State Licensure Pass Rate of Pharmacy Graduates | 100% | 100% |
| Dollar Value of External or Sponsored Research Funds (in Millions) | 115 | 125 |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | | |
| **Efficiencies:** | | |
| Administrative Cost as a Percent of Total Expenditures | 6.1% | 6.1% |

## UNIVERSITY OF HOUSTON - CLEAR LAKE

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 23,313,520 | $ 23,140,530 |
| General Revenue Fund - Dedicated | | |
| GR Dedicated - Estimated Board Authorized Tuition Increases Account No. 704 | 2,732,800 | 2,732,800 |
| GR Dedicated - Estimated Other Educational and General Income Account No. 770 | 9,825,794 | 10,104,189 |
| Subtotal, General Revenue Fund - Dedicated | $ 12,558,594 | $ 12,836,989 |
| **Total, Method of Financing** | $ 35,872,114 | $ 35,977,519 |
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 35,872,114 | $ 35,977,519 |
| **Grand Total,** UNIVERSITY OF HOUSTON - CLEAR LAKE | $ 35,872,114 | $ 35,977,519 |
| **This bill pattern represents an estimated 42.9% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE)- Appropriated Funds** | 575.0 | 575.0 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| Provide Instructional and Operations Support. | | |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | $ 26,216,588 | $ 26,216,588 |
| **A.1.2. Strategy:** TEACHING EXPERIENCE SUPPLEMENT | $ 568,981 | $ 568,981 |
| **A.1.3. Strategy:** STAFF GROUP INSURANCE PREMIUMS | $ 1,107,406 | $ 1,184,925 |
| **A.1.4. Strategy:** WORKERS' COMPENSATION INSURANCE | $ 93,454 | $ 93,454 |
| **A.1.5. Strategy:** TEXAS PUBLIC EDUCATION GRANTS | $ 1,298,520 | $ 1,326,406 |
| **A.1.6. Strategy:** HOLD HARMLESS | $ 851,970 | $ 851,970 |
| **Total, Goal A:** INSTRUCTION/OPERATIONS | $ 30,136,919 | $ 30,242,324 |
| **B. Goal:** INFRASTRUCTURE SUPPORT | | |
| Provide Infrastructure Support. | | |
| **B.1.1. Strategy:** E&G SPACE SUPPORT | $ 3,561,801 | $ 3,561,801 |
| Educational and General Space Support. | | |
| **C. Goal:** SPECIAL ITEM SUPPORT | | |
| Provide Special Item Support. | | |
| **C.1.1. Strategy:** HIGH TECHNOLOGIES LABORATORY | $ 41,864 | $ 41,864 |
| **C.1.2. Strategy:** ENVIRONMENTAL STUDIES PARTNERSHIP | $ 302,368 | $ 302,368 |
| Houston Partnership for Environmental Studies. | | |

## UNIVERSITY OF HOUSTON - CLEAR LAKE
(Continued)

| | | |
|---|---|---|
| **C.2.1. Strategy:** INSTITUTIONAL ENHANCEMENT | $ 1,774,966 | $ 1,774,966 |
| **Total, Goal C:** SPECIAL ITEM SUPPORT | $ 2,119,198 | $ 2,119,198 |
| **D. Goal:** RESEARCH FUNDS | | |
| **D.1.1. Strategy:** RESEARCH DEVELOPMENT FUND | $ 54,196 | $ 54,196 |
| **Grand Total,** UNIVERSITY OF HOUSTON - CLEAR LAKE | $ 35,872,114 | $ 35,977,519 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 12,564,534 | $ 13,510,845 |
| Other Personnel Costs | 499,007 | 428,791 |
| Faculty Salaries (Higher Education Only) | 17,733,369 | 17,902,389 |
| Utilities | 235,289 | 0 |
| Other Operating Expense | 3,256,700 | 2,809,088 |
| Grants | 1,298,520 | 1,326,406 |
| Capital Expenditures | 284,695 | 0 |
| **Total, Object-of-Expense Informational Listing** | $ 35,872,114 | $ 35,977,519 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 2,083,184 | $ 2,160,798 |
| Group Insurance | 2,553,868 | 2,553,868 |
| Social Security | 2,629,755 | 2,721,797 |
| Subtotal, Employee Benefits | $ 7,266,807 | $ 7,436,463 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 7,266,807 | $ 7,436,463 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the University of Houston - Clear Lake. 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 University of Houston - Clear Lake. In order to achieve the objectives and service standards established by this Act, the University of Houston - Clear Lake shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Certification Rate of Teacher Education Graduates | 90% | 90% |
| Percent of Baccalaureate Graduates Who Are First Generation College Graduates | 43% | 43% |
| Dollar Value of External or Sponsored Research Funds (in Millions) | 0.7 | 0.7 |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years | 74% | 74% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years | 34% | 34% |
| Persistence Rate of First-time, Full-time, Degree-seeking Transfer Students after One Academic Year (Upper-level Institutions Only) | 82% | 82% |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | | |
| **Efficiencies:** | | |
| Administrative Cost as a Percent of Total Expenditures | 13.7% | 13.7% |

## UNIVERSITY OF HOUSTON - DOWNTOWN

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 20,020,006 | $ 19,953,389 |

| | | | | |
|---|---|---|---|---|
| General Revenue Fund - Dedicated | | | | |
| GR Dedicated - Estimated Board Authorized Tuition Increases Account No. 704 | | 74,137 | | 74,137 |
| GR Dedicated - Estimated Other Educational and General Income Account No. 770 | | 13,813,555 | | 13,991,598 |
| Subtotal, General Revenue Fund - Dedicated | $ | 13,887,692 | $ | 14,065,735 |
| **Total, Method of Financing** | $ | 33,907,698 | $ | 34,019,124 |
| **Items of Appropriation:** | | | | |
| 1. Educational and General State Support | $ | 33,907,698 | $ | 34,019,124 |
| **Grand Total,** UNIVERSITY OF HOUSTON - DOWNTOWN | $ | 33,907,698 | $ | 34,019,124 |

**This bill pattern represents an estimated 29% of this agency's estimated total available funds for the biennium.**

| | | | | |
|---|---|---|---|---|
| **Number of Full-Time-Equivalents (FTE)- Appropriated Funds** | | 558.0 | | 558.0 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | | | |
|---|---|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | | | |
| Provide Instructional and Operations Support. | | | | |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | $ | 22,502,822 | $ | 22,502,822 |
| **A.1.2. Strategy:** TEACHING EXPERIENCE SUPPLEMENT | $ | 1,179,643 | $ | 1,179,643 |
| **A.1.3. Strategy:** STAFF GROUP INSURANCE PREMIUMS | $ | 1,248,363 | $ | 1,335,750 |
| **A.1.4. Strategy:** WORKERS' COMPENSATION INSURANCE | $ | 151,004 | $ | 151,004 |
| **A.1.5. Strategy:** TEXAS PUBLIC EDUCATION GRANTS | $ | 1,997,524 | $ | 2,021,563 |
| **Total, Goal A:** INSTRUCTION/OPERATIONS | $ | 27,079,356 | $ | 27,190,782 |
| **B. Goal:** INFRASTRUCTURE SUPPORT | | | | |
| Provide Infrastructure Support. | | | | |
| **B.1.1. Strategy:** E&G SPACE SUPPORT | $ | 4,590,264 | $ | 4,590,264 |
| Educational and General Space Support. | | | | |
| **C. Goal:** SPECIAL ITEM SUPPORT | | | | |
| Provide Special Item Support. | | | | |
| **C.1.1. Strategy:** COMMUNITY DEVELOPMENT PROJECT | $ | 397,531 | $ | 397,531 |
| **C.2.1. Strategy:** INSTITUTIONAL ENHANCEMENT | $ | 1,788,423 | $ | 1,788,423 |
| **Total, Goal C:** SPECIAL ITEM SUPPORT | $ | 2,185,954 | $ | 2,185,954 |
| **D. Goal:** RESEARCH FUNDS | | | | |
| **D.1.1. Strategy:** RESEARCH DEVELOPMENT FUND | $ | 52,124 | $ | 52,124 |
| **Grand Total,** UNIVERSITY OF HOUSTON - DOWNTOWN | $ | 33,907,698 | $ | 34,019,124 |

| | | | | |
|---|---|---|---|---|
| **Object-of-Expense Informational Listing:** | | | | |
| Salaries and Wages | $ | 12,349,656 | $ | 12,795,836 |
| Other Personnel Costs | | 265,578 | | 324,851 |
| Faculty Salaries (Higher Education Only) | | 17,497,693 | | 16,992,240 |
| Professional Fees and Services | | 397,531 | | 397,531 |
| Other Operating Expense | | 1,399,716 | | 1,487,103 |
| Grants | | 1,997,524 | | 2,021,563 |
| **Total, Object-of-Expense Informational Listing** | $ | 33,907,698 | $ | 34,019,124 |

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

| | | | | |
|---|---|---|---|---|
| Employee Benefits | | | | |
| Retirement | $ | 2,006,292 | $ | 2,081,041 |

## UNIVERSITY OF HOUSTON - DOWNTOWN
(Continued)

| | | |
|---|---|---|
| Group Insurance | 2,197,118 | 2,197,118 |
| Social Security | 2,688,116 | 2,782,200 |
| Subtotal, Employee Benefits | $ 6,891,526 | $ 7,060,359 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 6,891,526 | $ 7,060,359 |

**2. Performance Measure Targets.** The following is a listing of the key performance target levels for the University of Houston - Downtown. 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 University of Houston - Downtown. In order to achieve the objectives and service standards established by this Act, the University of Houston - Downtown shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years | 14% | 14% |
| Percent of First-time, Full-time, Degree seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years | 1.6% | 1.6% |
| Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year | 60% | 60% |
| Certification Rate of Teacher Education Graduates | 95% | 95% |
| Percent of Baccalaureate Graduates Who Are First Generation College Graduates | 66% | 67% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years | 60.48% | 62.24% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years | 27.77% | 28.41% |
| Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty | 48% | 51% |
| Dollar Value of External or Sponsored Research Funds (in Millions) | 0.57 | 0.57 |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | | |
| **Efficiencies:** | | |
| Administrative Cost as a Percent of Total Expenditures | 16% | 16% |

## UNIVERSITY OF HOUSTON - VICTORIA

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 13,827,568 | $ 13,824,253 |
| General Revenue Fund - Dedicated | | |
| GR Dedicated - Estimated Board Authorized Tuition Increases Account No. 704 | 1,375,225 | 1,375,225 |
| GR Dedicated - Estimated Other Educational and General Income Account No. 770 | 4,671,763 | 4,712,925 |
| Subtotal, General Revenue Fund - Dedicated | $ 6,046,988 | $ 6,088,150 |
| **Total, Method of Financing** | $ 19,874,556 | $ 19,912,403 |
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 19,874,556 | $ 19,912,403 |
| **Grand Total,** UNIVERSITY OF HOUSTON - VICTORIA | $ 19,874,556 | $ 19,912,403 |

**This bill pattern represents an estimated 46% of this agency's estimated total available funds for the biennium.**

| | | | | |
|---|---|---|---|---|
| **Number of Full-Time-Equivalents (FTE)- Appropriated Funds** | | 281.0 | | 281.0 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | | | |
|---|---|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | | | |
| Provide Instructional and Operations Support. | | | | |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | $ | 11,349,460 | $ | 11,349,460 |
| **A.1.2. Strategy:** TEACHING EXPERIENCE SUPPLEMENT | $ | 366,051 | $ | 366,051 |
| **A.1.3. Strategy:** STAFF GROUP INSURANCE PREMIUMS | $ | 456,654 | $ | 488,620 |
| **A.1.4. Strategy:** WORKERS' COMPENSATION INSURANCE | $ | 58,654 | $ | 58,654 |
| **A.1.5. Strategy:** TEXAS PUBLIC EDUCATION GRANTS | $ | 876,740 | $ | 882,621 |
| **Total, Goal A:** INSTRUCTION/OPERATIONS | $ | 13,107,559 | $ | 13,145,406 |
| **B. Goal:** INFRASTRUCTURE SUPPORT | | | | |
| Provide Infrastructure Support. | | | | |
| **B.1.1. Strategy:** E&G SPACE SUPPORT | $ | 2,419,981 | $ | 2,419,981 |
| Educational and General Space Support. | | | | |
| **C. Goal:** SPECIAL ITEM SUPPORT | | | | |
| Provide Special Item Support. | | | | |
| **C.1.1. Strategy:** MASTER'S DEGREE IN NURSING | $ | 371,250 | $ | 371,250 |
| **C.1.2. Strategy:** DOWNWARD EXPANSION | $ | 2,100,000 | $ | 2,100,000 |
| **C.2.1. Strategy:** CENTER FOR REGIONAL OUTREACH | $ | 168,328 | $ | 168,328 |
| **C.2.2. Strategy:** SMALL BUSINESS DEVELOPMENT CENTER | $ | 215,050 | $ | 215,050 |
| **C.3.1. Strategy:** INSTITUTIONAL ENHANCEMENT | $ | 1,491,261 | $ | 1,491,261 |
| **Total, Goal C:** SPECIAL ITEM SUPPORT | $ | 4,345,889 | $ | 4,345,889 |
| **D. Goal:** RESEARCH FUNDS | | | | |
| **D.1.1. Strategy:** RESEARCH DEVELOPMENT FUND | $ | 1,127 | $ | 1,127 |
| **Grand Total,** UNIVERSITY OF HOUSTON - VICTORIA | $ | 19,874,556 | $ | 19,912,403 |
| **Object-of-Expense Informational Listing:** | | | | |
| Salaries and Wages | $ | 9,223,916 | $ | 9,235,849 |
| Faculty Salaries (Higher Education Only) | | 7,559,123 | | 7,586,770 |
| Other Operating Expense | | 2,214,777 | | 2,207,163 |
| Grants | | 876,740 | | 882,621 |
| **Total, Object-of-Expense Informational Listing** | $ | 19,874,556 | $ | 19,912,403 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | | | |
| Employee Benefits | | | | |
| Retirement | $ | 875,579 | $ | 908,201 |
| Group Insurance | | 1,202,398 | | 1,202,398 |
| Social Security | | 1,254,040 | | 1,297,931 |
| Subtotal, Employee Benefits | $ | 3,332,017 | $ | 3,408,530 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ | 3,332,017 | $ | 3,408,530 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the University of Houston - Victoria. 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 University of Houston - Victoria. In order to achieve the objectives and

service standards established by this Act, the University of Houston - Victoria shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Certification Rate of Teacher Education Graduates | 91% | 91% |
| Percentage of Baccalaureate Graduates Who Are First Generation College Graduates | 48% | 53% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years | 77% | 77% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years | 43% | 43% |
| Persistence Rate of First-time, Full-time, Degree-seeking Other Transfer Students after One Academic Year (Upper-level Institutions Only) | 83% | 83% |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | | |
| **Efficiencies:** | | |
| Administrative Cost as a Percent of Total Expenditures | 11.3% | 11.3% |

3. **Downward Expansion - University of Houston Victoria.** It is the intent of the legislature that non-formula General Revenue operations funding in Strategy C.1.2, Downward Expansion for University of Houston Victoria will be phased out as formula funding increases until the institution researches 6,000 full time student equivalents.

## MIDWESTERN STATE UNIVERSITY

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 16,762,807 | $ 16,619,208 |
| General Revenue Fund - Dedicated | | |
| GR Dedicated - Midwestern University Special Mineral Account No. 412, estimated | 7,000 | 7,000 |
| GR Dedicated - Estimated Board Authorized Tuition Increases Account No. 704 | 400,000 | 400,000 |
| GR Dedicated - Estimated Other Educational and General Income Account No. 770 | 7,196,931 | 7,435,508 |
| Subtotal, General Revenue Fund - Dedicated | $ 7,603,931 | $ 7,842,508 |
| **Total, Method of Financing** | $ 24,366,738 | $ 24,461,716 |
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 24,366,738 | $ 24,461,716 |
| **Grand Total,** MIDWESTERN STATE UNIVERSITY | $ 24,366,738 | $ 24,461,716 |
| **This bill pattern represents an estimated 30.2% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE)- Appropriated Funds** | 411.3 | 411.3 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| Provide Instructional and Operations Support. | | |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | $ 13,790,780 | $ 13,790,780 |
| **A.1.2. Strategy:** TEACHING EXPERIENCE SUPPLEMENT | $ 791,596 | $ 791,596 |
| **A.1.3. Strategy:** STAFF GROUP INSURANCE PREMIUMS | $ 882,245 | $ 944,003 |

| | | |
|---|---|---|
| **A.1.4. Strategy:** WORKERS' COMPENSATION INSURANCE | $ 21,928 | $ 21,928 |
| **A.1.5. Strategy:** TEXAS PUBLIC EDUCATION GRANTS | $ 1,128,780 | $ 1,162,543 |
| **Total, Goal A:** INSTRUCTION/OPERATIONS | $ 16,615,329 | $ 16,710,850 |
| **B. Goal:** INFRASTRUCTURE SUPPORT | | |
| Provide Infrastructure Support. | | |
| **B.1.1. Strategy:** E&G SPACE SUPPORT | $ 3,592,084 | $ 3,592,084 |
| Educational and General Space Support. | | |
| **B.1.2. Strategy:** TUITION REVENUE BOND RETIREMENT | $ 2,158,781 | $ 2,158,238 |
| **Total, Goal B:** INFRASTRUCTURE SUPPORT | $ 5,750,865 | $ 5,750,322 |
| **C. Goal:** SPECIAL ITEM SUPPORT | | |
| Provide Special Item Support. | | |
| **C.1.1. Strategy:** SMALL BUSINESS DEVELOPMENT CENTER | $ 135,739 | $ 135,739 |
| **C.2.1. Strategy:** INSTITUTIONAL ENHANCEMENT | $ 1,849,772 | $ 1,849,772 |
| **Total, Goal C:** SPECIAL ITEM SUPPORT | $ 1,985,511 | $ 1,985,511 |
| **D. Goal:** RESEARCH FUNDS | | |
| **D.1.1. Strategy:** RESEARCH DEVELOPMENT FUND | $ 15,033 | $ 15,033 |
| **Grand Total,** MIDWESTERN STATE UNIVERSITY | $ 24,366,738 | $ 24,461,716 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 8,390,206 | $ 8,345,181 |
| Other Personnel Costs | 324,013 | 222,881 |
| Faculty Salaries (Higher Education Only) | 11,440,296 | 11,591,700 |
| Consumable Supplies | 3,908 | 0 |
| Utilities | 5,246 | 0 |
| Debt Service | 2,158,781 | 2,158,238 |
| Other Operating Expense | 915,508 | 981,173 |
| Grants | 1,128,780 | 1,162,543 |
| **Total, Object-of-Expense Informational Listing** | $ 24,366,738 | $ 24,461,716 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 1,353,674 | $ 1,404,108 |
| Group Insurance | 2,536,000 | 2,536,000 |
| Social Security | 1,802,211 | 1,865,289 |
| Subtotal, Employee Benefits | $ 5,691,885 | $ 5,805,397 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 5,691,885 | $ 5,805,397 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Midwestern State University. 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 Midwestern State University. In order to achieve the objectives and service standards established by this Act, the Midwestern State University shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years | 35% | 35% |
| Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years | 12% | 12% |
| Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year | 75% | 75% |

| | | |
|---|---|---|
| Certification Rate of Teacher Education Graduates | 99% | 99% |
| Percent of Baccalaureate Graduates Who Are First Generation College Graduates | 60% | 60% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years | 61% | 61% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years | 26.2% | 26.3% |
| Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty | 60.5% | 60.5% |
| State Licensure Pass Rate of Nursing Graduates | 93% | 93% |
| Dollar Value of External or Sponsored Research Funds (in Millions) | 0.27 | 0.31 |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | | |
| **Efficiencies:** | | |
| Administrative Cost as a Percent of Total Expenditures | 9% | 9% |

3. **Governing Board.** Out of the funds appropriated above, an amount not to exceed $35,000 in each year of the biennium shall be for all expenses associated with the governing board's duties including, but not limited to: travel, entertainment, lodging, and expenses of state employees who provide services for the governing board.

   A separate record of the board's expenditures shall be kept and retained in the same manner as the fiscal records of the institution(s) the board governs. No funds may be used for the governing board's expenses except for the specific amounts designated above. Funds appropriated for the governing board's expenses may be used for any other purpose covered by this Act.

4. **Appropriation of Special Mineral Fund.** Any income during the biennium beginning September 1, 2011, deposited in the Midwestern State University Special Mineral Fund No. 412 is appropriated in the funds above to Midwestern State University for the general operations of the university. Mineral Funds are estimated to be $7,000 in fiscal year 2012 and $7,000 in fiscal year 2013.

## UNIVERSITY OF NORTH TEXAS SYSTEM ADMINISTRATION

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 3,366,113 | $ 3,366,113 |
| **Total, Method of Financing** | $ 3,366,113 | $ 3,366,113 |
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 3,366,113 | $ 3,366,113 |
| **Grand Total,** UNIVERSITY OF NORTH TEXAS SYSTEM ADMINISTRATION | $ 3,366,113 | $ 3,366,113 |
| **This bill pattern represents an estimated 39.5% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE)-Appropriated Funds** | 77.0 | 77.0 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| Provide Instructional and Operations Support. | | |
| **A.1.1. Strategy:** SYSTEM OFFICE OPERATIONS | $ 1,425,000 | $ 1,425,000 |
| **B. Goal:** SPECIAL ITEM SUPPORT | | |
| Provide Special Item Support. | | |
| **B.1.1. Strategy:** FEDERATION OF NORTH TEXAS UNIV | $ 45,546 | $ 45,546 |
| Federation of North Texas Universities. | | |
| **B.1.2. Strategy:** UNIVERSITIES CENTER AT DALLAS | $ 425,567 | $ 425,567 |

## UNIVERSITY OF NORTH TEXAS SYSTEM ADMINISTRATION
(Continued)

| | | |
|---|---|---|
| **B.1.3. Strategy:** LAW SCHOOL | $ 1,470,000 | $ 1,470,000 |
| **Total, Goal B:** SPECIAL ITEM SUPPORT | $ 1,941,113 | $ 1,941,113 |
| **Grand Total,** UNIVERSITY OF NORTH TEXAS SYSTEM ADMINISTRATION | $ 3,366,113 | $ 3,366,113 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 2,452,043 | $ 2,452,043 |
| Faculty Salaries (Higher Education Only) | 50,000 | 50,000 |
| Other Operating Expense | 364,070 | 364,070 |
| Capital Expenditures | 500,000 | 500,000 |
| **Total, Object-of-Expense Informational Listing** | $ 3,366,113 | $ 3,366,113 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 617,263 | $ 640,260 |
| Group Insurance | 404,572 | 404,572 |
| Social Security | 856,211 | 886,178 |
| Subtotal, Employee Benefits | $ 1,878,046 | $ 1,931,010 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 1,878,046 | $ 1,931,010 |

2. **Governing Board.** Out of the funds appropriated above, an amount not to exceed $53,000 in each year of the biennium shall be for all expenses associated with the governing board's duties including, but not limited to: travel, entertainment, lodging, and expenses of state employees who provide services for the governing board.

   A separate record of the board's expenditures shall be kept and retained in the same manner as the fiscal records of the institution(s) the board governs. No funds may be used for the governing board's expenses except for the specific amounts designated above. Funds appropriated for the governing board's expenses may be used for any other purpose covered by this Act.

3. **Federation of North Texas Area Universities.** The Comptroller of Public Accounts shall pay all warrants drawn on the identified strategy of the Federation of North Texas Area Universities for expenses incurred on federation business regardless of which member institution of the federation the payee is an employee.

4. **Universities Center at Dallas Operating Costs.** Out of funds appropriated above in Strategy B.1.2, Universities Center at Dallas, $71,250 each year will be used for operating costs of the Universities Center at Dallas.

## UNIVERSITY OF NORTH TEXAS

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 95,956,315 | $ 95,317,804 |
| General Revenue Fund - Dedicated | | |
| GR Dedicated - Estimated Board Authorized Tuition Increases Account No. 704 | 5,748,161 | 5,748,161 |
| GR Dedicated - Estimated Other Educational and General Income Account No. 770 | 46,235,520 | 47,349,390 |
| Subtotal, General Revenue Fund - Dedicated | $ 51,983,681 | $ 53,097,551 |
| **Total, Method of Financing** | $ 147,939,996 | $ 148,415,355 |

| | | | | |
|---|---|---|---|---|
| **Items of Appropriation:** | | | | |
| 1. Educational and General State Support | $ | 147,939,996 | $ | 148,415,355 |
| **Grand Total,** UNIVERSITY OF NORTH TEXAS | $ | 147,939,996 | $ | 148,415,355 |

**This bill pattern represents an estimated 34% of this agency's estimated total available funds for the biennium.**

| | | | | |
|---|---|---|---|---|
| **Number of Full-Time-Equivalents (FTE)- Appropriated Funds** | | 3,238.0 | | 3,238.0 |

**1. Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | | | |
|---|---|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | | | |
| Provide Instructional and Operations Support. | | | | |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | $ | 99,809,414 | $ | 99,804,877 |
| **A.1.2. Strategy:** TEACHING EXPERIENCE SUPPLEMENT | $ | 2,906,874 | $ | 2,906,874 |
| **A.1.3. Strategy:** STAFF GROUP INSURANCE PREMIUMS | $ | 6,541,516 | $ | 6,999,427 |
| **A.1.4. Strategy:** WORKERS' COMPENSATION INSURANCE | $ | 299,138 | $ | 299,138 |
| **A.1.5. Strategy:** TEXAS PUBLIC EDUCATION GRANTS | $ | 6,939,152 | $ | 7,083,649 |
| **A.1.6. Strategy:** ORGANIZED ACTIVITIES | $ | 430,135 | $ | 430,135 |
| **Total, Goal A:** INSTRUCTION/OPERATIONS | $ | 116,926,229 | $ | 117,524,100 |
| **B. Goal:** INFRASTRUCTURE SUPPORT | | | | |
| Provide Infrastructure Support. | | | | |
| **B.1.1. Strategy:** E&G SPACE SUPPORT | $ | 17,702,340 | $ | 17,702,340 |
| Educational and General Space Support. | | | | |
| **B.1.2. Strategy:** TUITION REVENUE BOND RETIREMENT | $ | 8,435,775 | $ | 8,308,725 |
| **B.1.3. Strategy:** SKILES ACT REVENUE BOND RETIREMENT | $ | 453,610 | $ | 458,147 |
| **Total, Goal B:** INFRASTRUCTURE SUPPORT | $ | 26,591,725 | $ | 26,469,212 |
| **C. Goal:** SPECIAL ITEM SUPPORT | | | | |
| Provide Special Item Support. | | | | |
| **C.1.1. Strategy:** TEXAS ACADEMY OF MATH AND SCIENCE | $ | 1,065,242 | $ | 1,065,243 |
| **C.2.1. Strategy:** INSTITUTE OF APPLIED SCIENCES | $ | 43,821 | $ | 43,821 |
| **C.3.1. Strategy:** EMERGENCY MANAGEMENT CENTER | $ | 35,192 | $ | 35,192 |
| Center for Studies in Emergency Management. | | | | |
| **C.3.2. Strategy:** ED CENTER FOR VOLUNTEERISM | $ | 60,615 | $ | 60,615 |
| **C.4.1. Strategy:** INSTITUTIONAL ENHANCEMENT | $ | 1,969,448 | $ | 1,969,448 |
| **Total, Goal C:** SPECIAL ITEM SUPPORT | $ | 3,174,318 | $ | 3,174,319 |
| **D. Goal:** RESEARCH FUNDS | | | | |
| **D.1.1. Strategy:** RESEARCH DEVELOPMENT FUND | $ | 1,247,724 | $ | 1,247,724 |
| **Grand Total,** UNIVERSITY OF NORTH TEXAS | $ | 147,939,996 | $ | 148,415,355 |

| | | | | |
|---|---|---|---|---|
| **Object-of-Expense Informational Listing:** | | | | |
| Salaries and Wages | $ | 59,527,621 | $ | 59,886,172 |
| Other Personnel Costs | | 354,637 | | 359,672 |
| Faculty Salaries (Higher Education Only) | | 51,799,199 | | 53,341,607 |
| Professional Salaries - Faculty Equivalent (Higher Education Only) | | 757,863 | | 769,405 |
| Professional Fees and Services | | 131,545 | | 133,355 |
| Consumable Supplies | | 985,086 | | 0 |
| Utilities | | 7,416,479 | | 7,453,025 |
| Travel | | 65,237 | | 65,237 |
| Rent - Building | | 2,210 | | 1,949 |
| Rent - Machine and Other | | 4,320 | | 152,263 |
| Debt Service | | 8,435,775 | | 8,308,725 |
| Other Operating Expense | | 10,980,166 | | 10,319,877 |

| | | |
|---|---|---|
| Grants | 6,939,152 | 7,083,649 |
| Capital Expenditures | 540,706 | 540,419 |
| **Total, Object-of-Expense Informational Listing** | $ 147,939,996 | $ 148,415,355 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 9,853,873 | $ 10,221,001 |
| Group Insurance | 16,787,054 | 16,787,054 |
| Social Security | 13,564,564 | 14,039,324 |
| Subtotal, Employee Benefits | $ 40,205,491 | $ 41,047,379 |
| Debt Service | | |
| Lease Payments | $ 2,003 | $ 97 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 40,207,494 | $ 41,047,476 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the University of North Texas. 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 University of North Texas. In order to achieve the objectives and service standards established by this Act, the University of North Texas shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years | 50% | 51% |
| Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years | 24% | 25% |
| Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year | 79% | 80% |
| Certification Rate of Teacher Education Graduates | 99% | 99% |
| Percent of Baccalaureate Graduates Who Are First Generation College Graduates | 48% | 48% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years | 67% | 68% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years | 31.5% | 32% |
| Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty | 34% | 34% |
| Dollar Value of External or Sponsored Research Funds (in Millions) | 14 | 14 |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | | |
| **Efficiencies:** | | |
| Administrative Cost as a Percent of Total Expenditures | 7.8% | 7.8% |

3. **Academic or Policy Research Program.** The Board of Regents of the University of North Texas is hereby authorized to use available funds or to enter into contracts, accept grants or matching grants for the purpose of establishing an academic or policy research program in conjunction with the Federal Emergency Management Agency (FEMA).

4. **Texas Academy of Mathematics and Science.** Notwithstanding any other provision of this Act, the University of North Texas may not transfer money appropriated under Strategy C.1.1, for the purpose of funding the Texas Academy of Mathematics and Science, for another purpose.

# UNIVERSITY OF NORTH TEXAS AT DALLAS

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 14,076,345 | $ 14,089,057 |
| General Revenue Fund - Dedicated | | |
| GR Dedicated - Estimated Board Authorized Tuition Increases Account No. 704 | 388,080 | 388,080 |
| GR Dedicated - Estimated Other Educational and General Income Account No. 770 | 768,413 | 768,413 |
| Subtotal, General Revenue Fund - Dedicated | $ 1,156,493 | $ 1,156,493 |
| **Total, Method of Financing** | $ 15,232,838 | $ 15,245,550 |
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 15,232,838 | $ 15,245,550 |
| **Grand Total,** UNIVERSITY OF NORTH TEXAS AT DALLAS | $ 15,232,838 | $ 15,245,550 |
| **This bill pattern represents an estimated 74.5% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE)- Appropriated Funds** | 110.5 | 110.5 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| Provide Instructional and Operations Support. | | |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | $ 3,543,232 | $ 3,542,171 |
| **A.1.2. Strategy:** TEACHING EXPERIENCE SUPPLEMENT | $ 112,473 | $ 112,473 |
| **A.1.3. Strategy:** STAFF GROUP INSURANCE PREMIUMS | $ 185,176 | $ 198,139 |
| **A.1.4. Strategy:** TEXAS PUBLIC EDUCATION GRANTS | $ 201,814 | $ 201,814 |
| **Total, Goal A:** INSTRUCTION/OPERATIONS | $ 4,042,695 | $ 4,054,597 |
| **B. Goal:** INFRASTRUCTURE SUPPORT | | |
| Provide Infrastructure Support. | | |
| **B.1.1. Strategy:** E&G SPACE SUPPORT | $ 2,026,688 | $ 2,026,688 |
| Educational and General Space Support. | | |
| **B.1.2. Strategy:** TUITION REVENUE BOND RETIREMENT | $ 3,236,050 | $ 3,235,800 |
| **B.1.3. Strategy:** SKILES ACT REVENUE BOND RETIREMENT | $ 21,223 | $ 22,284 |
| **Total, Goal B:** INFRASTRUCTURE SUPPORT | $ 5,283,961 | $ 5,284,772 |
| **C. Goal:** SPECIAL ITEM SUPPORT | | |
| Provide Special Item Support. | | |
| **C.1.1. Strategy:** TRANSITIONAL FUNDING | $ 5,906,182 | $ 5,906,181 |
| **Grand Total,** UNIVERSITY OF NORTH TEXAS AT DALLAS | $ 15,232,838 | $ 15,245,550 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 3,805,289 | $ 3,522,556 |
| Faculty Salaries (Higher Education Only) | 4,671,295 | 5,648,628 |
| Utilities | 256,109 | 359,327 |
| Debt Service | 3,236,050 | 3,235,800 |
| Other Operating Expense | 3,264,095 | 2,479,239 |
| **Total, Object-of-Expense Informational Listing** | $ 15,232,838 | $ 15,245,550 |

## UNIVERSITY OF NORTH TEXAS AT DALLAS
(Continued)

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

| | | |
|---|---|---|
| Employee Benefits | | |
| Retirement | $ 334,752 | $ 347,224 |
| Group Insurance | 295,496 | 295,496 |
| Subtotal, Employee Benefits | $ 630,248 | $ 642,720 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 630,248 | $ 642,720 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the University of North Texas at Dallas. 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 University of North Texas at Dallas. In order to achieve the objectives and service standards established by this Act, the University of North Texas at Dallas shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Certification Rate of Teacher Education Graduates | NA | 90% |
| Percent of Baccalaureate Graduates Who Are First Generation College Graduates | NA | 60% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years | NA | 30% |
| Percent Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty | 74.5% | 74.5% |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | | |
| **Efficiencies:** | | |
| Administrative Cost as a Percent of Total Expenditures | 10% | 10% |

3. **Transition Funding - University of North Texas at Dallas.** It is the intent of the legislature that non-formula General Revenue operations funding in Strategy C.1.1 Transitional Funding for the University of North Texas at Dallas will be phased out as formula funding increases until the institution researches 6,000 full time student equivalents.

## STEPHEN F. AUSTIN STATE UNIVERSITY

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 37,797,001 | $ 37,843,134 |
| General Revenue Fund - Dedicated | | |
| GR Dedicated - Estimated Board Authorized Tuition Increases Account No. 704 | 780,000 | 780,000 |
| GR Dedicated - Estimated Other Educational and General Income Account No. 770 | 15,705,905 | 15,822,634 |
| Subtotal, General Revenue Fund - Dedicated | $ 16,485,905 | $ 16,602,634 |
| **Total, Method of Financing** | $ 54,282,906 | $ 54,445,768 |
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 54,282,906 | $ 54,445,768 |
| **Grand Total,** STEPHEN F. AUSTIN STATE UNIVERSITY | $ 54,282,906 | $ 54,445,768 |

**This bill pattern represents an estimated 28.6% of this agency's estimated total available funds for the biennium.**

| | | | | |
|---|---|---|---|---|
| **Number of Full-Time-Equivalents (FTE)-Appropriated Funds** | | 1,082.7 | | 1,082.7 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | | | |
|---|---|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | | | |
| Provide Instructional and Operations Support. | | | | |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | $ | 30,424,545 | $ | 30,424,545 |
| **A.1.2. Strategy:** TEACHING EXPERIENCE SUPPLEMENT | $ | 1,548,852 | $ | 1,548,852 |
| **A.1.3. Strategy:** STAFF GROUP INSURANCE PREMIUMS | $ | 2,032,649 | $ | 2,174,937 |
| **A.1.4. Strategy:** TEXAS PUBLIC EDUCATION GRANTS | $ | 2,392,607 | $ | 2,408,763 |
| **A.1.5. Strategy:** ORGANIZED ACTIVITIES | $ | 657,782 | $ | 657,782 |
| **Total, Goal A:** INSTRUCTION/OPERATIONS | $ | 37,056,435 | $ | 37,214,879 |
| **B. Goal:** INFRASTRUCTURE SUPPORT | | | | |
| Provide Infrastructure Support. | | | | |
| **B.1.1. Strategy:** E&G SPACE SUPPORT | $ | 6,659,561 | $ | 6,659,561 |
| Educational and General Space Support. | | | | |
| **B.1.2. Strategy:** TUITION REVENUE BOND RETIREMENT | $ | 4,445,888 | $ | 4,450,306 |
| **Total, Goal B:** INFRASTRUCTURE SUPPORT | $ | 11,105,449 | $ | 11,109,867 |
| **C. Goal:** SPECIAL ITEM SUPPORT | | | | |
| Provide Special Item Support. | | | | |
| **C.1.1. Strategy:** RURAL NURSING INITIATIVE | $ | 632,445 | $ | 632,445 |
| **C.2.1. Strategy:** APPLIED FORESTRY STUDIES CENTER | $ | 555,454 | $ | 555,454 |
| Center for Applied Studies in Forestry. | | | | |
| **C.3.1. Strategy:** STONE FORT MUSEUM & RESEARCH CENTER | $ | 105,874 | $ | 105,874 |
| Stone Fort Museum and Research Center of East Texas. | | | | |
| **C.3.2. Strategy:** SOIL PLANT & WATER ANALYSIS LAB | $ | 60,394 | $ | 60,394 |
| Soil Plant and Water Analysis Laboratory. | | | | |
| **C.3.3. Strategy:** APPLIED POULTRY STUDIES & RESEARCH | $ | 56,960 | $ | 56,960 |
| Applied Poultry Studies and Research. | | | | |
| **C.4.1. Strategy:** INSTITUTIONAL ENHANCEMENT | $ | 4,262,047 | $ | 4,262,047 |
| **Total, Goal C:** SPECIAL ITEM SUPPORT | $ | 5,673,174 | $ | 5,673,174 |
| **D. Goal:** RESEARCH FUNDS | | | | |
| **D.1.1. Strategy:** RESEARCH DEVELOPMENT FUND | $ | 447,848 | $ | 447,848 |
| **Grand Total,** STEPHEN F. AUSTIN STATE UNIVERSITY | $ | 54,282,906 | $ | 54,445,768 |
| **Object-of-Expense Informational Listing:** | | | | |
| Salaries and Wages | $ | 12,053,179 | $ | 10,333,072 |
| Other Personnel Costs | | 729,936 | | 817,789 |
| Faculty Salaries (Higher Education Only) | | 22,367,169 | | 23,712,438 |
| Professional Salaries - Faculty Equivalent (Higher Education Only) | | 8,731,408 | | 10,099,103 |
| Professional Fees and Services | | 1,936 | | 0 |
| Utilities | | 984,970 | | 0 |
| Debt Service | | 4,445,888 | | 4,450,306 |
| Other Operating Expense | | 2,575,813 | | 2,624,297 |
| Grants | | 2,392,607 | | 2,408,763 |
| **Total, Object-of-Expense Informational Listing** | $ | 54,282,906 | $ | 54,445,768 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | | | |
| Employee Benefits | | | | |
| Retirement | $ | 3,387,266 | $ | 3,513,466 |
| Group Insurance | | 4,825,921 | | 4,825,921 |

## STEPHEN F. AUSTIN STATE UNIVERSITY
(Continued)

| | | |
|---|---|---|
| Social Security | 4,166,582 | 4,312,412 |
| Subtotal, Employee Benefits | $ 12,379,769 | $ 12,651,799 |
| Debt Service | | |
| Lease Payments | $ 3,980 | $ 3,990 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 12,383,749 | $ 12,655,789 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Stephen F. Austin State University. 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 Stephen F. Austin State University. In order to achieve the objectives and service standards established by this Act, the Stephen F. Austin State University shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years | 43% | 43% |
| Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years | 23% | 23% |
| Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year | 66% | 66% |
| Certification Rate of Teacher Education Graduates | 98% | 98% |
| Percent of Baccalaureate Graduates Who Are First Generation College Graduates | 44% | 44% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years | 74% | 76% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years | 32% | 34% |
| Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty | 57% | 57% |
| State Licensure Pass Rate of Nursing Graduates | 98% | 98% |
| Dollar Value of External or Sponsored Research Funds (in Millions) | 8 | 8.3 |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | | |
| **Efficiencies:** | | |
| Administrative Cost as a Percent of Total Expenditures | 9.3% | 9.3% |

3. **Governing Board.** Out of the funds appropriated above, an amount not to exceed $30,000 in each year of the biennium shall be for all expenses associated with the governing board's duties including, but not limited to: travel, entertainment, lodging, and expenses of state employees who provide services for the governing board.

A separate record of the board's expenditures shall be kept and retained in the same manner as the fiscal records of the institution(s) the board governs. No funds may be used for the governing board's expenses except for the specific amounts designated above. Funds appropriated for the governing board's expenses may be used for any other purpose covered by this Act.

## TEXAS SOUTHERN UNIVERSITY

| | For the Years Ending August 31, 2012 | August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 52,541,654 | $ 52,143,547 |
| General Revenue Fund - Dedicated | | |
| GR Dedicated - Estimated Board Authorized Tuition Increases Account No. 704 | 3,393,005 | 3,393,005 |

| | | | | |
|---|---|---|---|---|
| GR Dedicated - Estimated Other Educational and General Income Account No. 770 | | 19,428,817 | | 20,003,845 |
| Subtotal, General Revenue Fund - Dedicated | $ | 22,821,822 | $ | 23,396,850 |
| **Total, Method of Financing** | $ | 75,363,476 | $ | 75,540,397 |
| **Items of Appropriation:** | | | | |
| 1. Educational and General State Support | $ | 75,363,476 | $ | 75,540,397 |
| **Grand Total,** TEXAS SOUTHERN UNIVERSITY | $ | 75,363,476 | $ | 75,540,397 |

**This bill pattern represents an estimated 25.9% of this agency's estimated total available funds for the biennium.**

| | | | | |
|---|---|---|---|---|
| **Number of Full-Time-Equivalents (FTE)- Appropriated Funds** | | 914.5 | | 914.5 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | | | |
|---|---|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | | | |
| Provide Instructional and Operations Support. | | | | |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | $ | 30,791,042 | $ | 30,791,042 |
| **A.1.2. Strategy:** TEACHING EXPERIENCE SUPPLEMENT | $ | 739,943 | $ | 739,943 |
| **A.1.3. Strategy:** STAFF GROUP INSURANCE PREMIUMS | $ | 1,596,127 | $ | 1,707,858 |
| **A.1.4. Strategy:** WORKERS' COMPENSATION INSURANCE | $ | 208,312 | $ | 208,312 |
| **A.1.5. Strategy:** TEXAS PUBLIC EDUCATION GRANTS | $ | 2,644,157 | $ | 2,710,097 |
| **A.1.6. Strategy:** ORGANIZED ACTIVITIES | $ | 53,289 | $ | 53,289 |
| **A.1.7. Strategy:** HOLD HARMLESS | $ | 5,265,272 | $ | 5,265,272 |
| **Total, Goal A:** INSTRUCTION/OPERATIONS | $ | 41,298,142 | $ | 41,475,813 |
| **B. Goal:** INFRASTRUCTURE SUPPORT | | | | |
| Provide Infrastructure Support. | | | | |
| **B.1.1. Strategy:** E&G SPACE SUPPORT | $ | 6,985,262 | $ | 6,985,262 |
| Educational and General Space Support. | | | | |
| **B.1.2. Strategy:** TUITION REVENUE BOND RETIREMENT | $ | 10,555,395 | $ | 10,554,645 |
| **Total, Goal B:** INFRASTRUCTURE SUPPORT | $ | 17,540,657 | $ | 17,539,907 |
| **C. Goal:** SPECIAL ITEM SUPPORT | | | | |
| Provide Special Item Support. | | | | |
| **C.1.1. Strategy:** THURGOOD MARSHALL SCHOOL OF LAW | $ | 363,444 | $ | 363,444 |
| **C.1.2. Strategy:** ACCREDITATION - BUSINESS | $ | 54,117 | $ | 54,117 |
| Accreditation Continuation - Business. | | | | |
| **C.1.3. Strategy:** ACCREDITATION - PHARMACY | $ | 54,584 | $ | 54,584 |
| Accreditation Continuation - Pharmacy. | | | | |
| **C.1.4. Strategy:** ACCREDITATION - EDUCATION | $ | 68,381 | $ | 68,381 |
| Accreditation Continuation - Education. | | | | |
| **C.2.1. Strategy:** MICKEY LELAND CENTER | $ | 52,882 | $ | 52,882 |
| Mickey Leland Center on World Hunger and Peace. | | | | |
| **C.2.2. Strategy:** URBAN REDEVELOPMENT/RENEWAL | $ | 65,625 | $ | 65,625 |
| Urban Redevelopment and Renewal. | | | | |
| **C.2.3. Strategy:** TEXAS SUMMER ACADEMY | $ | 328,125 | $ | 328,125 |
| **C.3.1. Strategy:** INSTITUTIONAL ENHANCEMENT | $ | 5,885,020 | $ | 5,885,020 |
| **C.3.2. Strategy:** MIS/FISCAL OPERATIONS | $ | 108,209 | $ | 108,209 |
| Integrated Plan to Improve MIS and Fiscal Operations. | | | | |
| **Total, Goal C:** SPECIAL ITEM SUPPORT | $ | 6,980,387 | $ | 6,980,387 |
| **D. Goal:** ACADEMIC DEVELOPMENT INITIATIVE | | | | |
| **D.1.1. Strategy:** ACADEMIC DEVELOPMENT INITIATIVE | $ | 9,375,000 | $ | 9,375,000 |

| | | |
|---|---|---|
| **E. Goal:** RESEARCH FUNDS | | |
| **E.1.1. Strategy:** RESEARCH DEVELOPMENT FUND | $ 169,290 | $ 169,290 |
| **Grand Total,** TEXAS SOUTHERN UNIVERSITY | $ 75,363,476 | $ 75,540,397 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 23,421,722 | $ 26,122,005 |
| Other Personnel Costs | 708,754 | 554,607 |
| Faculty Salaries (Higher Education Only) | 27,446,203 | 27,657,883 |
| Professional Fees and Services | 361,538 | 107,087 |
| Fuels and Lubricants | 21,091 | 0 |
| Consumable Supplies | 233,934 | 75,921 |
| Utilities | 3,741,676 | 2,342,519 |
| Travel | 215,178 | 171,590 |
| Rent - Building | 297 | 0 |
| Debt Service | 10,555,395 | 10,554,645 |
| Other Operating Expense | 5,569,880 | 4,913,527 |
| Client Services | 306,126 | 306,126 |
| Grants | 2,644,157 | 2,710,097 |
| Capital Expenditures | 137,525 | 24,390 |
| **Total, Object-of-Expense Informational Listing** | $ 75,363,476 | $ 75,540,397 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 3,402,967 | $ 3,529,752 |
| Group Insurance | 4,587,901 | 4,587,901 |
| Social Security | 4,478,747 | 4,635,503 |
| Subtotal, Employee Benefits | $ 12,469,615 | $ 12,753,156 |
| Debt Service | | |
| Lease Payments | $ 543 | $ 26 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 12,470,158 | $ 12,753,182 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas Southern University. 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 Texas Southern University. In order to achieve the objectives and service standards established by this Act, the Texas Southern University shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years | 12% | 12% |
| Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years | 6% | 6% |
| Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year | 71% | 73% |
| Certification Rate of Teacher Education Graduates | 88% | 88% |
| Percent of Baccalaureate Graduates Who Are First Generation College Graduates | 67% | 69% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years | 43% | 43% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years | 25% | 25% |
| Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty | 34% | 34% |
| State Licensure Pass Rate of Law Graduates | 80% | 80% |
| State Licensure Pass Rate of Pharmacy Graduates | 99% | 99% |
| Dollar Value of External or Sponsored Research Funds (in Millions) | 9 | 9 |

| | | |
|---|---|---|
| **A.1.1. Strategy:** OPERATIONS SUPPORT | | |
| **Efficiencies:** | | |
| Administrative Cost as a Percent of Total Expenditures | 9.3% | 9% |

3. **Thurgood Marshall School of Law.** In addition to general revenue funds identified above for the operation and maintenance of the Thurgood Marshall School of Law, all tuition and fee revenues generated through enrollment in the School of Law, including Texas Public Education Grants and Emergency Loans under Education Code, Chapter 56 (Student Financial Aid Assistance), shall be allocated for use by the School of Law and may only be expended for purposes related to the operation and maintenance of the School of Law and its students.

4. **Governing Board.** Out of the funds appropriated above, an amount not to exceed $30,000 in each year of the biennium shall be for all expenses associated with the governing board's duties including, but not limited to: travel, entertainment, lodging, and expenses of state employees who provide services for the governing board.

   A separate record of the board's expenditures shall be kept and retained in the same manner as the fiscal records of the institution(s) the board governs. No funds may be used for the governing board's expenses except for the specific amounts designated above. Funds appropriated for the governing board's expenses may be used for any other purpose covered by this Act.

5. **Academic Development Initiative.** Funds appropriated above in Strategy D.1.1, Academic Development Initiative, in the amount of $9,375,000 in fiscal year 2012 and $9,375,000 in fiscal year 2013, are to be used for (1) proven academic success programs; (2) existing graduate programs; (3) undergraduate education; and (4) initiatives to target enrollment growth. Not later than November 1 of each fiscal year, the University shall submit to the Texas Southern University Board of Regents, the Texas Higher Education Coordinating Board, the Legislative Budget Board, and the Governor a report describing the use of the funds appropriated by Subsection (a) of this section that states the goals to be achieved through use of the funds and established timelines and milestones for showing progress in meeting the goals. The report shall include proposed actions to be taken in the event a milestone is not met. Any unexpended balances as of August 31, 2012, (estimated to be $0) appropriated by the Legislature for the Academic Development Initiative, are hereby appropriated to Texas Southern University for the fiscal year beginning September 1, 2012.

## TEXAS TECH UNIVERSITY SYSTEM ADMINISTRATION

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 1,425,000 | $ 1,425,000 |
| **Total, Method of Financing** | $ 1,425,000 | $ 1,425,000 |
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 1,425,000 | $ 1,425,000 |
| **Grand Total,** TEXAS TECH UNIVERSITY SYSTEM ADMINISTRATION | $ 1,425,000 | $ 1,425,000 |
| **This bill pattern represents an estimated 8.9% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE)-Appropriated Funds** | 95.0 | 95.0 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

## TEXAS TECH UNIVERSITY SYSTEM ADMINISTRATION
(Continued)

| | | |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS<br>Provide Instructional and Operations Support. | | |
| **A.1.1. Strategy:** SYSTEM OFFICE OPERATIONS | $ 1,425,000 | $ 1,425,000 |
| **Grand Total,** TEXAS TECH UNIVERSITY SYSTEM ADMINISTRATION | $ 1,425,000 | $ 1,425,000 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 1,425,000 | $ 1,425,000 |
| **Total, Object-of-Expense Informational Listing** | $ 1,425,000 | $ 1,425,000 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 293,419 | $ 304,351 |
| Group Insurance | 567,150 | 567,150 |
| Social Security | 372,756 | 385,802 |
| Subtotal, Employee Benefits | $ 1,233,325 | $ 1,257,303 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 1,233,325 | $ 1,257,303 |

2. **Governing Board.** Out of the funds appropriated above, an amount not to exceed $125,000 in each year of the biennium shall be for all expenses associated with the governing board's duties including, but not limited to: travel, entertainment, lodging, and expenses of state employees who provide services for the governing board.

   A separate record of the board's expenditures shall be kept and retained in the same manner as the fiscal records of the institution(s) the board governs. No funds may be used for the governing board's expenses except for the specific amounts designated above. Funds appropriated for the governing board's expenses may be used for any other purpose covered by this Act.

## TEXAS TECH UNIVERSITY

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 127,276,377 | $ 126,700,431 |
| General Revenue Fund - Dedicated | | |
| GR Dedicated - Texas Tech University Special Mineral Account No. 269, estimated | 54,000 | 54,000 |
| GR Dedicated - Estimated Board Authorized Tuition Increases Account No. 704 | 7,684,855 | 7,684,855 |
| Estimated Other Educational and General Income Account No. 770 | 43,314,806 | 44,395,019 |
| Subtotal, General Revenue Fund - Dedicated | $ 51,053,661 | $ 52,133,874 |
| **Total, Method of Financing** | $ 178,330,038 | $ 178,834,305 |
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 178,330,038 | $ 178,834,305 |
| **Grand Total,** TEXAS TECH UNIVERSITY | $ 178,330,038 | $ 178,834,305 |

**This bill pattern represents an estimated 30.3% of this agency's estimated total available funds for the biennium.**

| | | | | |
|---|---|---|---|---|
| **Number of Full-Time-Equivalents (FTE)-Appropriated Funds** | | 2,678.4 | | 2,678.4 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | | | |
|---|---|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | | | |
| Provide Instructional and Operations Support. | | | | |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | $ | 113,233,359 | $ | 113,233,358 |
| **A.1.2. Strategy:** TEACHING EXPERIENCE SUPPLEMENT | $ | 2,969,825 | $ | 2,969,825 |
| **A.1.3. Strategy:** STAFF GROUP INSURANCE PREMIUMS | $ | 5,297,940 | $ | 5,668,800 |
| **A.1.4. Strategy:** WORKERS' COMPENSATION INSURANCE | $ | 453,465 | $ | 453,465 |
| **A.1.5. Strategy:** TEXAS PUBLIC EDUCATION GRANTS | $ | 5,736,432 | $ | 5,857,641 |
| **A.1.6. Strategy:** ORGANIZED ACTIVITIES | $ | 571,436 | $ | 571,436 |
| **Total, Goal A:** INSTRUCTION/OPERATIONS | $ | 128,262,457 | $ | 128,754,525 |
| **B. Goal:** INFRASTRUCTURE SUPPORT | | | | |
| Provide Infrastructure Support. | | | | |
| **B.1.1. Strategy:** E&G SPACE SUPPORT | $ | 19,726,079 | $ | 19,726,079 |
| Educational and General Space Support. | | | | |
| **B.1.2. Strategy:** TUITION REVENUE BOND RETIREMENT | $ | 9,230,357 | $ | 9,242,556 |
| **Total, Goal B:** INFRASTRUCTURE SUPPORT | $ | 28,956,436 | $ | 28,968,635 |
| **C. Goal:** SPECIAL ITEM SUPPORT | | | | |
| Provide Special Item Support. | | | | |
| **C.1.1. Strategy:** LIBRARY ARCHIVAL SUPPORT | $ | 533,756 | $ | 533,756 |
| **C.2.1. Strategy:** AGRICULTURAL RESEARCH | $ | 1,627,268 | $ | 1,627,268 |
| Research to Enhance Ag Production & Add Value to Ag Products in Texas. | | | | |
| **C.2.2. Strategy:** ENERGY RESEARCH | $ | 689,550 | $ | 689,550 |
| Research in Energy Production and Environmental Protection in Texas. | | | | |
| **C.2.3. Strategy:** EMERGING TECHNOLOGIES RESEARCH | $ | 237,480 | $ | 237,480 |
| Research in Emerging Technologies and Economic Development in Texas. | | | | |
| **C.3.1. Strategy:** JUNCTION ANNEX OPERATION | $ | 258,346 | $ | 258,346 |
| **C.3.2. Strategy:** HILL COUNTRY EDUCATIONAL NETWORK | $ | 454,219 | $ | 454,219 |
| **C.3.3. Strategy:** SMALL BUSINESS DEVELOPMENT | $ | 1,227,706 | $ | 1,227,706 |
| Small Business Development Center. | | | | |
| **C.3.4. Strategy:** MUSEUMS & CENTERS | $ | 1,523,064 | $ | 1,523,064 |
| Museums and Historical, Cultural, and Educational Centers. | | | | |
| **C.3.5. Strategy:** CENTER FOR FINANCIAL RESPONSIBILITY | $ | 171,000 | $ | 171,000 |
| **C.4.1. Strategy:** INSTITUTIONAL ENHANCEMENT | $ | 7,204,360 | $ | 7,204,360 |
| **Total, Goal C:** SPECIAL ITEM SUPPORT | $ | 13,926,749 | $ | 13,926,749 |
| **D. Goal:** RESEARCH FUNDS | | | | |
| **D.1.1. Strategy:** RESEARCH DEVELOPMENT FUND | $ | 4,163,801 | $ | 4,163,801 |
| **D.2.1. Strategy:** COMPETITIVE KNOWLEDGE FUND | $ | 3,020,595 | $ | 3,020,595 |
| **Total, Goal D:** RESEARCH FUNDS | $ | 7,184,396 | $ | 7,184,396 |
| **Grand Total,** TEXAS TECH UNIVERSITY | $ | 178,330,038 | $ | 178,834,305 |

| **Object-of-Expense Informational Listing:** | | | | |
|---|---|---|---|---|
| Salaries and Wages | $ | 76,713,429 | $ | 70,750,390 |
| Other Personnel Costs | | 1,461,488 | | 1,454,431 |
| Faculty Salaries (Higher Education Only) | | 68,394,005 | | 71,452,697 |
| Professional Salaries - Faculty Equivalent (Higher Education Only) | | 972,600 | | 619,499 |
| Professional Fees and Services | | 62,517 | | 181,650 |
| Fuels and Lubricants | | 19,921 | | 197,644 |
| Consumable Supplies | | 1,486,307 | | 0 |
| Utilities | | 291,843 | | 815,037 |
| Travel | | 209,898 | | 362,959 |

| | | |
|---|---|---|
| Rent - Building | 76,173 | 124,531 |
| Rent - Machine and Other | 1,495 | 23,770 |
| Debt Service | 9,230,357 | 9,242,556 |
| Other Operating Expense | 12,236,246 | 16,168,481 |
| Client Services | 80,933 | 177,177 |
| Grants | 5,736,432 | 5,857,641 |
| Capital Expenditures | 1,356,394 | 1,405,842 |
| **Total, Object-of-Expense Informational Listing** | $ 178,330,038 | $ 178,834,305 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 9,787,573 | $ 10,152,230 |
| Group Insurance | 14,436,374 | 14,436,374 |
| Social Security | 10,513,656 | 10,881,634 |
| Subtotal, Employee Benefits | $ 34,737,603 | $ 35,470,238 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 34,737,603 | $ 35,470,238 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas Tech University. 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 Texas Tech University. In order to achieve the objectives and service standards established by this Act, the Texas Tech University shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years | 59% | 59% |
| Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years | 37% | 37% |
| Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year | 83% | 83% |
| Certification Rate of Teacher Education Graduates | 89% | 89% |
| Percent of Baccalaureate Graduates Who Are First Generation College Graduates | 25% | 25% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years | 60% | 60% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years | 24% | 24% |
| Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty | 32% | 32% |
| State Licensure Pass Rate of Law Graduates | 91% | 91% |
| State Licensure Pass Rate of Engineering Graduates | 85% | 85% |
| Dollar Value of External or Sponsored Research Funds (in Millions) | 40 | 40 |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | | |
| **Efficiencies:** | | |
| Administrative Cost as a Percent of Total Expenditures | 6.1% | 6.1% |

3. **Texas Tech University Museum.** Out of funds appropriated above in Strategy C.3.4. for the Museums and Historical, Cultural and Educational Centers, $380,165 in fiscal year 2012 and $308,915 in fiscal year 2013 shall be allocated to the Ranching Heritage Center, and $190,137 in each fiscal year shall be allocated to the Lubbock Lake Landmark and at least $35,625 per year will be allocated to the Vietnam Center and Archive.

4. **Appropriation of Special Mineral Fund.** Any income during the biennium beginning September 1, 2011, deposited to the Texas Tech University Special Mineral Fund No. 269 is

appropriated in the funds above to Texas Tech University for the general operations of the University. Mineral Funds are estimated to be $54,000 in fiscal year 2012 and $54,000 in fiscal year 2013.

## ANGELO STATE UNIVERSITY

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 22,921,535 | $ 22,939,802 |
| General Revenue Fund - Dedicated | | |
| GR Dedicated - Estimated Board Authorized Tuition Increases Account No. 704 | 271,000 | 271,000 |
| GR Dedicated - Estimated Other Educational and General Income Account No. 770 | 8,815,945 | 8,834,584 |
| Subtotal, General Revenue Fund - Dedicated | $ 9,086,945 | $ 9,105,584 |
| **Total, Method of Financing** | $ 32,008,480 | $ 32,045,386 |
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 32,008,480 | $ 32,045,386 |
| **Grand Total,** ANGELO STATE UNIVERSITY | $ 32,008,480 | $ 32,045,386 |
| **This bill pattern represents an estimated 32.9% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE)- Appropriated Funds** | 552.7 | 552.7 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| Provide Instructional and Operations Support. | | |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | $ 15,009,122 | $ 15,009,121 |
| **A.1.2. Strategy:** TEACHING EXPERIENCE SUPPLEMENT | $ 855,941 | $ 855,941 |
| **A.1.3. Strategy:** STAFF GROUP INSURANCE PREMIUMS | $ 1,076,184 | $ 1,151,517 |
| **A.1.4. Strategy:** TEXAS PUBLIC EDUCATION GRANTS | $ 1,316,679 | $ 1,319,339 |
| **A.1.5. Strategy:** ORGANIZED ACTIVITIES | $ 145,280 | $ 145,280 |
| **Total, Goal A:** INSTRUCTION/OPERATIONS | $ 18,403,206 | $ 18,481,198 |
| **B. Goal:** INFRASTRUCTURE SUPPORT | | |
| Provide Infrastructure Support. | | |
| **B.1.1. Strategy:** E&G SPACE SUPPORT | $ 3,934,253 | $ 3,934,253 |
| Educational and General Space Support. | | |
| **B.1.2. Strategy:** TUITION REVENUE BOND RETIREMENT | $ 4,003,574 | $ 3,962,489 |
| **Total, Goal B:** INFRASTRUCTURE SUPPORT | $ 7,937,827 | $ 7,896,742 |
| **C. Goal:** SPECIAL ITEM SUPPORT | | |
| Provide Special Item Support. | | |
| **C.1.1. Strategy:** SCHOOL-BASED CLINICS | $ 34,912 | $ 34,912 |
| **C.1.2. Strategy:** CENTER FOR ACADEMIC EXCELLENCE | $ 311,720 | $ 311,720 |
| **C.1.3. Strategy:** COLLEGE OF NURSING & ALLIED HEALTH | $ 1,000,000 | $ 1,000,000 |
| College of Nursing & Allied Health-Ctr Rural Health, Wellness & Rehab. | | |
| **C.2.1. Strategy:** SMALL BUSINESS DEVELOPMENT CENTER | $ 134,270 | $ 134,270 |
| **C.2.2. Strategy:** CENTER FOR FINE ARTS | $ 40,070 | $ 40,070 |

| | | |
|---|---|---|
| **C.2.3. Strategy:** MGT/INSTRUCTION/RESEARCH CENTER Management, Instruction, and Research Center. | $ 184,494 | $ 184,494 |
| **C.3.1. Strategy:** INSTITUTIONAL ENHANCEMENT | $ 3,900,393 | $ 3,900,392 |
| **Total, Goal C:** SPECIAL ITEM SUPPORT | $ 5,605,859 | $ 5,605,858 |
| **D. Goal:** RESEARCH FUNDS | | |
| **D.1.1. Strategy:** RESEARCH DEVELOPMENT FUND | $ 61,588 | $ 61,588 |
| **Grand Total,** ANGELO STATE UNIVERSITY | $ 32,008,480 | $ 32,045,386 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 7,983,927 | $ 7,418,830 |
| Other Personnel Costs | 966,785 | 166,780 |
| Faculty Salaries (Higher Education Only) | 13,519,537 | 15,038,960 |
| Professional Fees and Services | 17,313 | 26,743 |
| Fuels and Lubricants | 3,505 | 5,200 |
| Consumable Supplies | 451,064 | 0 |
| Utilities | 455,996 | 439,347 |
| Travel | 371,027 | 157,120 |
| Rent - Building | 145,364 | 85,005 |
| Rent - Machine and Other | 574 | 116,491 |
| Debt Service | 4,003,574 | 3,962,489 |
| Other Operating Expense | 2,738,825 | 3,301,948 |
| Grants | 1,316,679 | 1,319,339 |
| Capital Expenditures | 34,310 | 7,134 |
| **Total, Object-of-Expense Informational Listing** | $ 32,008,480 | $ 32,045,386 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 1,706,595 | $ 1,770,178 |
| Group Insurance | 4,028,342 | 4,028,342 |
| Social Security | 2,145,716 | 2,220,816 |
| Subtotal, Employee Benefits | $ 7,880,653 | $ 8,019,336 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 7,880,653 | $ 8,019,336 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Angelo State University. 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 Angelo State University. In order to achieve the objectives and service standards established by this Act, the Angelo State University shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years | 40% | 40% |
| Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years | 19% | 19% |
| Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year | 68% | 68% |
| Certification Rate of Teacher Education Graduates | 92% | 92% |
| Percent of Baccalaureate Graduates Who Are First Generation College Graduates | 53% | 53% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years | 43% | 43% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years | 30% | 30% |
| Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty | 53% | 53% |
| State Licensure Pass Rate of Nursing Graduates | 90% | 90% |

## ANGELO STATE UNIVERSITY
(Continued)

| | | |
|---|---|---|
| Dollar Value of External or Sponsored Research Funds (in Millions) | 0.2 | 0.2 |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | | |
| **Efficiencies:** | | |
| Administrative Cost as a Percent of Total Expenditures | 10.4% | 10.4% |

## TEXAS WOMAN'S UNIVERSITY

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 46,290,355 | $ 46,176,745 |
| General Revenue Fund - Dedicated | | |
| GR Dedicated - Estimated Board Authorized Tuition Increases Account No. 704 | 4,495,095 | 4,495,095 |
| GR Dedicated - Estimated Other Educational and General Income Account No. 770 | 16,686,085 | 16,997,548 |
| Subtotal, General Revenue Fund - Dedicated | $ 21,181,180 | $ 21,492,643 |
| **Total, Method of Financing** | $ 67,471,535 | $ 67,669,388 |
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 67,471,535 | $ 67,669,388 |
| **Grand Total,** TEXAS WOMAN'S UNIVERSITY | $ 67,471,535 | $ 67,669,388 |
| **This bill pattern represents an estimated 55.8% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE)- Appropriated Funds** | 1,074.2 | 1,074.2 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| Provide Instructional and Operations Support. | | |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | $ 43,548,374 | $ 43,548,375 |
| **A.1.2. Strategy:** TEACHING EXPERIENCE SUPPLEMENT | $ 908,514 | $ 908,514 |
| **A.1.3. Strategy:** STAFF GROUP INSURANCE PREMIUMS | $ 2,103,811 | $ 2,251,079 |
| **A.1.4. Strategy:** WORKERS' COMPENSATION INSURANCE | $ 127,500 | $ 130,050 |
| **A.1.5. Strategy:** TEXAS PUBLIC EDUCATION GRANTS | $ 2,374,054 | $ 2,408,921 |
| **A.1.6. Strategy:** HOLD HARMLESS | $ 2,178,102 | $ 2,178,102 |
| **Total, Goal A:** INSTRUCTION/OPERATIONS | $ 51,240,355 | $ 51,425,041 |
| **B. Goal:** INFRASTRUCTURE SUPPORT | | |
| Provide Infrastructure Support. | | |
| **B.1.1. Strategy:** E&G SPACE SUPPORT | $ 6,295,553 | $ 6,295,553 |
| Educational and General Space Support. | | |
| **B.1.2. Strategy:** TUITION REVENUE BOND RETIREMENT | $ 4,431,854 | $ 4,445,639 |
| **Total, Goal B:** INFRASTRUCTURE SUPPORT | $ 10,727,407 | $ 10,741,192 |
| **C. Goal:** SPECIAL ITEM SUPPORT | | |
| Provide Special Item Support. | | |
| **C.1.1. Strategy:** TX MED CNTR LIBRARY ASSESSMENT | $ 124,902 | $ 124,902 |
| Texas Medical Center Library Assessment. | | |
| **C.1.2. Strategy:** ONLINE NURSING EDUCATION | $ 254,790 | $ 254,790 |
| **C.2.1. Strategy:** NUTRITION RESEARCH PROGRAM | $ 28,500 | $ 28,500 |
| Human Nutrition Research Development Program. | | |

| | | |
|---|---|---|
| **C.2.2. Strategy:** WOMEN'S HEALTH RESEARCH CENTER<br>Center for Research on Women's Health. | $ 118,990 | $ 118,990 |
| **C.3.1. Strategy:** INSTITUTIONAL ENHANCEMENT | $ 4,843,515 | $ 4,842,897 |
| **Total, Goal C:** SPECIAL ITEM SUPPORT | $ 5,370,697 | $ 5,370,079 |
| **D. Goal:** RESEARCH FUNDS | | |
| **D.1.1. Strategy:** RESEARCH DEVELOPMENT FUND | $ 133,076 | $ 133,076 |
| **Grand Total,** TEXAS WOMAN'S UNIVERSITY | $ 67,471,535 | $ 67,669,388 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 19,190,376 | $ 18,407,158 |
| Other Personnel Costs | 585,715 | 582,460 |
| Faculty Salaries (Higher Education Only) | 30,283,924 | 31,609,418 |
| Professional Salaries - Faculty Equivalent (Higher Education Only) | 24,541 | 24,546 |
| Professional Fees and Services | 121,587 | 84,088 |
| Fuels and Lubricants | 101,311 | 18 |
| Consumable Supplies | 400,098 | 0 |
| Utilities | 2,900,280 | 2,515,673 |
| Travel | 218,298 | 214,955 |
| Rent - Building | 8,078 | 8,080 |
| Rent - Machine and Other | 1,045 | 193,775 |
| Debt Service | 4,431,854 | 4,445,639 |
| Other Operating Expense | 6,594,719 | 6,085,273 |
| Client Services | 115,070 | 106,699 |
| Grants | 2,374,054 | 2,408,921 |
| Capital Expenditures | 120,585 | 982,685 |
| **Total, Object-of-Expense Informational Listing** | $ 67,471,535 | $ 67,669,388 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 3,097,391 | $ 3,212,791 |
| Group Insurance | 5,482,522 | 5,482,522 |
| Social Security | 4,315,785 | 4,466,838 |
| Subtotal, Employee Benefits | $ 12,895,698 | $ 13,162,151 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 12,895,698 | $ 13,162,151 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas Woman's University. 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 Texas Woman's University. In order to achieve the objectives and service standards established by this Act, the Texas Woman's University shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years | 51.3% | 53% |
| Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years | 25% | 25% |
| Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year | 70% | 70% |
| Certification Rate of Teacher Education Graduates | 93% | 93% |
| Percent of Baccalaureate Graduates Who Are First Generation College Graduates | 60% | 60% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years | 61% | 61% |

| | | |
|---|---|---|
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years | 33% | 33% |
| Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty | 38% | 38% |
| State Licensure Pass Rate of Nursing Graduates | 99% | 99% |
| Dollar Value of External or Sponsored Research Funds (in Millions) | 1.3 | 1.3 |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | | |
| **Efficiencies:** | | |
| Administrative Cost as a Percent of Total Expenditures | 7% | 7% |

3. **Governing Board.** Out of the funds appropriated above, an amount not to exceed $35,000 in each year of the biennium shall be for all expenses associated with the governing board's duties including, but not limited to: travel, entertainment, lodging, and expenses of state employees who provide services for the governing board.

A separate record of the board's expenditures shall be kept and retained in the same manner as the fiscal records of the institution(s) the board governs. No funds may be used for the governing board's expenses except for the specific amounts designated above. Funds appropriated for the governing board's expenses may be used for any other purpose covered by this Act.

## TEXAS STATE UNIVERSITY SYSTEM

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 1,425,000 | $ 1,425,000 |
| GR Dedicated - Special Mineral Fund No. 283 | 5 | 5 |
| **Total, Method of Financing** | $ 1,425,005 | $ 1,425,005 |
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 1,425,005 | $ 1,425,005 |
| **Grand Total,** TEXAS STATE UNIVERSITY SYSTEM | $ 1,425,005 | $ 1,425,005 |
| **This bill pattern represents an estimated 57% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE)-Appropriated Funds** | 12.0 | 12.0 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| Provide Instructional and Operations Support. | | |
| **A.1.1. Strategy:** SYSTEM OFFICE OPERATIONS | $ 1,425,005 | $ 1,425,005 |
| **Grand Total,** TEXAS STATE UNIVERSITY SYSTEM | $ 1,425,005 | $ 1,425,005 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 1,425,000 | $ 1,425,000 |
| Other Operating Expense | 5 | 5 |
| **Total, Object-of-Expense Informational Listing** | $ 1,425,005 | $ 1,425,005 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 137,850 | $ 142,986 |
| Group Insurance | 146,040 | 146,040 |

| | | |
|---|---|---|
| Social Security | 142,807 | 147,805 |
| Subtotal, Employee Benefits | $ 426,697 | $ 436,831 |
| Debt Service | | |
| Lease Payments | $ 8,788 | $ 557 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 435,485 | $ 437,388 |

2. **Governing Board**. Out of the funds appropriated above, an amount not to exceed $85,000 in each year of the biennium shall be for all expenses associated with the governing board's duties including, but not limited to: travel, entertainment, lodging, and expenses of state employees who provide services for the governing board.

   A separate record of the board's expenditures shall be kept and retained in the same manner as the fiscal records of the institution(s) the board governs. No funds may be used for the governing board's expenses except for the specific amounts designated above. Funds appropriated for the governing board's expenses may be used for any other purpose covered by this Act.

3. **Audit of Base Period Contact Hours.** The hours used in the contact hour base period to fund the Lamar State Colleges are subject to audit for accuracy by the State Auditor according to an audit plan developed in consultation with the Texas Higher Education Coordinating Board, the Legislative Budget Board and community, technical, and state colleges and the appropriation amounts adjusted accordingly by the Comptroller of Public Accounts at the direction of the Legislative Budget Board. The total amount appropriated to the two year institutions' contact hour formula shall be redistributed to all institutions funded by the formula based on contact hours. The calculation of revised appropriation amounts shall allow each institution an error rate of up to 2 percent of the total contact hour formula appropriations to that institution for the biennium. Adjustments shall be made to appropriated amounts in accordance with adjustments of estimated contact hours to actual certified contact hours, even if the total error rate is less than 2 percent of the total amount appropriated to the institution for the biennium.

3. **Transferability.** The Board of Regents of the Texas State University System is authorized to transfer and utilize funds appropriated to Sul Ross State University and Sul Ross State University-Rio Grande College between the campuses if necessary to accomplish the capital improvement goals of the University.

4. **Appropriation of Special Mineral Fund.** The balance of funds on hand for the year ending August 31, 2011, (estimated to be $5) in the Texas State University System Special Mineral Fund No. 283 and any income during the biennium beginning September 1, 2011, deposited to that fund are appropriated above to the Board of Regents of the Texas State University System to be disbursed for the purposes provided for and in accordance with the provisions of Education Code, § 95.36. Mineral Funds are estimated to be $5 in fiscal year 2012 and $5 in fiscal year 2013.

## LAMAR UNIVERSITY

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 35,576,330 | $ 35,273,575 |
| General Revenue Fund - Dedicated | | |
| GR Dedicated - Estimated Other Educational and General Income Account No. 770 | 20,332,307 | 20,744,693 |
| **Total, Method of Financing** | $ 55,908,637 | $ 56,018,268 |
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 55,908,637 | $ 56,018,268 |
| **Grand Total,** LAMAR UNIVERSITY | $ 55,908,637 | $ 56,018,268 |

**This bill pattern represents an estimated 25.6% of this agency's estimated total available funds for the biennium.**

| | | |
|---|---|---|
| **Number of Full-Time-Equivalents (FTE)- Appropriated Funds** | 913.4 | 913.4 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | | | |
|---|---|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | | | |
| Provide Instructional and Operations Support. | | | | |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | $ | 35,811,041 | $ | 35,811,041 |
| **A.1.2. Strategy:** TEACHING EXPERIENCE SUPPLEMENT | $ | 1,090,205 | $ | 1,090,205 |
| **A.1.3. Strategy:** STAFF GROUP INSURANCE PREMIUMS | $ | 1,907,236 | $ | 2,040,744 |
| **A.1.4. Strategy:** WORKERS' COMPENSATION INSURANCE | $ | 107,615 | $ | 107,614 |
| **A.1.5. Strategy:** TEXAS PUBLIC EDUCATION GRANTS | $ | 2,298,800 | $ | 2,344,091 |
| **A.1.6. Strategy:** HOLD HARMLESS | $ | 3,748,923 | $ | 3,748,923 |
| **Total, Goal A:** INSTRUCTION/OPERATIONS | $ | 44,963,820 | $ | 45,142,618 |
| **B. Goal:** INFRASTRUCTURE SUPPORT | | | | |
| Provide Infrastructure Support. | | | | |
| **B.1.1. Strategy:** E&G SPACE SUPPORT | $ | 5,283,872 | $ | 5,283,872 |
| Educational and General Space Support. | | | | |
| **B.1.2. Strategy:** TUITION REVENUE BOND RETIREMENT | $ | 2,508,277 | $ | 2,439,110 |
| **Total, Goal B:** INFRASTRUCTURE SUPPORT | $ | 7,792,149 | $ | 7,722,982 |
| **C. Goal:** SPECIAL ITEM SUPPORT | | | | |
| Provide Special Item Support. | | | | |
| **C.1.1. Strategy:** ACADEMY IN HUMANITIES LEADERSHIP | $ | 213,888 | $ | 213,888 |
| Texas Academy of Leadership in the Humanities. | | | | |
| **C.2.1. Strategy:** HAZARDOUS SUBSTANCE RESEARCH CENTER | $ | 301,430 | $ | 301,430 |
| Gulf Coast Hazardous Substance Research Center. | | | | |
| **C.2.2. Strategy:** AIR QUALITY INITIATIVE | $ | 436,407 | $ | 436,407 |
| Air Quality Initiative: Texas Hazardous Waste Research Center. | | | | |
| **C.3.1. Strategy:** SPINDLETOP MUSEUM EDUC'AL ACTIVITY | $ | 20,491 | $ | 20,491 |
| Spindletop Museum Educational Activities. | | | | |
| **C.3.2. Strategy:** SMALL BUSINESS DEVELOPMENT CENTER | $ | 119,918 | $ | 119,918 |
| **C.3.3. Strategy:** COMMUNITY OUTREACH EXPANSION | $ | 54,706 | $ | 54,706 |
| Public Service/Community Outreach Expansion. | | | | |
| **C.3.4. Strategy:** SPINDLETOP TEACHING CENTER | $ | 93,517 | $ | 93,517 |
| Spindletop Center for Excellence in Teaching Technology. | | | | |
| **C.4.1. Strategy:** INSTITUTIONAL ENHANCEMENT | $ | 1,502,306 | $ | 1,502,306 |
| **Total, Goal C:** SPECIAL ITEM SUPPORT | $ | 2,742,663 | $ | 2,742,663 |
| **D. Goal:** RESEARCH FUNDS | | | | |
| **D.1.1. Strategy:** RESEARCH DEVELOPMENT FUND | $ | 410,005 | $ | 410,005 |
| **Grand Total,** LAMAR UNIVERSITY | $ | 55,908,637 | $ | 56,018,268 |
| **Object-of-Expense Informational Listing:** | | | | |
| Salaries and Wages | $ | 9,069,515 | $ | 8,439,225 |
| Other Personnel Costs | | 139,926 | | 139,909 |
| Faculty Salaries (Higher Education Only) | | 27,320,696 | | 27,844,950 |
| Professional Fees and Services | | 316,307 | | 322,155 |
| Fuels and Lubricants | | 78,228 | | 78,228 |
| Consumable Supplies | | 317,234 | | 0 |

| | | |
|---|---|---|
| Utilities | 3,717,913 | 3,717,866 |
| Travel | 26,805 | 9,967 |
| Rent - Machine and Other | 1,990 | 3,918 |
| Debt Service | 2,508,277 | 2,439,110 |
| Other Operating Expense | 10,098,964 | 10,664,208 |
| Grants | 2,298,800 | 2,344,091 |
| Capital Expenditures | 13,982 | 14,641 |
| **Total, Object-of-Expense Informational Listing** | $ 55,908,637 | $ 56,018,268 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 3,058,743 | $ 3,172,703 |
| Group Insurance | 4,690,740 | 4,690,740 |
| Social Security | 3,886,086 | 4,022,099 |
| Subtotal, Employee Benefits | $ 11,635,569 | $ 11,885,542 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 11,635,569 | $ 11,885,542 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Lamar University. 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 Lamar University. In order to achieve the objectives and service standards established by this Act, the Lamar University shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years | 29% | 29% |
| Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years | 10% | 10% |
| Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year | 66% | 66% |
| Certification Rate of Teacher Education Graduates | 90% | 90% |
| Percent of Baccalaureate Graduates Who Are First Generation College Graduates | 46% | 46% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years | 47% | 47% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years | 18.5% | 18.5% |
| Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty | 53% | 53% |
| State Licensure Pass Rate of Engineering Graduates | 86% | 86% |
| State Licensure Pass Rate of Nursing Graduates | 100% | 100% |
| Dollar Value of External or Sponsored Research Funds (in Millions) | 5 | 5 |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | | |
| **Efficiencies:** | | |
| Administrative Cost as a Percent of Total Expenditures | 10% | 10% |

## LAMAR INSTITUTE OF TECHNOLOGY

| | For the Years Ending August 31, 2012 | August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 8,187,031 | $ 8,176,621 |

| | | |
|---|---|---|
| GR Dedicated - Estimated Other Educational and General Income Account No. 770 | 3,663,454 | 3,681,884 |
| **Total, Method of Financing** | $ 11,850,485 | $ 11,858,505 |
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 11,850,485 | $ 11,858,505 |
| **Grand Total,** LAMAR INSTITUTE OF TECHNOLOGY | $ 11,850,485 | $ 11,858,505 |

**This bill pattern represents an estimated 57.4% of this agency's estimated total available funds for the biennium.**

| | | |
|---|---|---|
| **Number of Full-Time-Equivalents (FTE)- Appropriated Funds** | 206.0 | 206.0 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| Provide Instructional and Operations Support. | | |
| **A.1.1. Strategy:** ACADEMIC EDUCATION | $ 4,010,185 | $ 4,006,808 |
| **A.1.2. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ 4,001,418 | $ 4,001,418 |
| **A.1.3. Strategy:** STAFF GROUP INSURANCE PREMIUMS | $ 291,946 | $ 312,382 |
| **A.1.4. Strategy:** TEXAS PUBLIC EDUCATION GRANTS | $ 443,889 | $ 446,308 |
| **A.1.5. Strategy:** HOLD HARMLESS | $ 256,673 | $ 256,673 |
| **Total, Goal A:** INSTRUCTION/OPERATIONS | $ 9,004,111 | $ 9,023,589 |
| **B. Goal:** INFRASTRUCTURE SUPPORT | | |
| Provide Infrastructure Support. | | |
| **B.1.1. Strategy:** E&G SPACE SUPPORT | $ 1,463,419 | $ 1,463,419 |
| **B.1.2. Strategy:** TUITION REVENUE BOND RETIREMENT | $ 535,341 | $ 523,882 |
| **Total, Goal B:** INFRASTRUCTURE SUPPORT | $ 1,998,760 | $ 1,987,301 |
| **C. Goal:** SPECIAL ITEM SUPPORT | | |
| Provide Special Item Support. | | |
| **C.1.1. Strategy:** WORKFORCE LITERACY | $ 40,569 | $ 40,569 |
| **C.2.1. Strategy:** INSTITUTIONAL ENHANCEMENT | $ 807,045 | $ 807,046 |
| **Total, Goal C:** SPECIAL ITEM SUPPORT | $ 847,614 | $ 847,615 |
| **Grand Total,** LAMAR INSTITUTE OF TECHNOLOGY | $ 11,850,485 | $ 11,858,505 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 3,010,210 | $ 3,050,715 |
| Other Personnel Costs | 291,946 | 312,382 |
| Faculty Salaries (Higher Education Only) | 4,564,655 | 4,588,918 |
| Debt Service | 535,341 | 523,882 |
| Other Operating Expense | 2,817,885 | 2,793,989 |
| Grants | 443,889 | 446,308 |
| Capital Expenditures | 186,559 | 142,311 |
| **Total, Object-of-Expense Informational Listing** | $ 11,850,485 | $ 11,858,505 |

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

| | | |
|---|---|---|
| Employee Benefits | | |
| Retirement | $ 518,314 | $ 537,625 |
| Group Insurance | 809,482 | 809,482 |

| | | |
|---|---|---|
| Social Security | 728,117 | 753,601 |
| Subtotal, Employee Benefits | $ 2,055,913 | $ 2,100,708 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 2,055,913 | $ 2,100,708 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Lamar Institute of Technology. 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 Lamar Institute of Technology. In order to achieve the objectives and service standards established by this Act, the Lamar Institute of Technology shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Percentage of Courses Completed | 95% | 95% |
| Percent of Contact Hours Taught by Full-time Faculty | 65% | 65% |
| Percentage of Underprepared Students Who Satisfy TSI | 34% | 34% |
| **A.1.1. Strategy:** ACADEMIC EDUCATION | | |
| **Efficiencies:** | | |
| Administrative Cost as a Percent of Total Expenditures | 12.8% | 12.8% |

## LAMAR STATE COLLEGE - ORANGE

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 6,726,582 | $ 6,711,777 |
| GR Dedicated - Estimated Other Educational and General Income Account No. 770 | 2,801,555 | 2,924,855 |
| **Total, Method of Financing** | $ 9,528,137 | $ 9,636,632 |
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 9,528,137 | $ 9,636,632 |
| **Grand Total,** LAMAR STATE COLLEGE - ORANGE | $ 9,528,137 | $ 9,636,632 |
| **This bill pattern represents an estimated 52.8% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE)- Appropriated Funds** | 147.8 | 147.8 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| Provide Instructional and Operations Support. | | |
| **A.1.1. Strategy:** ACADEMIC EDUCATION | $ 4,113,857 | $ 4,192,237 |
| **A.1.2. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ 1,880,445 | $ 1,880,445 |
| **A.1.3. Strategy:** STAFF GROUP INSURANCE PREMIUMS | $ 228,319 | $ 244,301 |
| **A.1.4. Strategy:** TEXAS PUBLIC EDUCATION GRANTS | $ 465,726 | $ 486,213 |
| **Total, Goal A:** INSTRUCTION/OPERATIONS | $ 6,688,347 | $ 6,803,196 |

## LAMAR STATE COLLEGE - ORANGE
(Continued)

| | | |
|---|---|---|
| **B. Goal:** INFRASTRUCTURE SUPPORT | | |
| Provide Infrastructure Support. | | |
| **B.1.1. Strategy:** E&G SPACE SUPPORT | $ 1,322,977 | $ 1,322,977 |
| **B.1.2. Strategy:** TUITION REVENUE BOND RETIREMENT | $ 433,065 | $ 426,711 |
| **Total, Goal B:** INFRASTRUCTURE SUPPORT | $ 1,756,042 | $ 1,749,688 |
| **C. Goal:** SPECIAL ITEM SUPPORT | | |
| Provide Special Item Support. | | |
| **C.1.1. Strategy:** INSTITUTIONAL ENHANCEMENT | $ 1,083,748 | $ 1,083,748 |
| **Grand Total,** LAMAR STATE COLLEGE - ORANGE | $ 9,528,137 | $ 9,636,632 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 3,866,893 | $ 3,927,417 |
| Other Personnel Costs | 149,218 | 147,416 |
| Faculty Salaries (Higher Education Only) | 2,853,542 | 2,980,751 |
| Professional Fees and Services | 4,497 | 4,088 |
| Consumable Supplies | 163,070 | 0 |
| Utilities | 101,549 | 190,980 |
| Rent - Machine and Other | 3,579 | 60,046 |
| Debt Service | 433,065 | 426,711 |
| Other Operating Expense | 1,064,778 | 1,092,626 |
| Grants | 465,726 | 486,213 |
| Capital Expenditures | 422,220 | 320,384 |
| **Total, Object-of-Expense Informational Listing** | $ 9,528,137 | $ 9,636,632 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 380,513 | $ 394,690 |
| Group Insurance | 668,110 | 668,110 |
| Social Security | 525,248 | 543,631 |
| Subtotal, Employee Benefits | $ 1,573,871 | $ 1,606,431 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 1,573,871 | $ 1,606,431 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Lamar State College - Orange. 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 Lamar State College - Orange. In order to achieve the objectives and service standards established by this Act, the Lamar State College - Orange shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Percent of Courses Completed | 90% | 90% |
| Number of Students Who Transfer to a University | 350 | 350 |
| Percent of Contact Hours Taught by Full-time Faculty | 77% | 77% |
| Percentage of Underprepared Students Who Satisfy TSI | 55% | 55% |
| **A.1.1. Strategy:** ACADEMIC EDUCATION | | |
| **Efficiencies:** | | |
| Administrative Cost as a Percent of Total Expenditures | 13% | 13% |

## LAMAR STATE COLLEGE - PORT ARTHUR

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 8,345,818 | $ 8,330,788 |

| | | |
|---|---|---|
| GR Dedicated - Estimated Other Educational and General Income Account No. 770 | 2,718,826 | 2,724,277 |
| **Total, Method of Financing** | $ 11,064,644 | $ 11,055,065 |
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 11,064,644 | $ 11,055,065 |
| **Grand Total,** LAMAR STATE COLLEGE - PORT ARTHUR | $ 11,064,644 | $ 11,055,065 |

**This bill pattern represents an estimated 62.5% of this agency's estimated total available funds for the biennium.**

| | | |
|---|---|---|
| **Number of Full-Time-Equivalents (FTE)- Appropriated Funds** | 209.3 | 209.3 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| Provide Instructional and Operations Support. | | |
| **A.1.1. Strategy:** ACADEMIC EDUCATION | $ 3,873,633 | $ 3,858,903 |
| **A.1.2. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ 2,938,385 | $ 2,938,385 |
| **A.1.3. Strategy:** STAFF GROUP INSURANCE PREMIUMS | $ 306,529 | $ 327,987 |
| **A.1.4. Strategy:** TEXAS PUBLIC EDUCATION GRANTS | $ 401,351 | $ 402,136 |
| **Total, Goal A:** INSTRUCTION/OPERATIONS | $ 7,519,898 | $ 7,527,411 |
| **B. Goal:** INFRASTRUCTURE SUPPORT | | |
| Provide Infrastructure Support. | | |
| **B.1.1. Strategy:** E&G SPACE SUPPORT | $ 1,479,489 | $ 1,479,489 |
| **B.1.2. Strategy:** TUITION REVENUE BOND RETIREMENT | $ 877,143 | $ 860,050 |
| **Total, Goal B:** INFRASTRUCTURE SUPPORT | $ 2,356,632 | $ 2,339,539 |
| **C. Goal:** SPECIAL ITEM SUPPORT | | |
| Provide Special Item Support. | | |
| **C.1.1. Strategy:** SMALL BUSINESS DEVELOPMENT CENTER | $ 210,000 | $ 210,000 |
| **C.2.1. Strategy:** INSTITUTIONAL ENHANCEMENT | $ 978,114 | $ 978,115 |
| **Total, Goal C:** SPECIAL ITEM SUPPORT | $ 1,188,114 | $ 1,188,115 |
| **Grand Total,** LAMAR STATE COLLEGE - PORT ARTHUR | $ 11,064,644 | $ 11,055,065 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 5,079,567 | $ 5,381,151 |
| Other Personnel Costs | 13,430 | 9,242 |
| Faculty Salaries (Higher Education Only) | 3,154,169 | 2,825,486 |
| Consumable Supplies | 187,516 | 0 |
| Utilities | 300,848 | 514,321 |
| Rent - Machine and Other | 22,320 | 0 |
| Debt Service | 877,143 | 860,050 |
| Other Operating Expense | 1,028,300 | 1,062,679 |
| Grants | 401,351 | 402,136 |
| **Total, Object-of-Expense Informational Listing** | $ 11,064,644 | $ 11,055,065 |

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

| | | |
|---|---|---|
| Employee Benefits | | |
| Retirement | $ 509,935 | $ 528,934 |
| Group Insurance | 877,654 | 877,654 |

| | | |
|---|---|---|
| Social Security | 721,242 | 746,486 |
| Subtotal, Employee Benefits | $ 2,108,831 | $ 2,153,074 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 2,108,831 | $ 2,153,074 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Lamar State College - Port Arthur. 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 Lamar State College - Port Arthur. In order to achieve the objectives and service standards established by this Act, the Lamar State College - Port Arthur shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Percent of Courses Completed | 92% | 92% |
| Number of Students Who Transfer to a University | 450 | 450 |
| Percent of Contact Hours Taught by Full-time Faculty | 80% | 80% |
| Percentage of Underprepared Students Who Satisfy TSI | 48% | 48% |
| **A.1.1. Strategy:** ACADEMIC EDUCATION | | |
| **Efficiencies:** | | |
| Administrative Cost as a Percent of Total Expenditures | 13% | 13% |

## SAM HOUSTON STATE UNIVERSITY

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 39,843,239 | $ 39,766,337 |
| General Revenue Fund - Dedicated | | |
| Law Enforcement Management Institute Account No. 581 | 3,610,593 | 3,610,593 |
| Estimated Board Authorized Tuition Increases Account No. 704 | 1,900,000 | 1,900,000 |
| Estimated Other Educational and General Income Account No. 770 | 25,190,156 | 25,469,305 |
| Correctional Management Institute of Texas Account No. 5083 | 2,024,325 | 2,024,325 |
| Subtotal, General Revenue Fund - Dedicated | $ 32,725,074 | $ 33,004,223 |
| **Total, Method of Financing** | $ 72,568,313 | $ 72,770,560 |
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 72,568,313 | $ 72,770,560 |
| **Grand Total,** SAM HOUSTON STATE UNIVERSITY | $ 72,568,313 | $ 72,770,560 |
| **This bill pattern represents an estimated 34.1% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE)-Appropriated Funds** | 1,154.0 | 1,154.0 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

## SAM HOUSTON STATE UNIVERSITY
(Continued)

| | | | | |
|---|---|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | | | |
| Provide Instructional and Operations Support. | | | | |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | $ | 44,463,280 | $ | 44,463,280 |
| **A.1.2. Strategy:** TEACHING EXPERIENCE SUPPLEMENT | $ | 2,084,323 | $ | 2,084,323 |
| **A.1.3. Strategy:** STAFF GROUP INSURANCE PREMIUMS | $ | 2,996,928 | $ | 3,206,715 |
| **A.1.4. Strategy:** WORKERS' COMPENSATION INSURANCE | $ | 218,488 | $ | 218,488 |
| **A.1.5. Strategy:** TEXAS PUBLIC EDUCATION GRANTS | $ | 3,180,078 | $ | 3,212,954 |
| **A.1.6. Strategy:** ORGANIZED ACTIVITIES | $ | 86,885 | $ | 86,885 |
| **Total, Goal A:** INSTRUCTION/OPERATIONS | $ | 53,029,982 | $ | 53,272,645 |
| **B. Goal:** INFRASTRUCTURE SUPPORT | | | | |
| Provide Infrastructure Support. | | | | |
| **B.1.1. Strategy:** E&G SPACE SUPPORT | $ | 7,864,983 | $ | 7,864,983 |
| Educational and General Space Support. | | | | |
| **B.1.2. Strategy:** TUITION REVENUE BOND RETIREMENT | $ | 2,721,741 | $ | 2,665,589 |
| **Total, Goal B:** INFRASTRUCTURE SUPPORT | $ | 10,586,724 | $ | 10,530,572 |
| **C. Goal:** SPECIAL ITEM SUPPORT | | | | |
| Provide Special Item Support. | | | | |
| **C.1.1. Strategy:** ACADEMIC ENRICHMENT CENTER | $ | 93,515 | $ | 93,802 |
| Academic Enrichment Center/Advisement Center. | | | | |
| **C.2.1. Strategy:** SAM HOUSTON MUSEUM | $ | 274,587 | $ | 274,587 |
| **C.2.2. Strategy:** BUSINESS & ECONOMIC DEVELOPMENT CTR | $ | 217,238 | $ | 217,238 |
| Center for Business and Economic Development. | | | | |
| **C.2.3. Strategy:** LAW ENFORCEMENT MGT INSTITUTE | $ | 3,610,593 | $ | 3,610,593 |
| Bill Blackwood Law Enforcement Management Institute of Texas. Est. | | | | |
| **C.2.4. Strategy:** CORRECTIONAL MANAGEMENT INSTITUTE | $ | 2,024,325 | $ | 2,024,325 |
| Criminal Justice Correctional Management Institute of Texas. | | | | |
| **C.2.5. Strategy:** CRIME VICTIMS' INSTITUTE | $ | 224,414 | $ | 239,862 |
| **C.2.6. Strategy:** FORENSIC SCIENCE COMMISSION | $ | 250,000 | $ | 250,000 |
| **C.3.1. Strategy:** INSTITUTIONAL ENHANCEMENT | $ | 1,966,398 | $ | 1,966,399 |
| **C.3.2. Strategy:** ENVIRONMENTAL STUDIES INSTITUTE | $ | 109,250 | $ | 109,250 |
| Institute of Environmental Studies. | | | | |
| **Total, Goal C:** SPECIAL ITEM SUPPORT | $ | 8,770,320 | $ | 8,786,056 |
| **D. Goal:** RESEARCH FUNDS | | | | |
| **D.1.1. Strategy:** RESEARCH DEVELOPMENT FUND | $ | 181,287 | $ | 181,287 |
| **Grand Total,** SAM HOUSTON STATE UNIVERSITY | $ | 72,568,313 | $ | 72,770,560 |
| **Object-of-Expense Informational Listing:** | | | | |
| Salaries and Wages | $ | 24,075,981 | $ | 22,692,690 |
| Other Personnel Costs | | 1,170,857 | | 1,157,851 |
| Faculty Salaries (Higher Education Only) | | 30,901,195 | | 32,010,241 |
| Professional Fees and Services | | 214,672 | | 352,015 |
| Fuels and Lubricants | | 15,795 | | 17,239 |
| Consumable Supplies | | 110,441 | | 0 |
| Utilities | | 122,384 | | 200,872 |
| Travel | | 71,769 | | 136,083 |
| Rent - Building | | 128,486 | | 177,290 |
| Rent - Machine and Other | | 20,265 | | 39,448 |
| Debt Service | | 3,059,386 | | 3,090,237 |
| Other Operating Expense | | 9,056,914 | | 8,769,058 |
| Grants | | 3,180,078 | | 3,212,954 |
| Capital Expenditures | | 440,090 | | 914,582 |
| **Total, Object-of-Expense Informational Listing** | $ | 72,568,313 | $ | 72,770,560 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | | | |
| Employee Benefits | | | | |
| Retirement | $ | 3,395,244 | $ | 3,521,741 |
| Group Insurance | | 5,657,583 | | 5,657,583 |

| | | |
|---|---|---|
| Social Security | 4,453,315 | 4,609,181 |
| Subtotal, Employee Benefits | $ 13,506,142 | $ 13,788,505 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 13,506,142 | $ 13,788,505 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Sam Houston State University. 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 Sam Houston State University. In order to achieve the objectives and service standards established by this Act, the Sam Houston State University shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years | 52% | 54% |
| Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years | 30% | 30% |
| Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year | 76% | 78% |
| Certification Rate of Teacher Education Graduates | 92% | 92% |
| Percent of Baccalaureate Graduates Who Are First Generation College Graduates | 60% | 60% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years | 64% | 66% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years | 34% | 34% |
| Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty | 58% | 60% |
| Dollar Value of External or Sponsored Research Funds (in Millions) | 7.51 | 7.51 |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | | |
| **Efficiencies:** | | |
| Administrative Cost as a Percent of Total Expenditures | 7.5% | 7.5% |

3. **Criminal Justice Correctional Management Institute of Texas Fund.** Any balances in Fund 5083 remaining as of August 31, 2012 are appropriated for the same purpose for the fiscal year beginning September 1, 2012. Fund 5083 revenues are estimated to be $2,699,100 in fiscal year 2012 and $2,699,100 in fiscal year. Appropriations from this fund are $2,024,325 in fiscal year 2012 and $2,024,325 in fiscal year 2013.

4. **Law Enforcement Management Institute of Texas Fund.** Any balances in Fund 581 remaining as of August 31, 2012 are appropriated for the same purpose for the fiscal year beginning September 1, 2012. Fund 581 revenues are estimated to be $4,814,125 in fiscal year 2012 and $4,814,125 in fiscal year. Appropriations form this fund are $3,610,593 in fiscal year 2012 and $3,610,593 in fiscal year 2013

5. **Appropriation for the Texas Forensic Science Commission.** Out of the funds appropriated above in Strategy C.2.6, Texas Forensic Commission, $250,000 per year in General Revenue shall be used for the Texas Forensic Science Commission.

## TEXAS STATE UNIVERSITY - SAN MARCOS

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 82,391,669 | $ 82,503,256 |

| | | |
|---|---|---|
| General Revenue Fund - Dedicated | | |
| GR Dedicated - Estimated Board Authorized Tuition Increases Account No. 704 | 3,878,772 | 3,878,772 |
| GR Dedicated - Estimated Other Educational and General Income Account No. 770 | 40,810,833 | 41,029,342 |
| Subtotal, General Revenue Fund - Dedicated | $ 44,689,605 | $ 44,908,114 |
| **Total, Method of Financing** | $ 127,081,274 | $ 127,411,370 |
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 127,081,274 | $ 127,411,370 |
| **Grand Total,** TEXAS STATE UNIVERSITY - SAN MARCOS | $ 127,081,274 | $ 127,411,370 |
| **This bill pattern represents an estimated 26.6% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE)- Appropriated Funds** | 1,848.5 | 1,848.5 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| Provide Instructional and Operations Support. | | |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | $ 79,851,828 | $ 79,851,826 |
| **A.1.2. Strategy:** TEACHING EXPERIENCE SUPPLEMENT | $ 2,808,809 | $ 2,808,809 |
| **A.1.3. Strategy:** STAFF GROUP INSURANCE PREMIUMS | $ 5,152,384 | $ 5,513,054 |
| **A.1.4. Strategy:** WORKERS' COMPENSATION INSURANCE | $ 505,666 | $ 505,666 |
| **A.1.5. Strategy:** TEXAS PUBLIC EDUCATION GRANTS | $ 6,041,394 | $ 6,069,820 |
| **A.1.6. Strategy:** ORGANIZED ACTIVITIES | $ 849,000 | $ 849,000 |
| **Total, Goal A:** INSTRUCTION/OPERATIONS | $ 95,209,081 | $ 95,598,175 |
| **B. Goal:** INFRASTRUCTURE SUPPORT | | |
| Provide Infrastructure Support. | | |
| **B.1.1. Strategy:** E&G SPACE SUPPORT | $ 15,389,525 | $ 15,389,525 |
| Educational and General Space Support. | | |
| **B.1.2. Strategy:** TUITION REVENUE BOND RETIREMENT | $ 10,958,158 | $ 10,899,160 |
| **Total, Goal B:** INFRASTRUCTURE SUPPORT | $ 26,347,683 | $ 26,288,685 |
| **C. Goal:** SPECIAL ITEM SUPPORT | | |
| Provide Special Item Support. | | |
| **C.1.1. Strategy:** GEOGRAPHY EDUCATION | $ 31,172 | $ 31,172 |
| Improvement of Geography Education. | | |
| **C.1.2. Strategy:** ROUND ROCK HIGHER EDUCATION CENTER | $ 249,375 | $ 249,375 |
| **C.1.3. Strategy:** SCHOOL SAFETY CENTER | $ 1,356,459 | $ 1,356,459 |
| **C.2.1. Strategy:** EDWARDS AQUIFER RESEARCH CENTER | $ 154,090 | $ 154,090 |
| Edwards Aquifer Research and Data Center. | | |
| **C.2.2. Strategy:** SEMICONDUCTOR INITIATIVE | $ 62,344 | $ 62,344 |
| Semiconductor Manufacturing and Research Initiative. | | |
| **C.3.1. Strategy:** SMALL BUSINESS DEVELOPMENT CENTER | $ 188,607 | $ 188,607 |
| **C.4.1. Strategy:** INSTITUTIONAL ENHANCEMENT | $ 1,921,881 | $ 1,921,881 |
| **Total, Goal C:** SPECIAL ITEM SUPPORT | $ 3,963,928 | $ 3,963,928 |
| **D. Goal:** RESEARCH FUNDS | | |
| **D.1.1. Strategy:** RESEARCH DEVELOPMENT FUND | $ 1,560,582 | $ 1,560,582 |
| **Grand Total,** TEXAS STATE UNIVERSITY - SAN MARCOS | $ 127,081,274 | $ 127,411,370 |

| | | |
|---|---|---|
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 41,761,415 | $ 41,767,072 |
| Faculty Salaries (Higher Education Only) | 60,587,540 | 60,507,980 |
| Travel | 93,948 | 26,175 |
| Debt Service | 10,958,158 | 10,899,160 |
| Other Operating Expense | 6,502,921 | 7,011,816 |
| Grants | 6,041,394 | 6,069,820 |
| Capital Expenditures | 1,135,898 | 1,129,347 |
| **Total, Object-of-Expense Informational Listing** | $ 127,081,274 | $ 127,411,370 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 8,212,517 | $ 8,518,492 |
| Group Insurance | 9,487,347 | 9,487,347 |
| Social Security | 8,141,174 | 8,426,115 |
| Subtotal, Employee Benefits | $ 25,841,038 | $ 26,431,954 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 25,841,038 | $ 26,431,954 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas State University - San Marcos. 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 Texas State University - San Marcos. In order to achieve the objectives and service standards established by this Act, the Texas State University - San Marcos shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years | 56% | 56% |
| Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years | 28% | 28% |
| Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year | 80% | 80% |
| Certification Rate of Teacher Education Graduates | 92% | 92% |
| Percent of Baccalaureate Graduates Who Are First Generation College Graduates | 44% | 44% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years | 68.2% | 70.5% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two years | 30% | 30.7% |
| Percent of Lower Division Courses Taught by Tenured Faculty | 40% | 40% |
| Dollar Value of External or Sponsored Research Funds (in Millions) | 22 | 22 |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | | |
| **Efficiencies:** | | |
| Administrative Cost as a Percent of Total Expenditures | 9.4% | 9.4% |

3. **Freeman Ranch.** Out of the amounts appropriated above in informational item A.1.6, Organized Activities, $115,089 in each year of the biennium shall be used for the Freeman Ranch.

# SUL ROSS STATE UNIVERSITY

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 12,896,246 | $ 12,862,225 |
| GR Dedicated - Estimated Other Educational and General Income Account No. 770 | 2,519,033 | 2,526,516 |
| **Total, Method of Financing** | $ 15,415,279 | $ 15,388,741 |
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 15,415,279 | $ 15,388,741 |
| **Grand Total,** SUL ROSS STATE UNIVERSITY | $ 15,415,279 | $ 15,388,741 |
| **This bill pattern represents an estimated 41.8% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE)- Appropriated Funds** | 327.4 | 327.4 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| Provide Instructional and Operations Support. | | |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | $ 4,746,866 | $ 4,746,866 |
| **A.1.2. Strategy:** TEACHING EXPERIENCE SUPPLEMENT | $ 207,670 | $ 207,670 |
| **A.1.3. Strategy:** STAFF GROUP INSURANCE PREMIUMS | $ 277,545 | $ 296,973 |
| **A.1.4. Strategy:** WORKERS' COMPENSATION INSURANCE | $ 27,597 | $ 27,597 |
| **A.1.5. Strategy:** TEXAS PUBLIC EDUCATION GRANTS | $ 349,259 | $ 350,345 |
| **A.1.6. Strategy:** ORGANIZED ACTIVITIES | $ 130,360 | $ 130,360 |
| **A.1.7. Strategy:** HOLD HARMLESS | $ 776,171 | $ 776,171 |
| **Total, Goal A:** INSTRUCTION/OPERATIONS | $ 6,515,468 | $ 6,535,982 |
| **B. Goal:** INFRASTRUCTURE SUPPORT | | |
| Provide Infrastructure Support. | | |
| **B.1.1. Strategy:** E&G SPACE SUPPORT | $ 2,429,731 | $ 2,429,731 |
| Educational and General Space Support. | | |
| **B.1.2. Strategy:** TUITION REVENUE BOND RETIREMENT | $ 2,714,768 | $ 2,667,716 |
| **Total, Goal B:** INFRASTRUCTURE SUPPORT | $ 5,144,499 | $ 5,097,447 |
| **C. Goal:** SPECIAL ITEM SUPPORT | | |
| Provide Special Item Support. | | |
| **C.1.1. Strategy:** CHIHUAHUAN DESERT RESEARCH | $ 15,750 | $ 15,750 |
| **C.1.2. Strategy:** CENTER FOR BIG BEND STUDIES | $ 120,000 | $ 120,000 |
| **C.2.1. Strategy:** SUL ROSS MUSEUM | $ 82,500 | $ 82,500 |
| Sul Ross State University Museum. | | |
| **C.2.2. Strategy:** BIG BEND SMALL BUSINESS DEVT CENTER | $ 133,866 | $ 133,866 |
| Big Bend Region Minority and Small Business Development Center. | | |
| **C.2.3. Strategy:** CRIMINAL JUSTICE ACADEMY | $ 54,000 | $ 54,000 |
| **C.2.4. Strategy:** BIG BEND ARCHIVES | $ 65,250 | $ 65,250 |
| Archives of the Big Bend. | | |
| **C.2.5. Strategy:** MUSEUM OF THE BIG BEND | $ 21,750 | $ 21,750 |
| **C.3.1. Strategy:** INSTITUTIONAL ENHANCEMENT | $ 3,110,176 | $ 3,110,176 |
| **Total, Goal C:** SPECIAL ITEM SUPPORT | $ 3,603,292 | $ 3,603,292 |
| **D. Goal:** RESEARCH FUNDS | | |
| **D.1.1. Strategy:** RESEARCH DEVELOPMENT FUND | $ 152,020 | $ 152,020 |
| **Grand Total,** SUL ROSS STATE UNIVERSITY | $ 15,415,279 | $ 15,388,741 |

| | | |
|---|---|---|
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 3,613,208 | $ 3,962,225 |
| Other Personnel Costs | 70,568 | 72,894 |
| Faculty Salaries (Higher Education Only) | 5,379,233 | 4,990,091 |
| Professional Fees and Services | 41,555 | 0 |
| Fuels and Lubricants | 18,435 | 19,571 |
| Consumable Supplies | 72,995 | 0 |
| Utilities | 633,931 | 676,299 |
| Travel | 126,268 | 140,249 |
| Rent - Building | 2,039 | 2,022 |
| Rent - Machine and Other | 0 | 40,429 |
| Debt Service | 2,714,768 | 2,667,716 |
| Other Operating Expense | 2,389,345 | 2,463,307 |
| Grants | 349,259 | 350,345 |
| Capital Expenditures | 3,675 | 3,593 |
| **Total, Object-of-Expense Informational Listing** | $ 15,415,279 | $ 15,388,741 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 443,538 | $ 460,063 |
| Group Insurance | 1,798,646 | 1,798,646 |
| Social Security | 1,013,943 | 1,049,431 |
| Subtotal, Employee Benefits | $ 3,256,127 | $ 3,308,140 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 3,256,127 | $ 3,308,140 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Sul Ross State University. 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 Sul Ross State University. In order to achieve the objectives and service standards established by this Act, the Sul Ross State University shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Six Academic Years | 23% | 23% |
| Percent of First-time, Full-time, Degree-seeking Freshmen Who Earn a Baccalaureate Degree within Four Academic Years | 12% | 13% |
| Persistence Rate of First-time, Full-time, Degree-seeking Freshmen Students after One Academic Year | 51% | 51% |
| Certification Rate of Teacher Education Graduates | 73% | 73% |
| Percent of Baccalaureate Graduates Who Are First Generation College Graduates | 60% | 60% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years | 44% | 46% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years | 22% | 24% |
| Percent of Lower Division Semester Credit Hours Taught by Tenured or Tenure-Track Faculty | 55% | 56% |
| Dollar Value of External or Sponsored Research Funds (in Millions) | 2 | 2 |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | | |
| **Efficiencies:** | | |
| Administrative Cost as a Percent of Total Expenditures | 14% | 14% |

# SUL ROSS STATE UNIVERSITY RIO GRANDE COLLEGE

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 4,680,909 | $ 4,684,023 |
| GR Dedicated - Estimated Other Educational and General Income Account No. 770 | 1,380,760 | 1,381,691 |
| **Total, Method of Financing** | $ 6,061,669 | $ 6,065,714 |
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 6,061,669 | $ 6,065,714 |
| **Grand Total,** SUL ROSS STATE UNIVERSITY RIO GRANDE COLLEGE | $ 6,061,669 | $ 6,065,714 |
| **This bill pattern represents an estimated 73.5% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE)- Appropriated Funds** | 78.6 | 78.6 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| Provide Instructional and Operations Support. | | |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | $ 2,288,229 | $ 2,288,229 |
| **A.1.2. Strategy:** TEACHING EXPERIENCE SUPPLEMENT | $ 146,245 | $ 146,245 |
| **A.1.3. Strategy:** STAFF GROUP INSURANCE PREMIUMS | $ 56,139 | $ 60,068 |
| **A.1.4. Strategy:** WORKERS' COMPENSATION INSURANCE | $ 7,500 | $ 7,500 |
| **A.1.5. Strategy:** TEXAS PUBLIC EDUCATION GRANTS | $ 170,377 | $ 170,493 |
| **A.1.6. Strategy:** HOLD HARMLESS | $ 166,624 | $ 166,624 |
| **Total, Goal A:** INSTRUCTION/OPERATIONS | $ 2,835,114 | $ 2,839,159 |
| **B. Goal:** INFRASTRUCTURE SUPPORT | | |
| Provide Infrastructure Support. | | |
| **B.1.1. Strategy:** E&G SPACE SUPPORT | $ 922,075 | $ 922,075 |
| Educational and General Space Support. | | |
| **B.1.2. Strategy:** LEASE OF FACILITIES | $ 228,016 | $ 228,016 |
| **Total, Goal B:** INFRASTRUCTURE SUPPORT | $ 1,150,091 | $ 1,150,091 |
| **C. Goal:** SPECIAL ITEM SUPPORT | | |
| Provide Special Item Support. | | |
| **C.1.1. Strategy:** SMALL BUSINESS DEVELOPMENT CENTER | $ 167,838 | $ 167,838 |
| **C.2.1. Strategy:** INSTITUTIONAL ENHANCEMENT | $ 1,908,626 | $ 1,908,626 |
| **Total, Goal C:** SPECIAL ITEM SUPPORT | $ 2,076,464 | $ 2,076,464 |
| **Grand Total,** SUL ROSS STATE UNIVERSITY RIO GRANDE COLLEGE | $ 6,061,669 | $ 6,065,714 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 1,998,595 | $ 2,277,826 |
| Other Personnel Costs | 20,600 | 22,468 |
| Faculty Salaries (Higher Education Only) | 2,628,556 | 2,268,736 |
| Fuels and Lubricants | 12,366 | 13,284 |
| Consumable Supplies | 14,859 | 0 |
| Utilities | 84,430 | 89,448 |
| Travel | 225,675 | 181,280 |
| Rent - Building | 606,321 | 443,197 |
| Rent - Machine and Other | 0 | 1,227 |
| Other Operating Expense | 299,890 | 597,755 |
| Grants | 170,377 | 170,493 |
| **Total, Object-of-Expense Informational Listing** | $ 6,061,669 | $ 6,065,714 |

## SUL ROSS STATE UNIVERSITY RIO GRANDE COLLEGE
(Continued)

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

| | | |
|---|---|---|
| Employee Benefits | | |
| Retirement | $ 487,903 | $ 506,080 |
| Group Insurance | 315,480 | 315,480 |
| Social Security | 248,060 | 256,742 |
| Subtotal, Employee Benefits | $ 1,051,443 | $ 1,078,302 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 1,051,443 | $ 1,078,302 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Sul Ross State University Rio Grande College. 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 Sul Ross State University Rio Grande College. In order to achieve the objectives and service standards established by this Act, the Sul Ross State University Rio Grande College shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Certification Rate of Teacher Education Graduates | 78% | 78% |
| Percent of Baccalaureate Graduates Who Are First Generation College Graduates | 58% | 58% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Four Years | 57% | 57% |
| Percent of Incoming Full-time Undergraduate Transfer Students Who Graduate within Two Years | 45% | 43% |
| Persistence Rate of First-time, Full-time, Degree-seeking Transfer Students after One Academic Year (Upper-level Institutions Only) | 77% | 77% |
| **A.1.1. Strategy:** OPERATIONS SUPPORT | | |
| **Efficiencies:** | | |
| Administrative Cost as a Percent of Total Expenditures | 9% | 9% |

## THE UNIVERSITY OF TEXAS SOUTHWESTERN MEDICAL CENTER AT DALLAS

| | For the Years Ending August 31, 2012 | August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 118,350,815 | $ 118,340,715 |
| GR - Dedicated - Estimated Other Educational and General Income Account No. 770 | 8,996,328 | 9,058,286 |
| Other Funds | | |
| Permanent Health Fund for Higher Education, No. 810, estimated | 2,705,360 | 2,705,360 |
| Permanent Endowment Fund, UT Southwestern Medical Center at Dallas, No. 813, estimated | 2,770,000 | 2,770,000 |
| Subtotal, Other Funds | $ 5,475,360 | $ 5,475,360 |
| **Total, Method of Financing** | $ 132,822,503 | $ 132,874,361 |
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 132,822,503 | $ 132,874,361 |
| **Grand Total,** THE UNIVERSITY OF TEXAS SOUTHWESTERN MEDICAL CENTER AT DALLAS | $ 132,822,503 | $ 132,874,361 |

**This bill pattern represents an estimated 7.5% of this agency's estimated total available funds for the biennium.**

| | | |
|---|---|---|
| **Number of Full-Time-Equivalents (FTE)- Appropriated Funds** | 2,006.8 | 2,006.8 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | | | |
|---|---|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | | | |
| Provide Instructional and Operations Support. | | | | |
| **A.1.1. Strategy:** MEDICAL EDUCATION | $ | 37,099,133 | $ | 37,099,133 |
| **A.1.2. Strategy:** BIOMEDICAL SCIENCES TRAINING | $ | 7,963,931 | $ | 7,963,931 |
| Graduate Training in Biomedical Sciences. | | | | |
| **A.1.3. Strategy:** ALLIED HEALTH PROFESSIONS TRAINING | $ | 3,957,918 | $ | 3,957,918 |
| **A.1.4. Strategy:** GRADUATE MEDICAL EDUCATION | $ | 6,467,307 | $ | 6,467,307 |
| **A.2.1. Strategy:** STAFF GROUP INSURANCE PREMIUMS | $ | 517,583 | $ | 553,814 |
| **A.2.2. Strategy:** WORKERS' COMPENSATION INSURANCE | $ | 185,596 | $ | 190,017 |
| **A.2.3. Strategy:** UNEMPLOYMENT INSURANCE | $ | 43,600 | $ | 32,592 |
| **A.3.1. Strategy:** TEXAS PUBLIC EDUCATION GRANTS | $ | 1,119,492 | $ | 1,119,492 |
| **A.3.2. Strategy:** MEDICAL LOANS | $ | 120,389 | $ | 120,389 |
| **Total, Goal A:** INSTRUCTION/OPERATIONS | $ | 57,474,949 | $ | 57,504,593 |
| **B. Goal:** PROVIDE RESEARCH SUPPORT | | | | |
| **B.1.1. Strategy:** RESEARCH ENHANCEMENT | $ | 5,366,308 | $ | 5,366,308 |
| **C. Goal:** PROVIDE INFRASTRUCTURE SUPPORT | | | | |
| **C.1.1. Strategy:** E&G SPACE SUPPORT | $ | 22,888,215 | $ | 22,888,215 |
| **C.2.1. Strategy:** TUITION REVENUE BOND RETIREMENT | $ | 12,333,374 | $ | 12,331,036 |
| **C.2.2. Strategy:** LONG-TERM INSTR REL EQUIPMENT | $ | 1,726,012 | $ | 1,750,564 |
| Long-term Instructional Related Equipment. | | | | |
| **Total, Goal C:** PROVIDE INFRASTRUCTURE SUPPORT | $ | 36,947,601 | $ | 36,969,815 |
| **D. Goal:** PROVIDE SPECIAL ITEM SUPPORT | | | | |
| **D.1.1. Strategy:** PRIMARY CARE RESIDENCY TRAINING | $ | 1,109,713 | $ | 1,109,713 |
| Primary Care Residency Training Program. | | | | |
| **D.2.1. Strategy:** INSTITUTE FOR NOBEL/NA BIO RESEARCH | $ | 5,875,189 | $ | 5,875,189 |
| Institute for Nobel/National-Academy Biomedical Research. | | | | |
| **D.2.2. Strategy:** INNOVATIONS IN MED TECHNOLOGY | $ | 6,412,493 | $ | 6,412,493 |
| Institute for Innovations in Medical Technology. | | | | |
| **D.2.3. Strategy:** METROPLEX COMP MED IMAGING CENTER | $ | 5,343,742 | $ | 5,343,742 |
| Metroplex Comprehensive Medical Imaging Center. | | | | |
| **D.2.4. Strategy:** CNTR OBESITY, DIABETES & METAB RSCH | $ | 6,412,492 | $ | 6,412,492 |
| Center for Obesity, Diabetes and Metabolism Research. | | | | |
| **D.3.1. Strategy:** REGIONAL BURN CARE CENTER | $ | 89,055 | $ | 89,055 |
| **D.3.2. Strategy:** CENTER FOR TREATMENT OF SICKLE CELL | $ | 1,068,742 | $ | 1,068,742 |
| Center for Treatment and Research on Sickle Cell Disease. | | | | |
| **D.4.1. Strategy:** SCIENCE TEACHER ACCESS TO RESOURCES | $ | 534,367 | $ | 534,367 |
| Program for Science Teacher Access to Resources (STARS). | | | | |
| **D.5.1. Strategy:** INSTITUTIONAL ENHANCEMENT | $ | 712,492 | $ | 712,492 |
| **Total, Goal D:** PROVIDE SPECIAL ITEM SUPPORT | $ | 27,558,285 | $ | 27,558,285 |

| | | |
|---|---|---|
| **E. Goal:** TOBACCO FUNDS | | |
| **E.1.1. Strategy:** TOBACCO EARNINGS - UT SWMC DALLAS<br>Tobacco Earnings for UT Southwestern Medical Center at Dallas. | $ 2,770,000 | $ 2,770,000 |
| **E.1.2. Strategy:** TOBACCO - PERMANENT HEALTH FUND<br>Tobacco Earnings from the Permanent Health Fund for Higher Ed. No. 810. | $ 2,705,360 | $ 2,705,360 |
| **Total, Goal E:** TOBACCO FUNDS | $ 5,475,360 | $ 5,475,360 |
| **Grand Total,** THE UNIVERSITY OF TEXAS SOUTHWESTERN MEDICAL CENTER AT DALLAS | $ 132,822,503 | $ 132,874,361 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 65,366,848 | $ 65,948,694 |
| Other Personnel Costs | 1,652,777 | 1,431,039 |
| Faculty Salaries (Higher Education Only) | 45,273,034 | 48,128,776 |
| Professional Fees and Services | 2,993 | 0 |
| Consumable Supplies | 1,156,250 | 31,124 |
| Utilities | 27,350 | 0 |
| Rent - Building | 17,161 | 0 |
| Rent - Machine and Other | 4,880 | 0 |
| Debt Service | 12,333,374 | 12,331,036 |
| Other Operating Expense | 5,116,031 | 3,148,348 |
| Capital Expenditures | 1,871,805 | 1,855,344 |
| **Total, Object-of-Expense Informational Listing** | $ 132,822,503 | $ 132,874,361 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 8,299,683 | $ 8,608,906 |
| Group Insurance | 11,841,611 | 11,841,611 |
| Social Security | 9,338,804 | 9,665,663 |
| Subtotal, Employee Benefits | $ 29,480,098 | $ 30,116,180 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 29,480,098 | $ 30,116,180 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for The University of Texas Southwestern Medical Center at Dallas. 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 University of Texas Southwestern Medical Center at Dallas. In order to achieve the objectives and service standards established by this Act, The University of Texas Southwestern Medical Center at Dallas shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Percent of Medical School Students Passing Part 1 or Part 2 of the National Licensing Exam on the First Attempt | 97% | 97% |
| Percent of Medical School Graduates Practicing Primary Care in Texas | 18% | 18% |
| Percent of Medical Residency Completers Practicing in Texas | 55% | 55% |
| Percent of Allied Health Graduates Passing the Certification/Licensure Exam on the First Attempt | 92% | 92% |
| Percent of Allied Health Graduates Who Are Licensed or Certified in Texas | 90% | 90% |
| Administrative (Institutional Support) Cost as a Percent of Total Expenditures | 4% | 4% |
| Percent of Medical School Graduates Practicing in Texas | 51% | 51% |

| | | |
|---|---|---|
| **A.1.1. Strategy:** MEDICAL EDUCATION | | |
| **Output (Volume):** | | |
| Number of Combined MD/PhD Graduates | 10 | 10 |
| **Explanatory:** | | |
| Minority Admissions as a Percent of Total First-year Admissions (All Schools) | 14% | 14% |
| Minority MD Admissions as a Percent of Total MD Admissions | 15% | 15% |
| Percent of Medical School Graduates Entering a Primary Care Residency | 43 | 43 |
| **A.1.4. Strategy:** GRADUATE MEDICAL EDUCATION | | |
| **Output (Volume):** | | |
| Total Number of MD or DO Residents | 1,510 | 1,510 |
| **Explanatory:** | | |
| Minority MD or DO Residents as a Percent of Total MD or DO Residents | 12% | 12% |
| **B. Goal:** PROVIDE RESEARCH SUPPORT | | |
| **Outcome (Results/Impact):** | | |
| Total External Research Expenditures | 350,998,900 | 361,528,900 |
| **D. Goal:** PROVIDE SPECIAL ITEM SUPPORT | | |
| **D.4.1. Strategy:** SCIENCE TEACHER ACCESS TO RESOURCES | | |
| **Output (Volume):** | | |
| Number of High School and Middle School Teachers Completing a STARS Program | 510 | 510 |

3. **Estimated Appropriation and Unexpended Balance.** Included in the amounts appropriated above are: (1) estimated appropriations of amounts available for distribution or investment returns out of the Permanent Endowment Fund for The University of Texas Southwestern Medical Center at Dallas No. 813 and (2) estimated appropriations of the institution's estimated allocation of amounts available for distribution out of the Permanent Health Fund for Higher Education No. 810.

   a. Amounts available for distribution or investment returns in excess of the amounts estimated above are also appropriated to the institution. In the event that amounts available for distribution or investment returns are less than the amounts estimated above, this Act may not be construed as appropriating funds to makeup the difference.

   b. All balances of estimated appropriations from the Permanent Endowment Fund for The University of Texas Southwestern Medical Center at Dallas No. 813 and of the institution's allocation from the amounts available for distribution out of the Permanent Health Fund for Higher Education No. 810, except for any General Revenue, at the close of the fiscal year ending August 31, 2011, and the income to said fund during the fiscal years beginning September 1, 2011, are hereby appropriated. Any unexpended appropriations made above as of August 31, 2012, are hereby appropriated to the institution for the same purposes for fiscal year 2013.

## THE UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 226,140,030 | $ 226,185,611 |
| General Revenue Fund - Dedicated | | |
| Commission on State Emergency Communications Account No. 5007 | 53,438 | 53,438 |
| Estimated Other Educational and General Income Account No. 770 | 12,353,066 | 12,337,211 |
| Subtotal, General Revenue Fund - Dedicated | $ 12,406,504 | $ 12,390,649 |
| Other Funds | | |
| Health-Related Institutions Patient Income, estimated | 339,605,785 | 356,878,303 |
| Interagency Contracts | 5,750,000 | 5,750,000 |

| | | |
|---|---|---|
| Permanent Health Fund for Higher Education, No. 810, estimated | 3,748,860 | 2,153,237 |
| Permanent Endowment Fund, UT Medical Branch at Galveston, No. 814, estimated | 2,278,085 | 1,395,465 |
| Subtotal, Other Funds | $ 351,382,730 | $ 366,177,005 |
| **Total, Method of Financing** | $ 589,929,264 | $ 604,753,265 |
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 589,929,264 | $ 604,753,265 |
| **Grand Total,** THE UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON | $ 589,929,264 | $ 604,753,265 |

**This bill pattern represents an estimated 37.8% of this agency's estimated total available funds for the biennium.**

| | | |
|---|---|---|
| **Number of Full-Time-Equivalents (FTE)- Appropriated Funds** | 5,008.9 | 5,008.9 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| Provide Instructional and Operations Support. | | |
| **A.1.1. Strategy:** MEDICAL EDUCATION | $ 64,295,376 | $ 65,594,163 |
| **A.1.2. Strategy:** BIOMEDICAL SCIENCES TRAINING | $ 4,566,245 | $ 4,658,485 |
| Graduate Training in Biomedical Sciences. | | |
| **A.1.3. Strategy:** ALLIED HEALTH PROFESSIONS TRAINING | $ 10,936,176 | $ 11,157,090 |
| **A.1.4. Strategy:** NURSING EDUCATION | $ 13,254,835 | $ 13,522,587 |
| **A.1.5. Strategy:** GRADUATE MEDICAL EDUCATION | $ 2,164,640 | $ 2,164,640 |
| **A.2.1. Strategy:** STAFF GROUP INSURANCE PREMIUMS | $ 19,443,858 | $ 20,804,928 |
| **A.2.2. Strategy:** WORKERS' COMPENSATION INSURANCE | $ 1,226,415 | $ 1,226,415 |
| **A.2.3. Strategy:** UNEMPLOYMENT INSURANCE | $ 418,776 | $ 418,776 |
| **A.3.1. Strategy:** TEXAS PUBLIC EDUCATION GRANTS | $ 1,445,000 | $ 1,445,000 |
| **A.3.2. Strategy:** MEDICAL LOANS | $ 213,519 | $ 213,519 |
| **Total, Goal A:** INSTRUCTION/OPERATIONS | $ 117,964,840 | $ 121,205,603 |
| **B. Goal:** PROVIDE RESEARCH SUPPORT | | |
| **B.1.1. Strategy:** RESEARCH ENHANCEMENT | $ 2,981,011 | $ 2,981,011 |
| **C. Goal:** INFRASTRUCTURE SUPPORT | | |
| Provide Infrastructure Support. | | |
| **C.1.1. Strategy:** E&G SPACE SUPPORT | $ 21,691,982 | $ 22,130,167 |
| **C.2.1. Strategy:** TUITION REVENUE BOND RETIREMENT | $ 6,180,390 | $ 6,180,572 |
| **C.2.2. Strategy:** CAPITAL PROJECTS | $ 44,335,810 | $ 48,699,956 |
| **Total, Goal C:** INFRASTRUCTURE SUPPORT | $ 72,208,182 | $ 77,010,695 |
| **D. Goal:** PROVIDE HEALTH CARE SUPPORT | | |
| **D.1.1. Strategy:** MEDICAL BRANCH HOSPITALS | $ 378,858,095 | $ 388,057,737 |
| **E. Goal:** PROVIDE SPECIAL ITEM SUPPORT | | |
| **E.1.1. Strategy:** CHRONIC HOME DIALYSIS CENTER | $ 2,574,251 | $ 2,609,685 |
| **E.1.2. Strategy:** PRIMARY CARE PHYSICIAN SERVICES | $ 4,540,982 | $ 4,540,982 |
| **E.1.3. Strategy:** EAST TEXAS HEALTH EDUCATION CENTERS | $ 1,429,166 | $ 1,429,166 |
| East Texas Area Health Education Centers. | | |
| **E.1.4. Strategy:** SUPPORT FOR INDIGENT CARE | $ 2,499,992 | $ 2,499,992 |
| **E.2.1. Strategy:** INSTITUTIONAL ENHANCEMENT | $ 845,800 | $ 869,692 |
| **Total, Goal E:** PROVIDE SPECIAL ITEM SUPPORT | $ 11,890,191 | $ 11,949,517 |

| | | |
|---|---|---|
| **F. Goal:** TOBACCO FUNDS | | |
| **F.1.1. Strategy:** TOBACCO EARNINGS - UTMB-GALVESTON<br>Tobacco Earnings for the UT Medical Branch at Galveston. | $ 2,278,085 | $ 1,395,465 |
| **F.1.2. Strategy:** TOBACCO - PERMANENT HEALTH FUND<br>Tobacco Earnings from the Permanent Health Fund for Higher Ed. No. 810. | $ 3,748,860 | $ 2,153,237 |
| **Total, Goal F:** TOBACCO FUNDS | $ 6,026,945 | $ 3,548,702 |
| **Grand Total,** THE UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON | $ 589,929,264 | $ 604,753,265 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 178,979,824 | $ 183,975,553 |
| Other Personnel Costs | 87,765,880 | 90,992,182 |
| Faculty Salaries (Higher Education Only) | 51,424,638 | 53,649,743 |
| Professional Fees and Services | 17,718,201 | 18,168,569 |
| Fuels and Lubricants | 117,589 | 113,552 |
| Consumable Supplies | 28,376,136 | 28,694,250 |
| Utilities | 13,397,089 | 13,625,454 |
| Travel | 41,277 | 24,732 |
| Rent - Building | 3,102,175 | 3,249,714 |
| Rent - Machine and Other | 2,971,736 | 3,412,063 |
| Debt Service | 44,992,127 | 23,882,203 |
| Other Operating Expense | 154,653,475 | 153,319,335 |
| Grants | 6,389,117 | 31,645,915 |
| **Total, Object-of-Expense Informational Listing** | $ 589,929,264 | $ 604,753,265 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 28,165,770 | $ 29,190,213 |
| Group Insurance | 44,073,928 | 44,281,528 |
| Social Security | 27,096,671 | 28,045,055 |
| Subtotal, Employee Benefits | $ 99,336,369 | $ 101,516,796 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 99,336,369 | $ 101,516,796 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for The University of Texas Medical Branch at Galveston. 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 University of Texas Medical Branch at Galveston. In order to achieve the objectives and service standards established by this Act, The University of Texas Medical Branch at Galveston shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Percent of Medical School Students Passing Part 1 or Part 2 of the National Licensing Exam on the First Attempt | 98% | 98% |
| Percent of Medical School Graduates Practicing Primary Care in Texas | 30% | 30% |
| Percent of Allied Health Graduates Passing the Certification/Licensure Exam on the First Attempt | 90% | 90% |
| Percent of Allied Health Graduates Who Are Licensed or Certified in Texas | 92% | 92% |
| Percent of Bachelor of Science in Nursing Graduates Passing the National Licensing Exam on the First Attempt in Texas | 94% | 94% |
| Percent of Bachelor of Science in Nursing Graduates Who Are Licensed in Texas | 98% | 98% |

| | | |
|---|---|---|
| Administrative (Institutional Support) Cost as a Percent of Total Expenditures | 5.63% | 5.63% |
| Percent of Medical School Graduates Practicing in Texas | 65% | 65% |
| **A.1.1. Strategy:** MEDICAL EDUCATION | | |
| **Explanatory:** | | |
| Minority Admissions as a Percent of Total First-year Admissions (All Schools) | 26.3% | 26.3% |
| Minority MD Admissions as a Percent of Total MD Admissions | 26.6% | 26.6% |
| Percent of Medical School Graduates Entering a Primary Care Residency | 44% | 45% |
| **A.1.4. Strategy:** NURSING EDUCATION | | |
| **Explanatory:** | | |
| Percent of Master of Science in Nursing Graduates Granted Advanced Practice Status in Texas | 98% | 98% |
| **A.1.5. Strategy:** GRADUATE MEDICAL EDUCATION | | |
| **Output (Volume):** | | |
| Total Number of MD or DO Residents | 536 | 536 |
| **Explanatory:** | | |
| Minority MD or DO Residents as a Percent of Total MD or DO Residents | 15.85% | 15.85% |
| **B. Goal:** PROVIDE RESEARCH SUPPORT | | |
| **Outcome (Results/Impact):** | | |
| Total External Research Expenditures | 153,547,614 | 156,618,566 |
| **D. Goal:** PROVIDE HEALTH CARE SUPPORT | | |
| **Outcome (Results/Impact):** | | |
| Percent of Medical Residency Completers Practicing in Texas | 39.66% | 39.66% |
| Total Uncompensated Care Provided by Faculty | 75,032,528 | 81,035,130 |
| Total Uncompensated Care Praovided in State-owned Facilities | 60,199,997 | 67,617,734 |
| **D.1.1. Strategy:** MEDICAL BRANCH HOSPITALS | | |
| **Output (Volume):** | | |
| Total Number of Outpatient Visits | 596,063 | 611,808 |
| Total Number of Inpatient Days | 104,460 | 107,614 |

3. **Appropriation of Charges and Fees.** There is hereby appropriated to The University of Texas Medical Branch at Galveston all charges and fees collected for the general expenses of the medical branch hospitals, including maintenance, support, and salaries of employees for the fiscal years ending August 31, 2012 and 2013.

4. **Rates, Donations and Gifts.** The Board of Regents of The University of Texas System shall fix reasonable rates to be charged and collected by hospitals, and may make and enter into contracts for the hospitalization of the indigent sick and accept donations and gifts for the support and maintenance of the hospitals and may utilize up to $5 million per annum of local income to match any gift made to endowments provided, however, such match will not result in any reduction in the level of services for patients or any requirement for General Revenue replacement. Any project initiated under this authorization shall not be structured in such a manner that will require future specific appropriation of General Revenue. Provided, however, that this provision shall not be construed so as to authorize, without the prior and specific approval of the Legislature, the acceptance of real property which would require an appropriation by the Legislature for maintenance, repair, or construction of buildings.

5. **Helicopter Operation.** The University of Texas Medical Branch at Galveston is authorized to lease and operate a helicopter for the purpose of transporting critically ill or emergency patients to the medical branch hospitals. No state funds are to be used for the operation of this helicopter, except where the patient served is indigent or through an interagency contract with another state agency, or unless costs are reimbursed from insurance proceeds.

6. **Transfers of Appropriations - State Owned Hospitals.** The University of Texas Medical Branch at Galveston shall transfer from non-Medicaid state appropriated funds of $92,049,625 in fiscal year 2012 and $92,049,625 in fiscal year 2013 to the Health and Human Services Commission. The timing and form of such transfers shall be determined by the Comptroller of Public Accounts in consultation with the Health and Human Services Commission. The Legislative Budget Board is authorized to adjust the amounts of such transfers as necessary to match available federal funds.

7. **Appropriation of Costs for Health Care to Inmates.** None of the funds appropriated above shall be expended to provide or support the provision of health care to inmates of the Texas

Department of Criminal Justice (TDCJ). It is the intent of the Legislature that all costs for providing health care to inmates of the TDCJ including costs of operating TDCJ hospital facilities in Galveston County and Lubbock County shall be paid from appropriations made to the TDCJ and from any financial reserves from contracts with TDCJ that are held by the University for the correctional health care services. Appropriations made to the TDCJ for the provision of inmate health care services shall be expended in accordance with Government Code, Chapter 501, Subchapter E.

**8. Support of Student and Resident Training Programs.** The University of Texas Medical Branch at Galveston may spend any revenue appropriated to the institution by this Act or from other available funds for the support and development of student and resident training programs in Austin, including the payment of compensation, travel costs, costs for leased premises, and other operating expenses.

**9. Estimated Appropriation and Unexpended Balance.** Included in the amounts appropriated above are: (1) estimated appropriations of amounts available for distribution or investment returns out of the Permanent Endowment Fund for The University of Texas Medical Branch at Galveston No. 814 and (2) estimated appropriations of the institution's estimated allocation of amounts available for distribution out of the Permanent Health Fund for Higher Education No. 810.

a. Amounts available for distribution or investment returns in excess of the amounts estimated above are also appropriated to the institution. In the event that amounts available for distribution or investment returns are less than the amounts estimated above, this Act may not be construed as appropriating funds to makeup the difference.

b. All balances of estimated appropriations from the Permanent Endowment Fund for The University of Texas Medical Branch at Galveston No. 814 and of the institution's allocation from the amounts available for distribution out of the Permanent Health Fund for Higher Education No. 810, except for any General Revenue, at the close of the fiscal year ending August 31, 2011, and the income to said fund during the fiscal years beginning September 1, 2011, are hereby appropriated. Any unexpended appropriations made above as of August 31, 2012, are hereby appropriated to the institution for the same purpose for fiscal year 2013.

**10. Regional Emergency Medical Dispatch Resource Center Pilot Program.** Out of funds appropriated above in Strategy E.1.3, East Texas Health Education Centers, $53,438 from the Commission on State Emergency Communications Account No. 5007 shall be allocated, in each fiscal year of the 2012-13 biennium, to support the regional emergency medical dispatch resource center pilot program to be carried out by the East Texas Area Health Education Center of The University of Texas Medical Branch at Galveston, which is also authorized to seek additional grant funding for the program.

**11. Health Care Services.** From funds appropriated above in Strategy D.1.1, Medical Branch Hospitals, The University of Texas Medical Branch at Galveston shall use at least $712,500 for the 2012-13 biennium to operate and provide uncompensated care at the Cervical Dysplasia and Cancer Stop Clinic in McAllen.

## THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 135,017,412 | $ 135,118,799 |
| GR Dedicated - Estimated Other Educational and General Income Account No. 770 | 17,711,217 | 17,771,955 |
| Other Funds | | |
| Health-Related Institutions Patient Income, estimated | 5,473,935 | 5,592,304 |
| Permanent Health Fund for Higher Education, No. 810, estimated | 2,139,910 | 2,139,910 |

| | | | | |
|---|---|---|---|---|
| Permanent Endowment Fund, UTHSC Houston, No. 815, estimated | | 1,385,000 | | 1,385,000 |
| Subtotal, Other Funds | $ | 8,998,845 | $ | 9,117,214 |
| **Total, Method of Financing** | $ | 161,727,474 | $ | 162,007,968 |
| **Items of Appropriation:** | | | | |
| 1. Educational and General State Support | $ | 161,727,474 | $ | 162,007,968 |
| **Grand Total,** THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON | $ | 161,727,474 | $ | 162,007,968 |
| **This bill pattern represents an estimated 19.5% of this agency's estimated total available funds for the biennium.** | | | | |
| **Number of Full-Time-Equivalents (FTE)- Appropriated Funds** | | 1,797.9 | | 1,797.9 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | | | |
|---|---|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | | | |
| Provide Instructional and Operations Support. | | | | |
| **A.1.1. Strategy:** MEDICAL EDUCATION | $ | 38,497,442 | $ | 38,500,819 |
| **A.1.2. Strategy:** DENTAL EDUCATION | $ | 15,820,600 | $ | 15,821,987 |
| **A.1.3. Strategy:** BIOMEDICAL SCIENCES TRAINING | $ | 6,095,202 | $ | 6,095,736 |
| Graduate Training in Biomedical Sciences. | | | | |
| **A.1.4. Strategy:** ALLIED HEALTH PROFESSIONS TRAINING | $ | 2,013,563 | $ | 2,013,740 |
| **A.1.5. Strategy:** NURSING EDUCATION | $ | 9,230,785 | $ | 9,231,595 |
| **A.1.6. Strategy:** GRADUATE TRAINING IN PUBLIC HEALTH | $ | 19,805,163 | $ | 19,806,900 |
| **A.1.7. Strategy:** GRADUATE MEDICAL EDUCATION | $ | 3,726,020 | $ | 3,726,020 |
| **A.2.1. Strategy:** STAFF GROUP INSURANCE PREMIUMS | $ | 3,482,769 | $ | 3,726,563 |
| **A.2.2. Strategy:** WORKERS' COMPENSATION INSURANCE | $ | 554,608 | $ | 554,608 |
| **A.2.3. Strategy:** UNEMPLOYMENT INSURANCE | $ | 54,072 | $ | 54,072 |
| **A.3.1. Strategy:** TEXAS PUBLIC EDUCATION GRANTS | $ | 1,557,406 | $ | 1,558,963 |
| **A.3.2. Strategy:** MEDICAL LOANS | $ | 151,018 | $ | 151,169 |
| **Total, Goal A:** INSTRUCTION/OPERATIONS | $ | 100,988,648 | $ | 101,242,172 |
| **B. Goal:** PROVIDE RESEARCH SUPPORT | | | | |
| **B.1.1. Strategy:** RESEARCH ENHANCEMENT | $ | 3,820,627 | $ | 3,820,627 |
| **C. Goal:** PROVIDE INFRASTRUCTURE SUPPORT | | | | |
| **C.1.1. Strategy:** E&G SPACE SUPPORT | $ | 16,855,035 | $ | 16,856,513 |
| **C.2.1. Strategy:** TUITION REVENUE BOND RETIREMENT | $ | 12,557,128 | $ | 12,559,883 |
| **Total, Goal C:** PROVIDE INFRASTRUCTURE SUPPORT | $ | 29,412,163 | $ | 29,416,396 |
| **D. Goal:** PROVIDE HEALTH CARE SUPPORT | | | | |
| **D.1.1. Strategy:** DENTAL CLINIC OPERATIONS | $ | 9,464,263 | $ | 9,487,000 |
| **E. Goal:** PROVIDE SPECIAL ITEM SUPPORT | | | | |
| **E.1.1. Strategy:** IMPROVING PUBLIC HEALTH IN TX COMM | $ | 3,500,000 | $ | 3,500,000 |
| Improving Public Health in Texas Communities. | | | | |
| **E.2.1. Strategy:** REGIONAL ACADEMIC HLTH CTR-PUBHLTH | $ | 534,375 | $ | 534,375 |
| Regional Academic Health Center - Public Health. | | | | |
| **E.3.1. Strategy:** HEART DISEASE/STROKE RESEARCH | $ | 3,918,750 | $ | 3,918,750 |
| Heart Disease and Stroke Research. | | | | |
| **E.3.2. Strategy:** BIOTECHNOLOGY PROGRAM | $ | 712,500 | $ | 712,500 |
| **E.3.3. Strategy:** WORLD'S GREATEST SCIENTIST | $ | 1,781,250 | $ | 1,781,250 |
| **E.4.1. Strategy:** HARRIS COUNTY HOSPITAL DISTRICT | $ | 3,097,716 | $ | 3,097,716 |

| | | |
|---|---|---|
| **E.4.2. Strategy:** SERVICE DELIVERY VALLEY/BORDER<br>Service Delivery in the Valley/Border Region. | $ 403,586 | $ 403,586 |
| **E.5.1. Strategy:** INSTITUTIONAL ENHANCEMENT | $ 568,686 | $ 568,686 |
| **Total, Goal E:** PROVIDE SPECIAL ITEM SUPPORT | $ 14,516,863 | $ 14,516,863 |
| **F. Goal:** TOBACCO FUNDS | | |
| **F.1.1. Strategy:** TOBACCO EARNINGS - UTHSC-HOUSTON<br>Tobacco Earnings for the UT Health Science Center at Houston. | $ 1,385,000 | $ 1,385,000 |
| **F.1.2. Strategy:** TOBACCO - PERMANENT HEALTH FUND<br>Tobacco Earnings from the Permanent Health Fund for Higher Ed. No. 810. | $ 2,139,910 | $ 2,139,910 |
| **Total, Goal F:** TOBACCO FUNDS | $ 3,524,910 | $ 3,524,910 |
| **Grand Total,** THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON | $ 161,727,474 | $ 162,007,968 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 67,899,022 | $ 76,253,337 |
| Other Personnel Costs | 869,499 | 84,062 |
| Faculty Salaries (Higher Education Only) | 41,408,904 | 44,938,311 |
| Professional Fees and Services | 550,431 | 212,739 |
| Consumable Supplies | 3,446,204 | 730,337 |
| Utilities | 10,492,439 | 9,379,215 |
| Travel | 348,078 | 84,336 |
| Rent - Building | 1,623,190 | 105,696 |
| Rent - Machine and Other | 286,957 | 0 |
| Debt Service | 12,557,128 | 12,559,883 |
| Other Operating Expense | 21,137,284 | 17,139,095 |
| Grants | 62,620 | 520,957 |
| Capital Expenditures | 1,045,718 | 0 |
| **Total, Object-of-Expense Informational Listing** | $ 161,727,474 | $ 162,007,968 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 7,840,477 | $ 8,132,591 |
| Group Insurance | 15,570,284 | 15,577,356 |
| Social Security | 8,021,093 | 8,301,831 |
| Subtotal, Employee Benefits | $ 31,431,854 | $ 32,011,778 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 31,431,854 | $ 32,011,778 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for The University of Texas Health Science Center at Houston. 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 University of Texas Health Science Center at Houston. In order to achieve the objectives and service standards established by this Act, The University of Texas Health Science Center at Houston shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Percent of Medical School Students Passing Part 1 or Part 2 of the National Licensing Exam on the First Attempt | 96% | 96% |
| Percent of Medical School Graduates Practicing Primary Care in Texas | 36% | 34% |
| Percent of Medical Residency Completers Practicing in Texas | 66% | 66% |

| | | |
|---|---|---|
| Percent of Dental School Graduates Admitted to an Advanced Education Program in General Dentistry | 18% | 18% |
| Percent of Dental School Students Passing Part 1 or Part 2 of the National Licensing Exam on the First Attempt | 96% | 96% |
| Percent of Dental School Graduates Who Are Licensed in Texas | 96% | 96% |
| Percent of Allied Health Graduates Passing the Certification/Licensure Exam on the First Attempt | 92% | 92% |
| Percent of Allied Health Graduates Who Are Licensed or Certified in Texas | 90% | 90% |
| Percent of Public Health School Graduates Who Are Employed in Texas | 74% | 74% |
| Percent of Bachelor of Science in Nursing Graduates Passing the National Licensing Exam on the First Attempt in Texas | 92% | 92% |
| Percent of Bachelor of Science in Nursing Graduates Who Are Licensed in Texas | 95% | 95% |
| Administrative (Institutional Support) Cost as a Percent of Total Expenditures | 7.9% | 7.85% |
| Percent of Medical School Graduates Practicing in Texas | 60% | 60% |
| **A.1.1. Strategy:** MEDICAL EDUCATION | | |
| **Explanatory:** | | |
| Minority Admissions as a Percent of Total First-year Admissions (All Schools) | 27.5% | 28% |
| Minority MD Admissions as a Percent of Total MD Admissions | 20% | 20% |
| Percent of Medical School Graduates Entering a Primary Care Residency | 37% | 37% |
| **A.1.2. Strategy:** DENTAL EDUCATION | | |
| **Explanatory:** | | |
| Minority Admissions as a Percent of Total Dental School Admissions | 18% | 18% |
| **A.1.5. Strategy:** NURSING EDUCATION | | |
| **Explanatory:** | | |
| Percent of Master of Science in Nursing Graduates Granted Advanced Practice Status in Texas | 98% | 98% |
| **A.1.7. Strategy:** GRADUATE MEDICAL EDUCATION | | |
| **Output (Volume):** | | |
| Total Number of MD or DO Residents | 890 | 900 |
| **Explanatory:** | | |
| Minority MD or DO Residents as a Percent of Total MD or DO Residents | 27% | 27% |
| **B. Goal:** PROVIDE RESEARCH SUPPORT | | |
| **Outcome (Results/Impact):** | | |
| Total External Research Expenditures | 187,250,000 | 189,257,850 |
| **D. Goal:** PROVIDE HEALTH CARE SUPPORT | | |
| **Outcome (Results/Impact):** | | |
| Total Uncompensated Care Provided in State-Owned Facilities | 1,146,243 | 1,180,623 |
| Total Net Patient Revenue in State-Owned Facilities | 7,174,072 | 5,488,165 |

3. **Texas Heart Institute.** Out of the funds appropriated above, The University of Texas Health Science Center at Houston shall allocate up to $894,133 in each year of the 2012-13 biennium to the Texas Heart Institute for gene therapy and up to $399,086 in each year of the 2012-13 biennium to the Texas Heart Institute for cardiovascular research.

4. **Estimated Appropriation and Unexpended Balance.** Included in the amounts appropriated above are: (1) estimated appropriations of amounts available for distribution or investment returns out of the Permanent Endowment Fund for The University of Texas Health Science Center at Houston No. 815 and (2) estimated appropriations of the institution's estimated allocation of amounts available for distribution out of the Permanent Health Fund for Higher Education No. 810.

   a. Amounts available for distribution or investment returns in excess of the amounts estimated above are also appropriated to the institution. In the event that amounts available for distribution or investment returns are less than the amounts estimated above, this Act may not be construed as appropriating funds to makeup the difference.

   b. All balances of estimated appropriations from the Permanent Endowment Fund for The University of Texas Health Science Center at Houston No. 815 and of the institution's allocation from the amounts available for distribution out of the Permanent Health Fund for

Higher Education No. 810, except for any General Revenue, at the close of the fiscal year ending August 31, 2011, and the income to said fund during the fiscal years beginning September 1, 2011, are hereby appropriated. Any unexpended appropriations made above as of August 31, 2012, are hereby appropriated to the institution for the same purposes for fiscal year 2013.

5. **Unexpended Balances Between Fiscal Years: Regional Academic Health Center - Public Health.** Any unexpended balances as of August 31, 2012, from the appropriations identified in Strategy E.2.1, Regional Academic Health Center-Public Health, are hereby appropriated to The University of Texas Health Science Center at Houston for the same purpose for the fiscal year beginning September 1, 2012.

## THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT SAN ANTONIO

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 121,878,453 | $ 121,918,354 |
| GR Dedicated - Estimated Other Educational and General Income Account No. 770 | 8,602,992 | 8,631,865 |
| Other Funds | | |
| Permanent Health Fund for Higher Education, No. 810, estimated | 2,149,647 | 1,949,647 |
| Permanent Endowment Fund, UTHSC San Antonio, No. 811, estimated | 22,080,000 | 11,080,000 |
| Health-Related Institutions Patient Income, estimated | 2,023,944 | 2,020,423 |
| Subtotal, Other Funds | $ 26,253,591 | $ 15,050,070 |
| **Total, Method of Financing** | $ 156,735,036 | $ 145,600,289 |
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 156,735,036 | $ 145,600,289 |
| **Grand Total,** THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT SAN ANTONIO | $ 156,735,036 | $ 145,600,289 |
| **This bill pattern represents an estimated 21.2% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE)- Appropriated Funds** | 2,450.0 | 2,450.0 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| Provide Instructional and Operations Support. | | |
| **A.1.1. Strategy:** MEDICAL EDUCATION | $ 37,373,105 | $ 37,372,072 |
| **A.1.2. Strategy:** DENTAL EDUCATION | $ 19,504,416 | $ 19,503,877 |
| **A.1.3. Strategy:** BIOMEDICAL SCIENCES TRAINING | $ 3,383,779 | $ 3,383,685 |
| Graduate Training in Biomedical Sciences. | | |
| **A.1.4. Strategy:** ALLIED HEALTH PROFESSIONS TRAINING | $ 7,767,615 | $ 7,767,400 |
| **A.1.5. Strategy:** NURSING EDUCATION | $ 7,139,845 | $ 7,139,648 |
| **A.1.6. Strategy:** GRADUATE MEDICAL EDUCATION | $ 3,131,631 | $ 3,131,631 |
| **A.2.1. Strategy:** STAFF GROUP INSURANCE PREMIUMS | $ 1,222,559 | $ 1,308,139 |
| **A.2.2. Strategy:** WORKERS' COMPENSATION INSURANCE | $ 324,680 | $ 324,680 |
| **A.2.3. Strategy:** UNEMPLOYMENT INSURANCE | $ 147,824 | $ 147,824 |
| **A.3.1. Strategy:** TEXAS PUBLIC EDUCATION GRANTS | $ 1,500,000 | $ 1,500,000 |

| | | |
|---|---|---|
| **A.3.2. Strategy:** MEDICAL LOANS | $ 175,000 | $ 175,000 |
| **Total, Goal A:** INSTRUCTION/OPERATIONS | $ 81,670,454 | $ 81,753,956 |
| **B. Goal:** PROVIDE RESEARCH SUPPORT | | |
| **B.1.1. Strategy:** RESEARCH ENHANCEMENT | $ 3,265,099 | $ 3,265,099 |
| **C. Goal:** PROVIDE INFRASTRUCTURE SUPPORT | | |
| **C.1.1. Strategy:** E&G SPACE SUPPORT | $ 15,304,858 | $ 15,304,435 |
| **C.2.1. Strategy:** TUITION REVENUE BOND RETIREMENT | $ 9,713,206 | $ 9,708,639 |
| **Total, Goal C:** PROVIDE INFRASTRUCTURE SUPPORT | $ 25,018,064 | $ 25,013,074 |
| **D. Goal:** PROVIDE HEALTH CARE SUPPORT | | |
| **D.1.1. Strategy:** DENTAL CLINIC OPERATIONS | $ 3,118,565 | $ 3,105,306 |
| **E. Goal:** PROVIDE SPECIAL ITEM SUPPORT | | |
| **E.1.1. Strategy:** REGIONAL ACADEMIC HEALTH CENTER | $ 8,580,218 | $ 8,580,218 |
| **E.1.2. Strategy:** REGIONAL CAMPUS - LAREDO | $ 3,598,289 | $ 3,598,289 |
| **E.1.3. Strategy:** OUTREACH SUPPORT-SOUTH TX PROGRAMS<br>Institutional Support for South Texas Programs. | $ 1,246,875 | $ 1,246,875 |
| **E.2.1. Strategy:** FAMILY PRACTICE RESIDENCY TRAINING<br>Family Practice Residency Training Program. | $ 402,689 | $ 402,689 |
| **E.2.2. Strategy:** PODIATRY RESIDENCY TRAINING<br>Podiatry Residency Training Program. | $ 126,307 | $ 126,307 |
| **E.3.1. Strategy:** MYCOBACTERIAL-MYCOLOGY RESEARCH LAB | $ 136,805 | $ 136,805 |
| **E.4.1. Strategy:** INSTITUTIONAL ENHANCEMENT | $ 5,342,024 | $ 5,342,024 |
| **Total, Goal E:** PROVIDE SPECIAL ITEM SUPPORT | $ 19,433,207 | $ 19,433,207 |
| **F. Goal:** TOBACCO FUNDS | | |
| **F.1.1. Strategy:** TOBACCO EARNINGS - UTHSC SA<br>Tobacco Earnings for the UT Health Science Center at San Antonio. | $ 22,080,000 | $ 11,080,000 |
| **F.1.2. Strategy:** TOBACCO - PERMANENT HEALTH FUND<br>Tobacco Earnings from the Permanent Health Fund for Higher Ed. No. 810. | $ 2,149,647 | $ 1,949,647 |
| **Total, Goal F:** TOBACCO FUNDS | $ 24,229,647 | $ 13,029,647 |
| **Grand Total,** THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT SAN ANTONIO | $ 156,735,036 | $ 145,600,289 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 53,120,231 | $ 52,008,677 |
| Other Personnel Costs | 8,406,858 | 7,079,216 |
| Faculty Salaries (Higher Education Only) | 61,553,746 | 56,760,922 |
| Utilities | 1,752,277 | 116,402 |
| Travel | 301,429 | 301,797 |
| Debt Service | 16,758,290 | 13,119,596 |
| Other Operating Expense | 14,598,996 | 15,953,247 |
| Client Services | 101,521 | 112,309 |
| Grants | 3,131 | 3,088 |
| Capital Expenditures | 138,557 | 145,035 |
| **Total, Object-of-Expense Informational Listing** | $ 156,735,036 | $ 145,600,289 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 7,257,819 | $ 7,528,225 |
| Group Insurance | 15,129,847 | 15,129,847 |

| | | |
|---|---|---|
| Social Security | 8,092,913 | 8,376,165 |
| Subtotal, Employee Benefits | $ 30,480,579 | $ 31,034,237 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 30,480,579 | $ 31,034,237 |

**2. Performance Measure Targets.** The following is a listing of the key performance target levels for The University of Texas Health Science Center at San Antonio. 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 University of Texas Health Science Center at San Antonio. In order to achieve the objectives and service standards established by this Act, The University of Texas Health Science Center at San Antonio shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Percent of Medical School Students Passing Part 1 or Part 2 of the National Licensing Exam on the First Attempt | 92% | 92% |
| Percent of Medical School Graduates Practicing Primary Care in Texas | 25% | 25% |
| Percent of Medical Residency Completers Practicing in Texas | 47.2% | 47.2% |
| Percent of Dental School Graduates Admitted to an Advanced Education Program in General Dentistry | 24% | 24% |
| Percent of Dental School Students Passing Part 1 or Part 2 of the National Licensing Exam on the First Attempt | 94% | 94% |
| Percent of Dental School Graduates Who Are Licensed in Texas | 78% | 78% |
| Percent of Allied Health Graduates Passing the Certification/Licensure Exam on the First Attempt | 90% | 90% |
| Percent of Allied Health Graduates Who Are Licensed or Certified in Texas | 90% | 90% |
| Percent of Bachelor of Science in Nursing Graduates Passing the National Licensing Exam on the First Attempt in Texas | 90% | 90% |
| Percent of Bachelor of Science in Nursing Graduates Who Are Licensed in Texas | 85% | 85% |
| Administrative (Institutional Support) Cost as a Percent of Total Expenditures | 6% | 6% |
| Percent of Medical School Graduates Practicing in Texas | 60% | 60% |
| **A.1.1. Strategy:** MEDICAL EDUCATION | | |
| **Explanatory:** | | |
| Minority Admissions as a Percent of Total First-year Admissions (All Schools) | 32.58% | 32.58% |
| Minority MD Admissions as a Percent of Total MD Admissions | 26.58% | 26.58% |
| Percent of Medical School Graduates Entering a Primary Care Residency | 40% | 40% |
| **A.1.2. Strategy:** DENTAL EDUCATION | | |
| **Explanatory:** | | |
| Minority Admissions as a Percent of Total Dental School Admissions | 22.22% | 22.22% |
| **A.1.5. Strategy:** NURSING EDUCATION | | |
| **Explanatory:** | | |
| Percent of Master of Science in Nursing Graduates Granted Advanced Practice Status in Texas | 100% | 100% |
| **A.1.6. Strategy:** GRADUATE MEDICAL EDUCATION | | |
| **Output (Volume):** | | |
| Total Number of MD or DO Residents | 700 | 700 |
| **Explanatory:** | | |
| Minority MD or DO Residents as a Percent of Total MD or DO Residents | 23.7% | 23.7% |
| **B. Goal:** PROVIDE RESEARCH SUPPORT | | |
| **Outcome (Results/Impact):** | | |
| Total External Research Expenditures | 185,005,464 | 186,016,423 |

| | | |
|---|---|---|
| **D. Goal:** PROVIDE HEALTH CARE SUPPORT | | |
| **Outcome (Results/Impact):** | | |
| Total Uncompensated Care Provided in State-owned Facilities | 87,538 | 90,165 |
| Total Net Patient Revenue in State-owned Facilities | 2,552,936 | 2,629,524 |

3. **Unexpended Balances Between Fiscal Years: Regional Academic Health Center (RAHC).** Any unexpended balances as of August 31, 2012, from the appropriations identified in Strategy E.1.1, Regional Academic Health Center, are hereby appropriated to The University of Texas Health Science Center at San Antonio for the same purpose for the fiscal year beginning September 1, 2012.

4. **Unexpended Balances Between Fiscal Years: Regional Campus - Laredo.** Any unexpended balances as of August 31, 2012, from the appropriations identified in Strategy E.1.2, Regional Campus - Laredo, are hereby appropriated to The University of Texas Health Science Center at San Antonio for the same purpose for the fiscal year beginning September 1, 2012.

5. **Estimated Appropriation and Unexpended Balance.** Included in the amounts appropriated above are: (1) estimated appropriations of amounts available for distribution or investment returns out of the Permanent Endowment Fund for The University of Texas Health Science Center at San Antonio No. 811 and (2) estimated appropriations of the institution's estimated allocation of amounts available for distribution out of the Permanent Health Fund for High Education No. 810.

   a. Amounts for distribution or investment returns in excess of the amounts estimated above are also appropriated to the institution. In the event that amounts available for distribution or investment returns are less than the amounts estimated above, this Act may not be construed as appropriating funds to makeup the difference.

   b. All balances of estimated appropriations from the Permanent Endowment Fund for The University of Texas Health Science Center at San Antonio No. 811 and of the institution's allocation from the amounts available for distribution out of the Permanent Health Fund for Higher Education No. 810, except for any General Revenue, at the close of the fiscal year ending August 31, 2011, and the income to said fund during the fiscal years beginning September 1, 2011, are hereby appropriated. Any unexpended appropriations made above as of August 31, 2012, are hereby appropriated to the institution for the same purposes for fiscal year 2013.

6. **Regional Campus - Laredo.** Included in the amounts appropriated above in Strategy E.1.2, Regional Campus - Laredo, $1,068,750 in fiscal year 2012 and $1,068,750 in fiscal year 2013 in General Revenue is to fund the Regional Campus - Laredo to provide for faculty, staff, dental and other educational programs, joint degrees, facilities, and student support services.

## THE UNIVERSITY OF TEXAS M.D. ANDERSON CANCER CENTER

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 140,570,741 | $ 140,480,437 |
| GR Dedicated - Estimated Other Educational and General Income Account No. 770 | 26,454,044 | 29,022,141 |
| Other Funds | | |
| Permanent Health Fund for Higher Education, No. 810, estimated | 2,476,032 | 2,541,044 |
| Permanent Endowment Fund, UT MD Anderson Cancer Center, No. 812, estimated | 5,727,633 | 5,950,000 |
| Health-Related Institutions Patient Income, estimated | 2,289,171,334 | 2,383,662,560 |
| Subtotal, Other Funds | $ 2,297,374,999 | $ 2,392,153,604 |
| **Total, Method of Financing** | $ 2,464,399,784 | $ 2,561,656,182 |

| | | |
|---|---|---|
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 2,464,399,784 | $ 2,561,656,182 |
| **Grand Total,** THE UNIVERSITY OF TEXAS M.D. ANDERSON CANCER CENTER | $ 2,464,399,784 | $ 2,561,656,182 |

**This bill pattern represents an estimated 73.5% of this agency's estimated total available funds for the biennium.**

| | | |
|---|---|---|
| **Number of Full-Time-Equivalents (FTE)- Appropriated Funds** | 12,565.1 | 12,565.1 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| Provide Instructional and Operations Support. | | |
| **A.1.1. Strategy:** ALLIED HEALTH PROFESSIONS TRAINING | $ 22,021,786 | $ 22,799,184 |
| **A.1.2. Strategy:** GRADUATE MEDICAL EDUCATION | $ 545,596 | $ 545,596 |
| **A.2.1. Strategy:** CANCER CENTER OPERATIONS | $ 100,632,219 | $ 100,634,528 |
| **A.3.1. Strategy:** STAFF GROUP INSURANCE PREMIUMS | $ 88,476,235 | $ 94,669,572 |
| **A.3.2. Strategy:** WORKERS' COMPENSATION INSURANCE | $ 596,721 | $ 667,140 |
| **A.3.3. Strategy:** UNEMPLOYMENT INSURANCE | $ 468,606 | $ 434,135 |
| **A.4.1. Strategy:** TEXAS PUBLIC EDUCATION GRANTS | $ 109,051 | $ 115,561 |
| **Total, Goal A:** INSTRUCTION/OPERATIONS | $ 212,850,214 | $ 219,865,716 |
| **B. Goal:** PROVIDE RESEARCH SUPPORT | | |
| **B.1.1. Strategy:** RESEARCH ENHANCEMENT | $ 6,883,759 | $ 6,883,759 |
| **B.1.2. Strategy:** SCIENCE PARK OPERATIONS | $ 4,503,689 | $ 4,503,688 |
| **Total, Goal B:** PROVIDE RESEARCH SUPPORT | $ 11,387,448 | $ 11,387,447 |
| **C. Goal:** PROVIDE INFRASTRUCTURE SUPPORT | | |
| **C.1.1. Strategy:** E&G SPACE SUPPORT | $ 181,473,174 | $ 187,879,419 |
| **C.2.1. Strategy:** TUITION REVENUE BOND RETIREMENT | $ 5,916,588 | $ 5,915,150 |
| **C.2.2. Strategy:** LONG-TERM CAPITAL PROGRAM | $ 410,000,000 | $ 413,000,000 |
| **C.2.3. Strategy:** LONG-TERM CAPITAL EQUIPMENT | $ 76,000,000 | $ 78,000,000 |
| **Total, Goal C:** PROVIDE INFRASTRUCTURE SUPPORT | $ 673,389,762 | $ 684,794,569 |
| **D. Goal:** PROVIDE HEALTH CARE SUPPORT | | |
| **D.1.1. Strategy:** PATIENT CARE ACTIVITIES | $ 1,555,521,207 | $ 1,634,069,918 |
| **E. Goal:** PROVIDE SPECIAL ITEM SUPPORT | | |
| **E.1.1. Strategy:** RESEARCH SUPPORT | $ 1,086,428 | $ 1,086,428 |
| **E.1.2. Strategy:** BREAST CANCER RESEARCH PROGRAM | $ 1,500,000 | $ 1,500,000 |
| **E.2.1. Strategy:** INSTITUTIONAL ENHANCEMENT | $ 461,060 | $ 461,060 |
| **Total, Goal E:** PROVIDE SPECIAL ITEM SUPPORT | $ 3,047,488 | $ 3,047,488 |
| **F. Goal:** TOBACCO FUNDS | | |
| **F.1.1. Strategy:** TOBACCO EARNINGS - UT MD ANDERSON | $ 5,727,633 | $ 5,950,000 & UB |
| Tobacco Earnings for the University of Texas MD Anderson Cancer Center. | | |
| **F.1.2. Strategy:** TOBACCO - PERMANENT HEALTH FUND | $ 2,476,032 | $ 2,541,044 & UB |
| Tobacco Earnings from the Permanent Health Fund for Higher Ed. No. 810. | | |
| **Total, Goal F:** TOBACCO FUNDS | $ 8,203,665 | $ 8,491,044 |
| **Grand Total,** THE UNIVERSITY OF TEXAS M.D. ANDERSON CANCER CENTER | $ 2,464,399,784 | $ 2,561,656,182 |

| | | |
|---|---|---|
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 931,093,837 | $ 1,000,541,061 |
| Other Personnel Costs | 18,484,802 | 19,948,458 |
| Faculty Salaries (Higher Education Only) | 177,631,641 | 202,836,972 |
| Professional Fees and Services | 65,719,477 | 69,065,649 |
| Consumable Supplies | 456,961,183 | 444,230,490 |
| Utilities | 32,501,603 | 33,211,487 |
| Travel | 4,411,165 | 4,366,425 |
| Debt Service | 120,214,644 | 102,295,603 |
| Other Operating Expense | 262,384,693 | 267,254,516 |
| Grants | 1,034,945 | 712,107 |
| Capital Expenditures | 393,961,794 | 417,193,414 |
| **Total, Object-of-Expense Informational Listing** | $ 2,464,399,784 | $ 2,561,656,182 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 43,602,602 | $ 45,227,113 |
| Group Insurance | 6,413,595 | 6,413,595 |
| Social Security | 5,006,014 | 5,181,225 |
| Subtotal, Employee Benefits | $ 55,022,211 | $ 56,821,933 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 55,022,211 | $ 56,821,933 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for The University of Texas M.D. Anderson Cancer Center. 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 University of Texas M.D. Anderson Cancer Center. In order to achieve the objectives and service standards established by this Act, The University of Texas M.D. Anderson Cancer Center shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Percent of Allied Health Graduates Passing the Certification/Licensure Exam on the First Attempt | 94% | 94% |
| Percent of Allied Health Graduates Who Are Licensed or Certified in Texas | 86% | 86% |
| **A.1.1. Strategy:** ALLIED HEALTH PROFESSIONS TRAINING | | |
| **Explanatory:** | | |
| Minority Admissions As a Percent of Total First-Year Admissions (All Schools) | 32% | 32% |
| **A.1.2. Strategy:** GRADUATE MEDICAL EDUCATION | | |
| **Output (Volume):** | | |
| Total Number of MD or DO Residents | 139 | 144 |
| **Explanatory:** | | |
| Minority MD or DO Residents as a Percent of Total MD or DO Residents | 7.91% | 7.64% |
| **B. Goal:** PROVIDE RESEARCH SUPPORT | | |
| **Outcome (Results/Impact):** | | |
| Total External Research Expenditures | 407,201,892 | 444,595,877 |
| **D. Goal:** PROVIDE HEALTH CARE SUPPORT | | |
| **Outcome (Results/Impact):** | | |
| Percent of Medical Residency Completers Practicing in Texas | 40% | 40% |
| Total Uncompensated Care Provided by Faculty | 73,548,714 | 78,273,499 |
| Total Uncompensated Care Provided in State-owned Facilities | 184,691,998 | 199,179,707 |
| Administrative (Institutional Support) Cost as a Percent of Total Expenditures | 7.5% | 7.5% |
| **D.1.1. Strategy:** PATIENT CARE ACTIVITIES | | |
| **Output (Volume):** | | |
| Total Number of Outpatient Visits | 1,199,795 | 1,259,784 |
| Total Number of Inpatient Days | 187,029 | 192,640 |

3. **Special Project Funding.** Notwithstanding other provisions of this article, the Board of Regents of The University of Texas System is hereby authorized, subject to approval by the Texas Higher Education Coordinating Board: (1) to expend such amounts of its Permanent University Fund No. 45 bond proceeds and/or other bond proceeds and such amounts of its other available moneys as may be necessary to fund the following project either in whole or in part; (2) to accept gifts, grants, and matching grants to fund such project either in whole or in part; and (3) to acquire, construct, alter, add to, repair, rehabilitate, equip and/or furnish such project for The University of Texas M. D. Anderson Cancer Center: (a) research facilities and (b) administrative support facilities and related parking facilities.

4. **Transfers of Appropriations - State Owned Hospitals.** The University of Texas M. D. Anderson Cancer Center shall transfer from non-Medicaid state appropriated funds of $53,171,605 in fiscal year 2012 and $53,171,605 in fiscal year 2013 to the Health and Human Services Commission. The timing and form of such transfers shall be determined by the Comptroller of Public Accounts in consultation with the Health and Human Services Commission. The Legislative Budget Board is authorized to adjust the amounts of such transfers as necessary to match available federal funds. The transfers, however, shall be made not less frequently than monthly.

5. **Estimated Appropriation and Unexpended Balance.**

   Included in the amounts appropriated above are: (1) estimated appropriations of amounts available for distribution or investment returns out of the Permanent Endowment Fund for The University of Texas M.D. Anderson Cancer Center No. 812 and (2) estimated appropriations of the institution's estimated allocation of amounts available for distribution out of the Permanent Health Fund for Higher Education No. 810.

   a. Amounts available for distribution or investment returns in excess of the amounts estimated above are also appropriated to the institution. In the event that amounts available for distribution or investment returns are less than the amounts estimated above, this Act may not be construed as appropriating funds to makeup the difference.

   b. All balances of estimated appropriations from the Permanent Endowment Fund for The University of Texas M.D. Anderson Cancer Center No. 812 and of the institution's allocation from the amounts available for distribution out of the Permanent Health Fund for Higher Education No. 810, except for any General Revenue, at the close of the fiscal year ending August 31, 2011, and the income to said fund during the fiscal years beginning September 1, 2011, are hereby appropriated. Any unexpended appropriations made above as of August 31, 2012, are hereby appropriated to the institution for the same purposes for fiscal year 2013.

6. **Best Business Practices.** It is the intent of the Legislature that The University of Texas M.D. Anderson Cancer Center shall adopt appropriate measures to initiate the most cost-effective practices when delivering unreimbursed services to financially and medically indigent Texans. The intent of these practices is to allow for funds to be used in a manner, which would allow for greater benefits for the patients, the state, and the institution.

7. **Animal Facilities and Programs.** The animal facilities and programs of the Department of Veterinary Sciences at The University of Texas M. D. Anderson Cancer Center (UTMDACC) - Bastrop shall be regulated and inspected by the United States Department of Agriculture, Animal and Plant Health Inspection Services, pursuant to the Federal Animal Welfare Act. The UTMDACC - Bastrop Department of Veterinary Sciences shall comply with the regulations and is under the oversight of the United States Public Health Service/National Institutes of Health Office of Laboratory Animal Welfare. The UTMDACC - Bastrop Department of Veterinary Sciences shall be independently accredited for animal care programs and facilities by the Council on Accreditation of the Association for Assessment and Accreditation of Laboratory Animal Care (AAALAC International). The department shall be accredited by this body. It shall also be inspected regularly and its programs reviewed biannually by the UTMDACC Institutional Animal Care and Use Committee.

8. **Rare and Aggressive Breast Cancer Research Program.** Of the amounts appropriated above in Strategy E.1.2, Breast Cancer Research Program, $1,500,000 in fiscal year 2012 and $1,500,000 in fiscal year 2013 in General Revenue is for the rare and aggressive breast cancer research program. Its efforts will contribute to improving the diagnostics in patients with breast cancer.

## THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT TYLER

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 31,552,604 | $ 31,551,567 |
| GR Dedicated - Estimated Other Educational and General Income Account No. 770 | 284,200 | 285,000 |
| Other Funds | | |
| Permanent Health Fund for Higher Education, No. 810, estimated | 1,403,874 | 1,403,874 |
| Permanent Endowment Fund, UT HSC Tyler, No. 816, estimated | 1,385,000 | 1,385,000 |
| Health-Related Institutions Patient Income, estimated | 46,784,549 | 51,214,793 |
| Subtotal, Other Funds | $ 49,573,423 | $ 54,003,667 |
| **Total, Method of Financing** | $ 81,410,227 | $ 85,840,234 |
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 81,410,227 | $ 85,840,234 |
| **Grand Total,** THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT TYLER | $ 81,410,227 | $ 85,840,234 |
| **This bill pattern represents an estimated 71.8% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE)- Appropriated Funds** | 619.2 | 619.2 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | |
|---|---|---|
| **A. Goal:** PROVIDE INSTRUCTION/OPERATIONS | | |
| Provide Instructional and Operations Support. | | |
| **A.1.1. Strategy:** GRADUATE MEDICAL EDUCATION | $ 124,201 | $ 124,201 |
| **A.1.2. Strategy:** CHEST DISEASE CENTER OPERATIONS | $ 22,346,687 | $ 22,346,687 |
| **A.2.1. Strategy:** STAFF GROUP INSURANCE PREMIUMS | $ 4,148,557 | $ 4,438,956 |
| **A.2.2. Strategy:** WORKERS' COMPENSATION INSURANCE | $ 35,075 | $ 32,331 |
| **A.2.3. Strategy:** UNEMPLOYMENT INSURANCE | $ 92,890 | $ 92,876 |
| **Total, Goal A:** PROVIDE INSTRUCTION/OPERATIONS | $ 26,747,410 | $ 27,035,051 |
| **B. Goal:** PROVIDE RESEARCH SUPPORT | | |
| **B.1.1. Strategy:** RESEARCH ENHANCEMENT | $ 1,556,305 | $ 1,556,305 |
| **C. Goal:** INFRASTRUCTURE SUPPORT | | |
| Provide Infrastructure Support. | | |
| **C.1.1. Strategy:** E&G SPACE SUPPORT | $ 1,660,922 | $ 1,724,619 |
| **C.2.1. Strategy:** TUITION REVENUE BOND RETIREMENT | $ 2,577,756 | $ 2,576,719 |
| **Total, Goal C:** INFRASTRUCTURE SUPPORT | $ 4,238,678 | $ 4,301,338 |
| **D. Goal:** PROVIDE HEALTH CARE SUPPORT | | |
| **D.1.1. Strategy:** PATIENT CARE ACTIVITIES | $ 41,009,073 | $ 44,147,829 |

| | | | | |
|---|---|---|---|---|
| **E. Goal:** PROVIDE SPECIAL ITEM SUPPORT | | | | |
| **E.1.1. Strategy:** NORTHEAST TEXAS INITIATIVE | $ | 1,292,478 | $ | 1,292,478 |
| **E.2.1. Strategy:** FAMILY PRACTICE RESIDENCY TRAINING | $ | 2,029,234 | $ | 2,970,184 |
| Family Practice Residency Training Program. | | | | |
| **E.3.1. Strategy:** SUPPORT FOR INDIGENT CARE | $ | 984,375 | $ | 984,375 |
| **E.4.1. Strategy:** INSTITUTIONAL ENHANCEMENT | $ | 763,800 | $ | 763,800 |
| **Total, Goal E:** PROVIDE SPECIAL ITEM SUPPORT | $ | 5,069,887 | $ | 6,010,837 |
| **F. Goal:** TOBACCO FUNDS | | | | |
| **F.1.1. Strategy:** TOBACCO EARNINGS - UT HSC AT TYLER | $ | 1,385,000 | $ | 1,385,000 |
| Tobacco Earnings for University of Texas Health Science Center/Tyler. | | | | |
| **F.1.2. Strategy:** TOBACCO - PERMANENT HEALTH FUND | $ | 1,403,874 | $ | 1,403,874 |
| Tobacco Earnings from the Permanent Health Fund for Higher Ed. No. 810. | | | | |
| **Total, Goal F:** TOBACCO FUNDS | $ | 2,788,874 | $ | 2,788,874 |
| **Grand Total,** THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT TYLER | $ | 81,410,227 | $ | 85,840,234 |
| **Object-of-Expense Informational Listing:** | | | | |
| Salaries and Wages | $ | 31,537,400 | $ | 36,143,956 |
| Other Personnel Costs | | 6,511,843 | | 7,354,123 |
| Faculty Salaries (Higher Education Only) | | 10,113,435 | | 10,849,059 |
| Professional Fees and Services | | 5,105,157 | | 4,897,550 |
| Fuels and Lubricants | | 8,660 | | 11,497 |
| Consumable Supplies | | 472,458 | | 596,930 |
| Utilities | | 1,055,258 | | 1,174,583 |
| Travel | | 98,999 | | 158,473 |
| Rent - Building | | 137,524 | | 149,844 |
| Rent - Machine and Other | | 593,172 | | 611,916 |
| Debt Service | | 2,577,756 | | 2,576,719 |
| Other Operating Expense | | 22,767,685 | | 20,792,466 |
| Grants | | 135,955 | | 124,746 |
| Capital Expenditures | | 294,925 | | 398,372 |
| **Total, Object-of-Expense Informational Listing** | $ | 81,410,227 | $ | 85,840,234 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | | | |
| Employee Benefits | | | | |
| Retirement | $ | 2,263,613 | $ | 2,347,949 |
| Group Insurance | | 2,757,241 | | 2,757,627 |
| Social Security | | 1,700,040 | | 1,759,542 |
| Subtotal, Employee Benefits | $ | 6,720,894 | $ | 6,865,118 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ | 6,720,894 | $ | 6,865,118 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for The University of Texas Health Science Center at Tyler. 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 University of Texas Health Science Center at Tyler. In order to achieve the objectives and service standards established by this Act, The University of Texas Health Science Center at Tyler shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** PROVIDE INSTRUCTION/OPERATIONS | | |
| **A.1.1. Strategy:** GRADUATE MEDICAL EDUCATION | | |
| **Output (Volume):** | | |
| Total Number of MD or DO Residents | 27 | 27 |

| | | |
|---|---|---|
| **Explanatory:** | | |
| Minority MD or DO Residents as a Percent of Total MD or DO Residents | 7.14% | 7.14% |
| **B. Goal:** PROVIDE RESEARCH SUPPORT | | |
| **Outcome (Results/Impact):** | | |
| Total External Research Expenditures | 11,400,504 | 12,426,549 |
| **D. Goal:** PROVIDE HEALTH CARE SUPPORT | | |
| **Outcome (Results/Impact):** | | |
| Percent of Medical Residency Completers Practicing in Texas | 83.33% | 83.33% |
| Total Uncompensated Care Provided by Faculty | 3,029,549 | 2,938,662 |
| Total Uncompensated Care Provided in State-owned Facilities | 14,012,869 | 13,592,483 |
| Administrative (Institutional Support) Cost as a Percent of Total Expenditures | 6.5% | 6.5% |
| **D.1.1. Strategy:** PATIENT CARE ACTIVITIES | | |
| **Output (Volume):** | | |
| Total Number of Outpatient Visits | 76,943 | 76,943 |
| Total Number of Inpatient Days | 10,801 | 10,801 |

3. **Rates, Donations and Gifts.** The Board of Regents of The University of Texas System shall fix reasonable rates to be charged and collected from paying patients of the center, and may make and enter into contracts for the hospitalization of the indigent sick and accept donations and gifts for the support and maintenance of the center; provided, however, that this provision should not be construed so as to authorize, without prior and specific approval of the Legislature, acceptance of real property which would require an appropriation by the Legislature for maintenance, repair, or construction of buildings.

4. **Transfers of Appropriations - State Owned Hospitals.** The University of Texas Health Science Center at Tyler shall transfer from non-Medicaid state appropriated funds of $9,271,876 in fiscal year 2012 and $9,271,876 in fiscal year 2013 to the Health and Human Services Commission. The timing and form of such transfers shall be determined by the Comptroller of Public Accounts in consultation with the Health and Human Services Commission. The Legislative Budget Board is authorized to adjust the amounts of such transfers as necessary to match available federal funds.

5. **Estimated Appropriation and Unexpended Balance.** Included in the amounts appropriated above are: (1) estimated appropriations of amounts available for distribution or investment returns out of the Permanent Endowment Fund for The University of Texas Health Science Center at Tyler No. 816 and (2) estimated appropriations of the institution's estimated allocation of amounts available for distribution out of the Permanent Health Fund for Higher Education No. 810.

   a. Amounts available for distribution or investment returns in excess of the amounts estimated above are also appropriated to the institution. In the event that amounts available for distribution or investment returns are less than the amounts estimated above, this Act may not be construed as appropriating funds to makeup the difference.

   b. All balances of estimated appropriations from the Permanent Endowment Fund for The University of Texas Health Science Center at Tyler No. 816 and of the institution's allocation from the amounts available for distribution out of the Permanent Health Fund for Higher Education No. 810, except for any General Revenue, at the close of the fiscal year ending August 31, 2011, and the income to said fund during the fiscal years beginning September 1, 2011, are hereby appropriated. Any unexpended appropriations made above as of August 31, 2012, are hereby appropriated to the institution for the same purposes for fiscal year 2013.

## TEXAS A&M UNIVERSITY SYSTEM HEALTH SCIENCE CENTER

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 90,698,527 | $ 90,664,001 |
| GR Dedicated - Estimated Other Educational and General Income Account No. 770 | 12,386,274 | 12,522,135 |

| | | | | |
|---|---|---|---|---|
| Other Funds | | | | |
| Permanent Health Fund for Higher Education, No. 810, estimated | | 1,184,951 | | 3,976,957 |
| Permanent Endowment Fund, Texas A&M University HSC, No. 818, estimated | | 1,125,000 | | 1,495,525 |
| Health-Related Institutions Patient Income, estimated | | 7,176,384 | | 7,164,150 |
| Subtotal, Other Funds | $ | 9,486,335 | $ | 12,636,632 |
| **Total, Method of Financing** | $ | 112,571,136 | $ | 115,822,768 |
| **Items of Appropriation:** | | | | |
| 1. Educational and General State Support | $ | 112,571,136 | $ | 115,822,768 |
| **Grand Total,** TEXAS A&M UNIVERSITY SYSTEM HEALTH SCIENCE CENTER | $ | 112,571,136 | $ | 115,822,768 |

**This bill pattern represents an estimated 68.1% of this agency's estimated total available funds for the biennium.**

| | | | | |
|---|---|---|---|---|
| **Number of Full-Time-Equivalents (FTE)- Appropriated Funds** | | 1,090.6 | | 1,090.6 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | | | |
|---|---|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | | | |
| Provide Instructional and Operations Support. | | | | |
| **A.1.1. Strategy:** MEDICAL EDUCATION | $ | 22,710,535 | $ | 22,711,428 |
| **A.1.2. Strategy:** DENTAL EDUCATION | $ | 19,276,799 | $ | 19,277,557 |
| **A.1.3. Strategy:** DENTAL HYGIENE EDUCATION | $ | 540,395 | $ | 540,416 |
| **A.1.4. Strategy:** BIOMEDICAL SCIENCES TRAINING | $ | 2,748,563 | $ | 2,748,671 |
| Graduate Training in Biomedical Sciences. | | | | |
| **A.1.5. Strategy:** NURSING EDUCATION | $ | 1,494,841 | $ | 1,494,900 |
| **A.1.6. Strategy:** RURAL PUBLIC HEALTH TRAINING | $ | 3,898,993 | $ | 3,899,146 |
| Graduate Training in Rural Public Health. | | | | |
| **A.1.7. Strategy:** PHARMACY EDUCATION | $ | 7,024,725 | $ | 7,025,001 |
| **A.1.8. Strategy:** GRADUATE MEDICAL EDUCATION | $ | 2,408,606 | $ | 2,408,606 |
| **A.2.1. Strategy:** STAFF GROUP INSURANCE PREMIUMS | $ | 839,028 | $ | 897,760 |
| **A.2.2. Strategy:** WORKERS' COMPENSATION INSURANCE | $ | 94,175 | $ | 94,266 |
| **A.2.3. Strategy:** UNEMPLOYMENT INSURANCE | $ | 48,418 | $ | 48,497 |
| **A.3.1. Strategy:** TEXAS PUBLIC EDUCATION GRANTS | $ | 1,142,281 | $ | 1,156,180 |
| **A.3.2. Strategy:** MEDICAL LOANS | $ | 110,686 | $ | 112,032 |
| **Total, Goal A:** INSTRUCTION/OPERATIONS | $ | 62,338,045 | $ | 62,414,460 |
| **B. Goal:** PROVIDE RESEARCH SUPPORT | | | | |
| **B.1.1. Strategy:** RESEARCH ENHANCEMENT | $ | 2,194,339 | $ | 2,194,339 |
| **C. Goal:** PROVIDE INFRASTRUCTURE SUPPORT | | | | |
| **C.1.1. Strategy:** E&G SPACE SUPPORT | $ | 7,736,445 | $ | 7,736,749 |
| **C.2.1. Strategy:** TUITION REVENUE BOND RETIREMENT | $ | 4,413,931 | $ | 4,413,915 |
| **C.2.2. Strategy:** DEBT SERVICE - ROUND ROCK | $ | 3,880,795 | $ | 3,879,065 |
| Debt Service for the Round Rock Facility. | | | | |
| **Total, Goal C:** PROVIDE INFRASTRUCTURE SUPPORT | $ | 16,031,171 | $ | 16,029,729 |
| **D. Goal:** PROVIDE HEALTH CARE SUPPORT | | | | |
| **D.1.1. Strategy:** DENTAL CLINIC OPERATIONS | $ | 10,025,543 | $ | 10,039,671 |
| **E. Goal:** PROVIDE SPECIAL ITEM SUPPORT | | | | |
| **E.1.1. Strategy:** COASTAL BEND HEALTH EDUCATION CTR | $ | 1,509,231 | $ | 1,509,231 |
| Coastal Bend Health Education Center. | | | | |
| **E.1.2. Strategy:** SOUTH TEXAS HEALTH CENTER | $ | 650,741 | $ | 650,741 |
| **E.1.3. Strategy:** IRMA RANGEL COLLEGE OF PHARMACY | $ | 2,235,714 | $ | 2,235,714 |

| | | |
|---|---|---|
| **E.1.4. Strategy:** COLL STN, TEMPLE, R ROCK - MEDICAL | $ 13,181,250 | $ 13,181,250 |
| College Station, Temple, and Round Rock - Medical. | | |
| **E.2.1. Strategy:** INSTITUTIONAL ENHANCEMENT | $ 2,095,151 | $ 2,095,151 |
| **Total, Goal E:** PROVIDE SPECIAL ITEM SUPPORT | $ 19,672,087 | $ 19,672,087 |
| **F. Goal:** TOBACCO FUNDS | | |
| **F.1.1. Strategy:** TOBACCO EARNINGS - TAMU SYSTEM HSC | $ 1,125,000 | $ 1,495,525 & UB |
| Tobacco Earnings for Texas A&M University System Health Science Center. | | |
| **F.1.2. Strategy:** TOBACCO - PERMANENT HEALTH FUND | $ 1,184,951 | $ 3,976,957 & UB |
| Tobacco Earnings from the Permanent Health Fund for Higher Ed. No. 810. | | |
| **Total, Goal F:** TOBACCO FUNDS | $ 2,309,951 | $ 5,472,482 |
| **Grand Total,** TEXAS A&M UNIVERSITY SYSTEM HEALTH SCIENCE CENTER | $ 112,571,136 | $ 115,822,768 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 39,191,853 | $ 41,101,951 |
| Other Personnel Costs | 2,313,014 | 2,298,503 |
| Faculty Salaries (Higher Education Only) | 27,021,280 | 26,569,175 |
| Professional Salaries - Faculty Equivalent (Higher Education Only) | 765,598 | 802,955 |
| Professional Fees and Services | 3,359,392 | 3,084,268 |
| Fuels and Lubricants | 24,016 | 22,510 |
| Consumable Supplies | 1,139,094 | 1,051,429 |
| Utilities | 3,212,094 | 3,862,651 |
| Travel | 376,843 | 396,692 |
| Rent - Building | 988,840 | 925,475 |
| Rent - Machine and Other | 316,157 | 315,628 |
| Debt Service | 5,308,467 | 6,735,871 |
| Other Operating Expense | 20,902,684 | 22,294,513 |
| Client Services | 256,201 | 241,832 |
| Grants | 4,058,516 | 4,948,185 |
| Capital Expenditures | 3,337,087 | 1,171,130 |
| **Total, Object-of-Expense Informational Listing** | $ 112,571,136 | $ 115,822,768 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 3,879,115 | $ 4,023,640 |
| Group Insurance | 5,147,666 | 5,147,666 |
| Social Security | 4,783,228 | 4,950,641 |
| Subtotal, Employee Benefits | $ 13,810,009 | $ 14,121,947 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 13,810,009 | $ 14,121,947 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas A&M University System Health Science Center. 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 Texas A&M University System Health Science Center. In order to achieve the objectives and service standards established by this Act, the Texas A&M University System Health Science Center shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Percent of Medical School Students Passing Part 1 or Part 2 of the National Licensing Exam on the First Attempt | 95% | 95% |
| Percent of Medical School Graduates Practicing Primary Care in Texas | 37% | 38% |
| Percent of Medical Residency Completers Practicing in Texas | 50% | 50% |
| Percent of Dental School Graduates Admitted to an Advanced Education Program in General Dentistry | 10% | 10% |
| Percent of Dental School Students Passing Part 1 or Part 2 of the National Licensing Exam on the First Attempt | 90% | 90% |
| Percent of Dental School Graduates Who Are Licensed in Texas | 80% | 80% |
| Percent of Allied Health Graduates Passing the Certification/Licensure Exam on the First Attempt | 90% | 90% |
| Percent of Allied Health Graduates Who Are Licensed or Certified in Texas | 95% | 95% |
| Percent of Rural Public Health School Graduates Who Are Employed in Texas | 75% | 75% |
| Administrative (Institutional Support) Cost as a Percent of Total Expenditures | 8% | 8% |
| Percent of Pharmacy School Graduates Who are Licensed in Texas | 75% | 75% |
| Percent of Pharmacy School Graduates Passing the National Licensing Exam in the first try | 80% | 80% |
| Percent of Medical School Graduates Practicing in Texas | 50% | 50% |
| Percent of Bachelor of Science in Nursing Graduates Passing the National Licensing Exam on the First Attempt in Texas | 90 | 90 |
| Percent of Bachelor of Science in Nursing Graduates who are Licensed in Texas | 80 | 80 |
| **A.1.1. Strategy:** MEDICAL EDUCATION | | |
| **Explanatory:** | | |
| Minority Admissions as a Percent of Total First-year Admissions (All Schools) | 25% | 25% |
| Minority MD Admissions as a Percent of Total MD Admissions | 20% | 20% |
| Percent of Medical School Graduates Entering a Primary Care Residency | 50% | 50% |
| **A.1.2. Strategy:** DENTAL EDUCATION | | |
| **Explanatory:** | | |
| Minority Admissions as a Percent of Total Dental School Admissions | 30% | 30% |
| **A.1.8. Strategy:** GRADUATE MEDICAL EDUCATION | | |
| **Output (Volume):** | | |
| Total Number of MD or DO Residents | 520 | 520 |
| **Explanatory:** | | |
| Minority MD or DO Residents as a Percent of Total MD or DO Residents | 20% | 20% |
| **B. Goal:** PROVIDE RESEARCH SUPPORT | | |
| **Outcome (Results/Impact):** | | |
| Total Research Expenditures | 54,000,000 | 55,000,000 |
| **D. Goal:** PROVIDE HEALTH CARE SUPPORT | | |
| **Outcome (Results/Impact):** | | |
| Total Uncompensated Care Provided in State-owned Facilities | 1,425,000 | 1,425,000 |
| Total New Patient Revenue in State-owned Facilities | 5,475,000 | 5,475,000 |

3. **Cardiovascular Research Institute.** Out of the amounts appropriated above, Texas A&M University System Health Science Center shall expend up to $2,055,000 in fiscal year 2012 and up to $2,305,000 in fiscal year 2013 for Cardiovascular Research Institute activities conducted primarily at the health science center facilities in Temple. It is the intent of the Legislature that these funds would be in addition to the amounts allocated to the Temple campus for the normal operation and maintenance of programs and facilities during the biennium.

4. **Coastal Bend Health Education Center.** Out of funds appropriated above to Texas A&M University System Health Science Center in Strategy E.1.1, Coastal Bend Health Education Center, the institution shall allocate up to $426,255 in fiscal year 2012 and up to $378,894 in fiscal

year 2013 to operate a local area network among coastal distance education sites, provide electronic library access, and develop allied health programs with area general academic institutions.

5. **Medical Program.** Texas A&M University System Health Science Center is hereby authorized to unite with Scott & White Clinic, Scott & White Memorial Hospital, and the Scott, Sherwood, and Brindley Foundation as its long-term primary partners for high quality clinical education and research for the benefit of the citizens of Texas. Texas A&M University System Health Science Center is additionally authorized to collaborate with the Central Texas Veterans' Health Care System, Darnall Army Community Hospital, and Driscoll Children's Hospital. Research conducted by Texas A&M University System Health Science Center faculty under the contract with its primary clinical partner to provide clinical education and research services shall be considered in the formula calculations for the Research Enhancement and E&G Space Support strategies.

6. **Estimated Appropriation and Unexpended Balance.** Included in the amounts appropriated above are: (1) estimated appropriations of amounts available for distribution or investment returns out of the Permanent Endowment Fund for Texas A&M University System Health Science Center No. 818 and (2) estimated appropriations of the institution's estimated allocation of amounts available for distribution out of the Permanent Health Fund for Higher Education No. 810.

   a. Amounts available for distribution or investment returns in excess of the amounts estimated above are also appropriated to the institution. In the event that amounts available for distribution or investment returns are less than the amounts estimated above, this Act may not be construed as appropriating funds to makeup the difference.

   b. All balances of estimated appropriations from the Permanent Endowment Fund for Texas A&M University System Health Science Center No. 818 and of the institution's allocation from the amounts available for distribution out of the Permanent Health Fund for Higher Education No. 810, except for any General Revenue, at the close of the fiscal year ending August 31, 2011, and the income to said fund during the fiscal years beginning September 1, 2011, are hereby appropriated. Any unexpended appropriations made above as of August 31, 2012, are hereby appropriated to the institution for the same purposes for fiscal year 2013.

7. **Research on Acute Neurological Injuries.** Out of funds appropriated above, Texas A&M University System Health Science Center may allocate up to $1,000,000 in each fiscal year of the 2012-13 biennium to conduct joint research endeavors with other scientists from Baylor College of Medicine, The University of Texas Health Science Center at Houston, and The University of Texas Medical Branch at Galveston to develop treatments to repair acute neurological injuries such as those caused by trauma and strokes.

8. **Medical School Expansion and Debt Service Round Rock Facility.** Out of the funds appropriated above in Strategy E.1.4, College Station, Temple, Round Rock - Medical for the Medical School Expansion at the Texas A&M University System Health Science Center, $7,500,000 shall be used for the Temple campus and $6,750,000 shall be used for the Round Rock campus. Any unexpended balance as of August 31, 2012 in Strategy E.1.4, College Station, Temple, Round Rock - Medical is hereby appropriated for the same purposes for fiscal year 2013.

   The funds appropriated above in Strategy C.2.2, Debt Service - Round Rock, are for debt service, and/or operations in the event that this Act does not pass by a two-thirds majority in each house, associated with clinical facilities at the Round Rock campus of the Texas A&M University System Health Science Center. The legislature hereby finds in accordance with Article 7, Section 18(i) of the Texas Constitution, that there is a demonstrated need for clinical facilities at the Round Rock campus of the Texas A&M University System Health Science Center and that such appropriation may be used for debt service of such facilities.

## UNIVERSITY OF NORTH TEXAS HEALTH SCIENCE CENTER AT FORT WORTH

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 53,962,078 | $ 53,886,456 |

| | | | | |
|---|---|---|---|---|
| GR Dedicated - Estimated Other Educational and General Income Account No. 770 | | 8,106,584 | | 8,189,278 |
| Other Funds | | | | |
| Interagency Contracts | | 825,000 | | 825,000 |
| Permanent Health Fund for Higher Education, No. 810, estimated | | 5,035,844 | | 1,155,420 |
| Permanent Endowment Fund, UNTHSC at Fort Worth, No. 819, estimated | | 1,747,998 | | 1,125,000 |
| Subtotal, Other Funds | $ | 7,608,842 | $ | 3,105,420 |
| **Total, Method of Financing** | $ | 69,677,504 | $ | 65,181,154 |
| **Items of Appropriation:** | | | | |
| 1. Educational and General State Support | $ | 69,677,504 | $ | 65,181,154 |
| **Grand Total,** UNIVERSITY OF NORTH TEXAS HEALTH SCIENCE CENTER AT FORT WORTH | $ | 69,677,504 | $ | 65,181,154 |
| **This bill pattern represents an estimated 30.6% of this agency's estimated total available funds for the biennium.** | | | | |
| **Number of Full-Time-Equivalents (FTE)- Appropriated Funds** | | 718.6 | | 718.6 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | | | |
|---|---|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | | | |
| Provide Instructional and Operations Support. | | | | |
| **A.1.1. Strategy:** MEDICAL EDUCATION | $ | 29,166,489 | $ | 29,166,489 |
| **A.1.2. Strategy:** BIOMEDICAL SCIENCES TRAINING | $ | 4,136,851 | $ | 4,136,851 |
| Graduate Training in Biomedical Sciences. | | | | |
| **A.1.3. Strategy:** GRADUATE TRAINING IN PUBLIC HEALTH | $ | 3,672,928 | $ | 3,672,928 |
| **A.1.4. Strategy:** PHYSICIAN ASSISTANT PROGRAM | $ | 3,028,855 | $ | 3,028,855 |
| **A.1.5. Strategy:** GRADUATE MEDICAL EDUCATION | $ | 789,561 | $ | 789,561 |
| **A.2.1. Strategy:** STAFF GROUP INSURANCE PREMIUMS | $ | 452,656 | $ | 484,342 |
| **A.2.2. Strategy:** WORKERS' COMPENSATION INSURANCE | $ | 210,512 | $ | 210,512 |
| **A.2.3. Strategy:** UNEMPLOYMENT INSURANCE | $ | 52,596 | $ | 52,596 |
| **A.3.1. Strategy:** TEXAS PUBLIC EDUCATION GRANTS | $ | 1,001,165 | $ | 1,001,165 |
| **A.3.2. Strategy:** MEDICAL LOANS | $ | 153,447 | $ | 153,447 |
| **Total, Goal A:** INSTRUCTION/OPERATIONS | $ | 42,665,060 | $ | 42,696,746 |
| **B. Goal:** PROVIDE RESEARCH SUPPORT | | | | |
| **B.1.1. Strategy:** RESEARCH ENHANCEMENT | $ | 1,811,115 | $ | 1,811,115 |
| **C. Goal:** PROVIDE INFRASTRUCTURE SUPPORT | | | | |
| **C.1.1. Strategy:** E&G SPACE SUPPORT | $ | 4,355,600 | $ | 4,355,600 |
| **C.2.1. Strategy:** TUITION REVENUE BOND RETIREMENT | $ | 7,302,663 | $ | 7,244,813 |
| **C.2.2. Strategy:** LEASE OF FACILITIES | $ | 92,605 | $ | 92,605 |
| **C.2.3. Strategy:** LONG-TERM INSTR REL EQUIPMENT | $ | 889,324 | $ | 922,560 |
| Long-term Instructional Related Equipment. | | | | |
| **Total, Goal C:** PROVIDE INFRASTRUCTURE SUPPORT | $ | 12,640,192 | $ | 12,615,578 |
| **D. Goal:** PROVIDE SPECIAL ITEM SUPPORT | | | | |
| **D.1.1. Strategy:** ALZHEIMER'S DIAG &TREATMENT CENTER | $ | 568,882 | $ | 568,882 |
| Alzheimer's Diagnostic and Treatment Center. | | | | |
| **D.2.1. Strategy:** DNA LABORATORY | $ | 2,926,582 | $ | 2,926,582 |
| **D.2.2. Strategy:** ECON DEV & TECH COMMERCIALIZATION | $ | 1,550,000 | $ | 1,550,000 |
| Economic Development & Technology Commercialization. | | | | |

| | | |
|---|---|---|
| **D.3.1. Strategy:** INSTITUTIONAL ENHANCEMENT | $ 731,831 | $ 731,831 |
| **Total, Goal D:** PROVIDE SPECIAL ITEM SUPPORT | $ 5,777,295 | $ 5,777,295 |
| **E. Goal:** TOBACCO FUNDS | | |
| **E.1.1. Strategy:** TOBACCO EARNINGS - UNT HSC FT WORTH<br>Tobacco Earnings for the UNT Health Science Center at Fort Worth. | $ 1,747,998 | $ 1,125,000 |
| **E.1.2. Strategy:** TOBACCO - PERMANENT HEALTH FUND<br>Tobacco Earnings from the Permanent Health Fund for Higher Ed. No. 810. | $ 5,035,844 | $ 1,155,420 |
| **Total, Goal E:** TOBACCO FUNDS | $ 6,783,842 | $ 2,280,420 |
| **Grand Total,** UNIVERSITY OF NORTH TEXAS HEALTH SCIENCE CENTER AT FORT WORTH | $ 69,677,504 | $ 65,181,154 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 25,640,736 | $ 24,528,396 |
| Other Personnel Costs | 1,342,591 | 1,160,895 |
| Faculty Salaries (Higher Education Only) | 22,747,719 | 20,068,752 |
| Professional Salaries - Faculty Equivalent (Higher Education Only) | 969,953 | 950,527 |
| Professional Fees and Services | 973,021 | 760,178 |
| Fuels and Lubricants | 22,566 | 22,575 |
| Consumable Supplies | 367,145 | 354,501 |
| Utilities | 2,777,660 | 2,755,957 |
| Travel | 48,763 | 39,545 |
| Rent - Building | 168,291 | 164,639 |
| Rent - Machine and Other | 255,965 | 243,186 |
| Debt Service | 7,302,663 | 7,244,813 |
| Other Operating Expense | 5,747,754 | 5,559,021 |
| Capital Expenditures | 1,312,677 | 1,328,169 |
| **Total, Object-of-Expense Informational Listing** | $ 69,677,504 | $ 65,181,154 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 2,692,601 | $ 2,792,919 |
| Group Insurance | 3,960,150 | 3,960,150 |
| Social Security | 3,248,749 | 3,362,456 |
| Subtotal, Employee Benefits | $ 9,901,500 | $ 10,115,525 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 9,901,500 | $ 10,115,525 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the University of North Texas Health Science Center at Fort Worth. 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 University of North Texas Health Science Center at Fort Worth. In order to achieve the objectives and service standards established by this Act, the University of North Texas Health Science Center at Fort Worth shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Percent of Medical School Students Passing Part 1 or Part 2 of the National Licensing Exam on the First Attempt | 99% | 99% |
| Percent of Medical School Graduates Practicing Primary Care in Texas | 45% | 45% |
| Percent of Medical Residency Completers Practicing in Texas | 75% | 75% |

| | | |
|---|---|---|
| Percent of Graduates in Family Practice in Texas | 27% | 27% |
| Percent of Graduates Entering a Family Practice Residency | 30% | 30% |
| Percent of Allied Health Graduates Passing the Certification/Licensure Exam on the First Attempt | 95% | 95% |
| Percent of Allied Health Graduates Who Are Licensed or Certified in Texas | 90% | 90% |
| Percent of Public Health School Graduates Who Are Employed in Texas | 70.8% | 70.8% |
| Administrative (Institutional Support) Cost as a Percent of Total Expenditures | 7% | 7% |
| Percent of Medical School Graduates Practicing in Texas | 65% | 61% |
| **A.1.1. Strategy:** MEDICAL EDUCATION | | |
| **Output (Volume):** | | |
| Total Number of Postdoctoral Research Trainees (All Schools) | 35 | 35 |
| **Explanatory:** | | |
| Minority Admissions as a Percent of Total First-year Admissions (All Schools) | 20% | 20% |
| Minority Admissions as a Percent of Total DO Admissions | 13% | 13% |
| Percent of Medical School Graduates Entering a Primary Care Residency | 65% | 65% |
| **A.1.5. Strategy:** GRADUATE MEDICAL EDUCATION | | |
| **Output (Volume):** | | |
| Total Number of MD or DO Residents | 180 | 190 |
| **Explanatory:** | | |
| Minority MD or DO Residents as a Percent of Total MD or DO Residents | 9% | 9% |
| **B. Goal:** PROVIDE RESEARCH SUPPORT | | |
| **Outcome (Results/Impact):** | | |
| Total External Research Expenditures | 43,400,000 | 46,300,000 |

3. **Forensic Laboratory.** The University of North Texas Health Science Center at Fort Worth is authorized to conduct all blood and DNA tests associated with paternity testing for the Office of the Attorney General at a monetary rate not to exceed the monetary rate at which the Attorney General could obtain the service elsewhere to the extent permitted under federal law and regulations. The income derived from this testing is to be spent only on the Forensic Laboratory. In addition, the services of the Forensic Laboratory are available to other entities or interested parties approved by the University of North Texas Health Science Center at Fort Worth.

4. **Parking Garage Debt Service.** Funds appropriated in Strategy C.2.1, Tuition Revenue Bond Retirement, may be used to retire bonds authorized by the Seventy-sixth Legislature to construct a campus parking garage. Parking fee revenue generated by this facility will be accounted for and reported to the Legislative Budget Board. The fee revenue, minus operational and maintenance costs, will be counted in the appropriations process to offset the costs of servicing debt associated with this facility.

5. **Estimated Appropriation and Unexpended Balance.** Included in the amounts appropriated above are: (1) estimated appropriations of amounts available for distribution or investment returns out of the Permanent Endowment Fund for the University of North Texas Health Science Center at Fort Worth No. 819 and (2) estimated appropriations of the institution's estimated allocation of amounts available for distribution out of the Permanent Health Fund for Higher Education No. 810.

   a. Amounts available for distribution or investment returns in excess of the amounts estimated above are also appropriated to the institution. In the event that amounts available for distribution or investment returns are less than the amounts estimated above, this Act may not be construed as appropriating funds to makeup the difference.

   b. All balances of estimated appropriations from the Permanent Endowment Fund for the University of North Texas Health Science Center at Fort Worth No. 819 and of the institution's allocation from the amounts available for distribution out of the Permanent Health Fund for Higher Education No. 810, except for any General Revenue, at the close of the fiscal year ending August 31, 2011, and the income to said fund during the fiscal years beginning September 1, 2011, are hereby appropriated. Any unexpended appropriations made above as of August 31, 2012, are hereby appropriated to the institution for the same purposes for fiscal year 2013.

6. **Contingency Appropriations: Economic Development & Technology Commercialization.** Of the amounts appropriated above in Strategy D.2.2, Economic Development & Technology Commercialization, $3,100,000 for the University of North Texas Health Science Center is contingent upon the certification by the Comptroller of Public Accounts that the joint activities of the collaboration of the University of North Texas Health Science Center and the City of Fort Worth will generate revenue to the General Revenue Fund sufficient to offset the appropriation. The Comptroller shall specify the supporting information to be provided by the collaboration and may require independent verification of the information. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingency appropriation up to the amount certified, not to exceed $3,100,000 for the 2012-13 biennium, shall be made available for the intended purpose.

## TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 136,105,193 | $ 135,529,543 |
| GR Dedicated - Estimated Other Educational and General Income Account No. 770 | 13,435,189 | 14,260,031 |
| Other Funds | | |
| Permanent Health Fund for Higher Education, No. 810, estimated | 1,398,600 | 1,398,600 |
| Permanent Endowment Fund, Texas Tech University HSC El Paso No. 820, estimated | 4,434,269 | 4,425,000 |
| Permanent Endowment Fund, Texas Tech University HSC (Other than El Paso) No. 821, estimated | 1,125,000 | 1,125,000 |
| Subtotal, Other Funds | $ 6,957,869 | $ 6,948,600 |
| **Total, Method of Financing** | $ 156,498,251 | $ 156,738,174 |
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 156,498,251 | $ 156,738,174 |
| **Grand Total,** TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER | $ 156,498,251 | $ 156,738,174 |
| **This bill pattern represents an estimated 25.3% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE)- Appropriated Funds** | 1,980.8 | 1,980.8 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| Provide Instructional and Operations Support. | | |
| **A.1.1. Strategy:** MEDICAL EDUCATION | $ 28,995,396 | $ 28,995,396 |
| **A.1.2. Strategy:** BIOMEDICAL SCIENCES TRAINING | $ 2,746,544 | $ 2,746,544 |
| Graduate Training in Biomedical Sciences. | | |
| **A.1.3. Strategy:** ALLIED HEALTH PROFESSIONS TRAINING | $ 13,070,362 | $ 13,070,362 |
| **A.1.4. Strategy:** NURSING EDUCATION | $ 13,484,324 | $ 13,484,324 |
| **A.1.5. Strategy:** PHARMACY EDUCATION | $ 13,658,541 | $ 13,658,541 |
| **A.1.6. Strategy:** GRADUATE MEDICAL EDUCATION | $ 2,426,349 | $ 2,426,349 |
| **A.2.1. Strategy:** STAFF GROUP INSURANCE PREMIUMS | $ 872,110 | $ 933,158 |
| **A.2.2. Strategy:** WORKERS' COMPENSATION INSURANCE | $ 616,487 | $ 616,487 |
| **A.3.1. Strategy:** TEXAS PUBLIC EDUCATION GRANTS | $ 1,456,277 | $ 1,561,127 |

| | | |
|---|---|---|
| **A.3.2. Strategy:** MEDICAL LOANS | $ 99,683 | $ 112,783 |
| **Total, Goal A:** INSTRUCTION/OPERATIONS | $ 77,426,073 | $ 77,605,071 |
| **B. Goal:** PROVIDE RESEARCH SUPPORT | | |
| **B.1.1. Strategy:** RESEARCH ENHANCEMENT | $ 1,921,469 | $ 1,921,469 |
| **C. Goal:** INFRASTRUCTURE SUPPORT | | |
| Provide Infrastructure Support. | | |
| **C.1.1. Strategy:** E&G SPACE SUPPORT | $ 9,802,147 | $ 9,802,147 |
| **C.2.1. Strategy:** TUITION REVENUE BOND RETIREMENT | $ 12,915,539 | $ 12,913,868 |
| **C.2.2. Strategy:** LONG-TERM INSTR REL EQUIPMENT | $ 3,028,474 | $ 3,100,339 |
| Long-term Instructional Related Equipment. | | |
| **Total, Goal C:** INFRASTRUCTURE SUPPORT | $ 25,746,160 | $ 25,816,354 |
| **D. Goal:** PROVIDE SPECIAL ITEM SUPPORT | | |
| **D.1.1. Strategy:** SOUTH TEXAS PROFESSIONAL EDUCATION | $ 645,688 | $ 645,688 |
| South Texas Border Region Health Professional Education. | | |
| **D.1.2. Strategy:** BORDER SUPPORT - ACADEMIC EXPANSION | $ 2,770,835 | $ 2,770,835 |
| Border Health Care Support - Academic Expansion. | | |
| **D.1.3. Strategy:** ACADEMIC SUPPORT-BORDER DEVELOPMENT | $ 280,347 | $ 280,347 |
| Academic Operations Support - Border Region Development. | | |
| **D.1.4. Strategy:** INTEGRATED HEALTH NETWORK | $ 943,988 | $ 943,988 |
| **D.1.5. Strategy:** MEDICAL EDUCATION - ODESSA | $ 1,111,475 | $ 1,111,475 |
| **D.1.6. Strategy:** PAUL L. FOSTER SCHOOL OF MEDICINE | $ 23,370,000 | $ 23,370,000 |
| **D.1.7. Strategy:** PHYSICIAN ASSISTANT PROGRAM | $ 362,128 | $ 362,128 |
| **D.2.1. Strategy:** FAMILY/COMMUNITY MEDICINE RESIDENCY | $ 428,152 | $ 428,152 |
| Family and Community Medicine Residency Training Program. | | |
| **D.2.2. Strategy:** BORDER HEALTH - RESIDENT SUPPORT | $ 276,288 | $ 276,288 |
| Border Health Care Support - Resident Support. | | |
| **D.2.3. Strategy:** MIDLAND MEDICAL RESIDENCY | $ 1,383,532 | $ 1,383,532 |
| Midland Medical Residency. | | |
| **D.3.1. Strategy:** DIABETES RESEARCH CENTER | $ 206,012 | $ 206,012 |
| **D.3.2. Strategy:** CANCER RESEARCH | $ 1,710,000 | $ 1,710,000 |
| **D.4.1. Strategy:** RURAL HEALTH CARE | $ 728,292 | $ 728,292 |
| **D.4.2. Strategy:** WEST TX AREA HLTH ED CTR (AHEC) | $ 2,000,000 | $ 2,000,000 |
| West Texas Area Health Education Center (AHEC). | | |
| **D.5.1. Strategy:** INSTITUTIONAL ENHANCEMENT | $ 8,229,943 | $ 8,229,943 |
| **Total, Goal D:** PROVIDE SPECIAL ITEM SUPPORT | $ 44,446,680 | $ 44,446,680 |
| **E. Goal:** TOBACCO FUNDS | | |
| **E.1.1. Strategy:** TOBACCO EARNINGS TX TECH HSC ELPASO | $ 4,434,269 | $ 4,425,000 |
| Tobacco Earnings - Texas Tech Univ Health Sciences Center (El Paso). | | |
| **E.1.2. Strategy:** TOBACCO EARNINGS TX TECH UNIV HSC | $ 1,125,000 | $ 1,125,000 |
| Tobacco Earnings for Texas Tech University Health Sciences Center. | | |
| **E.1.3. Strategy:** TOBACCO - PERMANENT HEALTH FUND | $ 1,398,600 | $ 1,398,600 |
| Tobacco Earnings from the Permanent Health Fund for Higher Ed. No. 810. | | |
| **Total, Goal E:** TOBACCO FUNDS | $ 6,957,869 | $ 6,948,600 |
| **Grand Total,** TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER | $ 156,498,251 | $ 156,738,174 |

| | | |
|---|---|---|
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 59,007,798 | $ 53,169,856 |
| Other Personnel Costs | 1,372,152 | 1,493,122 |
| Faculty Salaries (Higher Education Only) | 53,227,173 | 56,840,401 |
| Professional Salaries - Faculty Equivalent (Higher Education Only) | 427,745 | 322,125 |
| Professional Fees and Services | 1,893,986 | 2,161,228 |
| Fuels and Lubricants | 869 | 0 |
| Consumable Supplies | 3,154,938 | 2,896,255 |
| Utilities | 4,649,536 | 4,462,831 |
| Travel | 120,603 | 98,075 |
| Rent - Building | 327,279 | 303,208 |
| Rent - Machine and Other | 105,625 | 103,567 |
| Debt Service | 12,915,539 | 12,913,868 |
| Other Operating Expense | 10,431,329 | 10,269,547 |
| Grants | 71,768 | 70,640 |
| Capital Expenditures | 8,791,911 | 11,633,451 |
| **Total, Object-of-Expense Informational Listing** | $ 156,498,251 | $ 156,738,174 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 7,341,945 | $ 7,615,485 |
| Group Insurance | 15,728,838 | 15,728,838 |
| Social Security | 10,717,523 | 11,092,636 |
| Subtotal, Employee Benefits | $ 33,788,306 | $ 34,436,959 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 33,788,306 | $ 34,436,959 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas Tech University Health Sciences Center. 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 Texas Tech University Health Sciences Center. In order to achieve the objectives and service standards established by this Act, the Texas Tech University Health Sciences Center shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Percent of Medical School Students Passing Part 1 or Part 2 of the National Licensing Exam on the First Attempt | 93% | 93% |
| Percent of Medical School Graduates Practicing Primary Care in Texas | 30% | 30% |
| Percent of Medical Residency Completers Practicing in Texas | 51% | 51% |
| Percent of Allied Health Graduates Passing the Certification/Licensure Exam on the First Attempt | 93% | 93% |
| Percent of Allied Health Graduates Who Are Licensed or Certified in Texas | 80% | 80% |
| Percent of Bachelor of Science in Nursing Graduates Passing the National Licensing Exam on the First Attempt in Texas | 85% | 85% |
| Percent of Bachelor of Science in Nursing Graduates Who Are Licensed in Texas | 95% | 95% |
| Percent of Pharmacy School Graduates Passing the National Licensing Exam on the First Attempt | 96% | 96% |
| Percent of Pharmacy School Graduates Who Are Licensed in Texas | 90% | 90% |
| Administrative (Institutional Support) Cost as a Percent of Total Expenditures | 4.3% | 4.3% |
| Percent of Medical School Graduates Practicing in Texas | 65% | 65% |
| **A.1.1. Strategy:** MEDICAL EDUCATION | | |
| **Explanatory:** | | |
| Minority Admissions as a Percent of Total First-year Admissions (All Schools) | 21% | 21% |

| | | |
|---|---|---|
| Minority MD Admissions as a Percent of Total MD Admissions | 16% | 16% |
| Percent of Medical School Graduates Entering a Primary Care Residency | 48% | 48% |
| **A.1.4. Strategy:** NURSING EDUCATION | | |
| **Explanatory:** | | |
| Percent of Master of Science in Nursing Graduates Granted Advanced Practice Status in Texas | 51% | 51% |
| **A.1.6. Strategy:** GRADUATE MEDICAL EDUCATION | | |
| **Output (Volume):** | | |
| Total Number of MD or DO Residents | 560 | 560 |
| **Explanatory:** | | |
| Minority MD or DO Residents as a Percent of Total MD or DO Residents | 29% | 29% |
| **B. Goal:** PROVIDE RESEARCH SUPPORT | | |
| **Outcome (Results/Impact):** | | |
| Total External Research Expenditures | 16,500,000 | 17,000,000 |
| **D. Goal:** PROVIDE SPECIAL ITEM SUPPORT | | |
| **D.1.4. Strategy:** INTEGRATED HEALTH NETWORK | | |
| **Output (Volume):** | | |
| Annual Event Hours of Distance Education | 727,500 | 727,500 |

3. **Appropriation of Costs for Health Care to Inmates.** None of the funds appropriated above shall be expended to provide or support the provision of health care to inmates of the Texas Department of Criminal Justice (TDCJ). It is the intent of the Legislature that all costs for providing health care to inmates of the TDCJ including costs of operating TDCJ hospital facilities in Galveston County and Lubbock County shall be paid from appropriations made to the TDCJ and from any financial reserves from contracts with TDCJ that are held by the university for the correctional health care services. Appropriations made to the TDCJ for the provision of inmate health care services shall be expended in accordance with Government Code, Chapter 501, Subchapter E.

4. **El Paso Center for Border Health Research.** Funds appropriated above provide funding for Texas Tech University Health Sciences Center's collaboration with the University of Texas at El Paso and the El Paso Center for Border Health Research, a component of the Paso del Norte Regional Health Institute located in the City of El Paso. Funding included above is for research, in areas not limited to, but focusing on and including, infectious diseases such as tuberculosis, Hispanic health issues such as diabetes and hypertension, border environmental health issues such as those associated with water and air quality, and children's health.

5. **South Texas/Border Region Health Professional Education.** Out of the amounts appropriated above to Texas Tech University Health Sciences Center in Strategy D.1.1, South Texas Professional Education, is the amount of $645,688 for the fiscal year ending August 31, 2012 and $645,688 for the fiscal year ending August 31, 2013 for use by the Regional Academic Health Center in El Paso for infrastructure support, faculty salaries, maintenance and operation, and library resources.

   a. Any unexpended balances remaining in the appropriations identified in this section as of August 31, 2012, are appropriated to Texas Tech University Health Sciences Center for their original purposes and shall be used with funds appropriated by this section for the fiscal year ending August 31, 2013.

   b. A report by the Texas Tech University Health Sciences Center shall be filed with the Legislative Budget Board and the Governor on or before December 1, 2012, concerning the use of the funds appropriated by this section and the extent to which the purposes specified by this section have been achieved.

6. **Estimated Appropriation and Unexpended Balance.** Included in the amounts appropriated above are: (1) estimated appropriations of amounts available for distribution or investment returns out of the Permanent Endowment Fund for the Texas Tech University Health Sciences Center at El Paso No. 820, (2) estimated appropriations of amounts available for distribution or investment returns out of the Permanent Endowment Fund for the Texas Tech University Health Sciences Center at locations other than El Paso No. 821 and (3) estimated appropriations of the institution's estimated allocation of amounts available for distribution out of the Permanent Health Fund for Higher Education No. 810.

a. Amounts available for distribution or investment returns in excess of the amounts estimated are also appropriated to the institution. In the event that amounts available for distribution or investment returns are less than the amounts estimated above, this Act may not be construed as appropriating funds to makeup the difference.

b. All balances of estimated appropriations from the Permanent Endowment Fund for the Texas Tech University Health Sciences Center at El Paso No. 820, Permanent Endowment Fund for the Texas Tech University Health Sciences Center at locations other than El Paso No. 821, and of the institution's allocation from the amounts available for distribution out of the Permanent Health Fund for Higher Education No. 810, except for any General Revenue, at the close of the fiscal year ending August 31, 2011, and the income to said fund during the fiscal years beginning September 1, 2011 are hereby appropriated. Any unexpended appropriations made above as of August 31, 2012, are hereby appropriated to the institution for the same purposes for fiscal year 2013.

**7. Transfers of Appropriations.** Texas Tech University Health Sciences Center shall transfer from non-Medicaid state appropriated funds of $7,500,000 in fiscal year 2012 and $7,500,000 in fiscal year 2013 to the Health and Human Services Commission. The timing of such transfers shall be determined by the Comptroller of Public Accounts in consultation with the Health and Human Services Commission. The Legislative Budget Board is authorized to adjust the amounts of such transfers as necessary to match available federal funds.

**8. Abilene Pharmacy School.** The Texas Tech University Health Sciences Center School of Pharmacy at Abilene shall be recognized as a separate campus for the purposes of calculating the small class supplement component of the instruction and operations formula and the multi-campus adjustment component of the space projection model.

**9. Cancer Research.** Funds appropriated above in Strategy D.3.2, Cancer Research, to the Texas Tech University Health Sciences Center for cancer research in the amount of $3,420,000 is for new research opportunities for clinical trials in rural and underserved areas of Texas. These services shall be delivered in partnership with an established research entity conducting peer-reviewed research in cancer therapy and control. The amount of funds expended by Texas Tech University Health Sciences Center shall be limited to the amounts outlined in this rider. The appropriation of the funds is contingent upon the execution of a memorandum of understanding between the health sciences center and an established research entity that conduct peer-reviewed, audited research in cancer therapy and control. Any unexpended balance as of August 31, 2012 is hereby appropriated for the same purposes for fiscal year 2013.

## PUBLIC COMMUNITY/JUNIOR COLLEGES

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 857,368,581 | $ 857,368,582 |
| **Total, Method of Financing** | $ 857,368,581 | $ 857,368,582 |
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 857,368,581 | $ 857,368,582 |
| **Grand Total,** PUBLIC COMMUNITY/JUNIOR COLLEGES | $ 857,368,581 | $ 857,368,582 |

**This bill pattern represents an estimated 28% of this agency's estimated total available funds for the biennium.**

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | |
|---|---|---|
| **A. Goal:** ALAMO COMMUNITY COLLEGE | | |
| **A.1.1. Strategy:** ACADEMIC EDUCATION | $ 49,415,004 | $ 49,415,004 |
| **A.1.2. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ 15,280,137 | $ 15,280,137 |
| **Total, Goal A:** ALAMO COMMUNITY COLLEGE | $ 64,695,141 | $ 64,695,141 |
| **B. Goal:** ALVIN COMMUNITY COLLEGE | | |
| **B.1.1. Strategy:** ACADEMIC EDUCATION | $ 3,874,608 | $ 3,874,608 |
| **B.1.2. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ 3,342,689 | $ 3,342,689 |
| **Total, Goal B:** ALVIN COMMUNITY COLLEGE | $ 7,217,297 | $ 7,217,297 |
| **C. Goal:** AMARILLO COLLEGE | | |
| **C.1.1. Strategy:** ACADEMIC EDUCATION | $ 8,059,604 | $ 8,059,604 |
| **C.1.2. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ 6,924,214 | $ 6,924,214 |
| **Total, Goal C:** AMARILLO COLLEGE | $ 14,983,818 | $ 14,983,818 |
| **D. Goal:** ANGELINA COLLEGE | | |
| **D.1.1. Strategy:** ACADEMIC EDUCATION | $ 4,261,210 | $ 4,261,210 |
| **D.1.2. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ 3,388,302 | $ 3,388,302 |
| **Total, Goal D:** ANGELINA COLLEGE | $ 7,649,512 | $ 7,649,512 |
| **E. Goal:** AUSTIN COMMUNITY COLLEGE | | |
| **E.1.1. Strategy:** VIRTUAL COLLEGE OF TEXAS | $ 356,250 | $ 356,250 |
| **E.1.2. Strategy:** ACADEMIC EDUCATION | $ 32,465,971 | $ 32,465,971 |
| **E.1.3. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ 11,666,104 | $ 11,666,104 |
| **Total, Goal E:** AUSTIN COMMUNITY COLLEGE | $ 44,488,325 | $ 44,488,325 |
| **F. Goal:** BLINN COLLEGE | | |
| **F.1.1. Strategy:** STAR OF THE REPUBLIC MUSEUM | $ 253,827 | $ 253,827 |
| **F.2.1. Strategy:** ACADEMIC EDUCATION | $ 17,027,251 | $ 17,027,251 |
| **F.2.2. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ 3,046,287 | $ 3,046,287 |
| **Total, Goal F:** BLINN COLLEGE | $ 20,327,365 | $ 20,327,365 |
| **G. Goal:** BRAZOSPORT COLLEGE | | |
| **G.1.1. Strategy:** BACHELOR OF APPLIED TECHNOLOGY | $ 62,612 | $ 62,612 |
| **G.2.1. Strategy:** ACADEMIC EDUCATION | $ 2,823,427 | $ 2,823,427 |
| **G.2.2. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ 1,904,247 | $ 1,904,247 |
| **Total, Goal G:** BRAZOSPORT COLLEGE | $ 4,790,286 | $ 4,790,286 |

## PUBLIC COMMUNITY/JUNIOR COLLEGES
(Continued)

| | | |
|---|---|---|
| **H. Goal:** CENTRAL TEXAS COLLEGE | | |
| **H.1.1. Strategy:** ACADEMIC EDUCATION | $ 11,422,847 | $ 11,422,847 |
| **H.1.2. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ 8,005,747 | $ 8,005,747 |
| **Total, Goal H:** CENTRAL TEXAS COLLEGE | $ 19,428,594 | $ 19,428,594 |
| **I. Goal:** CISCO JUNIOR COLLEGE | | |
| **I.1.1. Strategy:** ACADEMIC EDUCATION | $ 3,719,746 | $ 3,719,746 |
| **I.1.2. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ 1,704,454 | $ 1,704,454 |
| **Total, Goal I:** CISCO JUNIOR COLLEGE | $ 5,424,200 | $ 5,424,200 |
| **J. Goal:** CLARENDON COLLEGE | | |
| **J.1.1. Strategy:** ACADEMIC EDUCATION | $ 1,344,495 | $ 1,344,495 |
| **J.1.2. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ 912,623 | $ 912,623 |
| **J.1.3. Strategy:** SMALL INSTITUTION SUPPLEMENT | $ 250,000 | $ 250,000 |
| **Total, Goal J:** CLARENDON COLLEGE | $ 2,507,118 | $ 2,507,118 |
| **K. Goal:** COASTAL BEND COLLEGE | | |
| **K.1.1. Strategy:** ACADEMIC EDUCATION | $ 3,153,580 | $ 3,153,580 |
| **K.1.2. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ 2,964,927 | $ 2,964,927 |
| **K.1.3. Strategy:** SMALL INSTITUTION SUPPLEMENT | $ 250,000 | $ 250,000 |
| **Total, Goal K:** COASTAL BEND COLLEGE | $ 6,368,507 | $ 6,368,507 |
| **L. Goal:** COLLEGE OF THE MAINLAND | | |
| **L.1.1. Strategy:** ACADEMIC EDUCATION | $ 3,424,342 | $ 3,424,342 |
| **L.1.2. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ 2,474,617 | $ 2,474,617 |
| **Total, Goal L:** COLLEGE OF THE MAINLAND | $ 5,898,959 | $ 5,898,959 |
| **M. Goal:** COLLIN COUNTY COMMUNITY COLLEGE | | |
| **M.1.1. Strategy:** ACADEMIC EDUCATION | $ 24,003,063 | $ 24,003,063 |
| **M.1.2. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ 5,419,328 | $ 5,419,328 |
| **Total, Goal M:** COLLIN COUNTY COMMUNITY COLLEGE | $ 29,422,391 | $ 29,422,391 |
| **N. Goal:** DALLAS COUNTY COMMUNITY COLLEGE | | |
| **N.1.1. Strategy:** SMALL BUSINESS DEVELOPMENT CENTER | $ 1,651,904 | $ 1,651,904 |
| **N.1.2. Strategy:** STARLINK | $ 200,094 | $ 200,094 |
| **N.2.1. Strategy:** ACADEMIC EDUCATION | $ 58,139,090 | $ 58,139,090 |
| **N.2.2. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ 30,017,182 | $ 30,017,182 |
| **Total, Goal N:** DALLAS COUNTY COMMUNITY COLLEGE | $ 90,008,270 | $ 90,008,270 |
| **O. Goal:** DEL MAR COLLEGE | | |
| **O.1.1. Strategy:** ACADEMIC EDUCATION | $ 8,936,969 | $ 8,936,969 |
| **O.1.2. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ 7,319,220 | $ 7,319,220 |
| **Total, Goal O:** DEL MAR COLLEGE | $ 16,256,189 | $ 16,256,189 |
| **P. Goal:** EL PASO COMMUNITY COLLEGE | | |
| **P.1.1. Strategy:** ACADEMIC EDUCATION | $ 22,577,182 | $ 22,577,182 |
| **P.1.2. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ 7,822,508 | $ 7,822,508 |
| **Total, Goal P:** EL PASO COMMUNITY COLLEGE | $ 30,399,690 | $ 30,399,690 |
| **Q. Goal:** FRANK PHILLIPS COLLEGE | | |
| **Q.1.1. Strategy:** ACADEMIC EDUCATION | $ 971,872 | $ 971,872 |
| **Q.1.2. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ 798,911 | $ 798,911 |
| **Q.1.3. Strategy:** SMALL INSTITUTION SUPPLEMENT | $ 250,000 | $ 250,000 |
| **Total, Goal Q:** FRANK PHILLIPS COLLEGE | $ 2,020,783 | $ 2,020,783 |
| **R. Goal:** GALVESTON COLLEGE | | |
| **R.1.1. Strategy:** ACADEMIC EDUCATION | $ 1,829,544 | $ 1,829,544 |
| **R.1.2. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ 1,469,125 | $ 1,469,125 |
| **Total, Goal R:** GALVESTON COLLEGE | $ 3,298,669 | $ 3,298,669 |

## PUBLIC COMMUNITY/JUNIOR COLLEGES
(Continued)

| | | | | |
|---|---|---|---|---|
| **S. Goal:** GRAYSON COUNTY COLLEGE | | | | |
| **S.1.1. Strategy:** ACADEMIC EDUCATION | $ | 4,051,340 | $ | 4,051,340 |
| **S.1.2. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ | 3,378,449 | $ | 3,378,449 |
| **Total, Goal S:** GRAYSON COUNTY COLLEGE | $ | 7,429,789 | $ | 7,429,789 |
| **T. Goal:** HILL COLLEGE | | | | |
| **T.1.1. Strategy:** HERITAGE MUSEUM/GENEALOGY CENTER | $ | 256,500 | $ | 256,500 |
| Heritage Museum and Genealogy Center. | | | | |
| **T.2.1. Strategy:** ACADEMIC EDUCATION | $ | 3,974,424 | $ | 3,974,424 |
| **T.2.2. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ | 2,584,059 | $ | 2,584,059 |
| **Total, Goal T:** HILL COLLEGE | $ | 6,814,983 | $ | 6,814,983 |
| **U. Goal:** HOUSTON COMMUNITY COLLEGE | | | | |
| **U.1.1. Strategy:** ACADEMIC EDUCATION | $ | 45,386,379 | $ | 45,386,379 |
| **U.1.2. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ | 23,533,595 | $ | 23,533,595 |
| **Total, Goal U:** HOUSTON COMMUNITY COLLEGE | $ | 68,919,974 | $ | 68,919,974 |
| **V. Goal:** HOWARD COLLEGE | | | | |
| **V.1.1. Strategy:** SOUTHWEST INSTITUTE FOR THE DEAF | $ | 2,651,292 | $ | 2,651,293 |
| Southwest Collegiate Institute for the Deaf. | | | | |
| **V.2.1. Strategy:** ACADEMIC EDUCATION | $ | 3,111,134 | $ | 3,111,134 |
| **V.2.2. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ | 4,510,399 | $ | 4,510,399 |
| **V.2.3. Strategy:** SMALL INSTITUTION SUPPLEMENT | $ | 250,000 | $ | 250,000 |
| **Total, Goal V:** HOWARD COLLEGE | $ | 10,522,825 | $ | 10,522,826 |
| **W. Goal:** KILGORE COLLEGE | | | | |
| **W.1.1. Strategy:** ACADEMIC EDUCATION | $ | 5,471,416 | $ | 5,471,416 |
| **W.1.2. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ | 5,552,301 | $ | 5,552,301 |
| **Total, Goal W:** KILGORE COLLEGE | $ | 11,023,717 | $ | 11,023,717 |
| **X. Goal:** LAREDO COMMUNITY COLLEGE | | | | |
| **X.1.1. Strategy:** IMPORT/EXPORT TRNG CTR | $ | 161,195 | $ | 161,195 |
| Regional Import/Export Training Center. | | | | |
| **X.2.1. Strategy:** ACADEMIC EDUCATION | $ | 7,572,131 | $ | 7,572,131 |
| **X.2.2. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ | 3,103,271 | $ | 3,103,271 |
| **Total, Goal X:** LAREDO COMMUNITY COLLEGE | $ | 10,836,597 | $ | 10,836,597 |
| **Y. Goal:** LEE COLLEGE | | | | |
| **Y.1.1. Strategy:** ACADEMIC EDUCATION | $ | 4,426,337 | $ | 4,426,337 |
| **Y.1.2. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ | 4,717,747 | $ | 4,717,747 |
| **Total, Goal Y:** LEE COLLEGE | $ | 9,144,084 | $ | 9,144,084 |
| **Z. Goal:** LONE STAR COLLEGE SYSTEM | | | | |
| **Z.1.1. Strategy:** ACADEMIC EDUCATION | $ | 47,656,157 | $ | 47,656,157 |
| **Z.1.2. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ | 14,314,549 | $ | 14,314,549 |
| **Total, Goal Z:** LONE STAR COLLEGE SYSTEM | $ | 61,970,706 | $ | 61,970,706 |
| **AA. Goal:** MCLENNAN COMMUNITY COLLEGE | | | | |
| **AA.1.1. Strategy:** ACADEMIC EDUCATION | $ | 8,812,440 | $ | 8,812,440 |
| **AA.1.2. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ | 4,805,546 | $ | 4,805,546 |
| **Total, Goal AA:** MCLENNAN COMMUNITY COLLEGE | $ | 13,617,986 | $ | 13,617,986 |
| **AB. Goal:** MIDLAND COLLEGE | | | | |
| **AB.1.1. Strategy:** AMERICAN AIRPOWER HERITAGE MUSEUM | $ | 355,325 | $ | 355,325 |
| **AB.2.1. Strategy:** BACHELOR OF APPLIED TECHNOLOGY | $ | 46,522 | $ | 46,522 |
| **AB.3.1. Strategy:** ACADEMIC EDUCATION | $ | 4,875,809 | $ | 4,875,809 |

## PUBLIC COMMUNITY/JUNIOR COLLEGES
(Continued)

| | | |
|---|---|---|
| **AB.3.2. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ 3,432,674 | $ 3,432,674 |
| **Total, Goal AB:** MIDLAND COLLEGE | $ 8,710,330 | $ 8,710,330 |
| **AC. Goal:** NAVARRO COLLEGE | | |
| **AC.1.1. Strategy:** ACADEMIC EDUCATION | $ 9,596,328 | $ 9,596,328 |
| **AC.1.2. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ 5,701,410 | $ 5,701,410 |
| **Total, Goal AC:** NAVARRO COLLEGE | $ 15,297,738 | $ 15,297,738 |
| **AD. Goal:** NORTH CENTRAL TEXAS COLLEGE | | |
| **AD.1.1. Strategy:** ACADEMIC EDUCATION | $ 6,814,760 | $ 6,814,760 |
| **AD.1.2. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ 2,578,669 | $ 2,578,669 |
| **Total, Goal AD:** NORTH CENTRAL TEXAS COLLEGE | $ 9,393,429 | $ 9,393,429 |
| **AE. Goal:** NORTHEAST TEXAS COMMUNITY COLLEGE | | |
| **AE.1.1. Strategy:** ACADEMIC EDUCATION | $ 2,606,799 | $ 2,606,799 |
| **AE.1.2. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ 1,593,068 | $ 1,593,068 |
| **Total, Goal AE:** NORTHEAST TEXAS COMMUNITY COLLEGE | $ 4,199,867 | $ 4,199,867 |
| **AF. Goal:** ODESSA COLLEGE | | |
| **AF.1.1. Strategy:** ACADEMIC EDUCATION | $ 3,560,243 | $ 3,560,243 |
| **AF.1.2. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ 3,065,928 | $ 3,065,928 |
| **Total, Goal AF:** ODESSA COLLEGE | $ 6,626,171 | $ 6,626,171 |
| **AG. Goal:** PANOLA COLLEGE | | |
| **AG.1.1. Strategy:** ACADEMIC EDUCATION | $ 1,767,977 | $ 1,767,977 |
| **AG.1.2. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ 1,548,291 | $ 1,548,291 |
| **Total, Goal AG:** PANOLA COLLEGE | $ 3,316,268 | $ 3,316,268 |
| **AH. Goal:** PARIS JUNIOR COLLEGE | | |
| **AH.1.1. Strategy:** ACADEMIC EDUCATION | $ 5,464,399 | $ 5,464,399 |
| **AH.1.2. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ 3,259,407 | $ 3,259,407 |
| **Total, Goal AH:** PARIS JUNIOR COLLEGE | $ 8,723,806 | $ 8,723,806 |
| **AI. Goal:** RANGER COLLEGE | | |
| **AI.1.1. Strategy:** ACADEMIC EDUCATION | $ 1,240,577 | $ 1,240,577 |
| **AI.1.2. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ 681,858 | $ 681,858 |
| **AI.1.3. Strategy:** SMALL INSTITUTION SUPPLEMENT | $ 250,000 | $ 250,000 |
| **Total, Goal AI:** RANGER COLLEGE | $ 2,172,435 | $ 2,172,435 |
| **AJ. Goal:** SAN JACINTO COLLEGE | | |
| **AJ.1.1. Strategy:** ACADEMIC EDUCATION | $ 21,948,226 | $ 21,948,226 |
| **AJ.1.2. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ 13,430,436 | $ 13,430,436 |
| **Total, Goal AJ:** SAN JACINTO COLLEGE | $ 35,378,662 | $ 35,378,662 |
| **AK. Goal:** SOUTH PLAINS COLLEGE | | |
| **AK.1.1. Strategy:** ACADEMIC EDUCATION | $ 8,309,206 | $ 8,309,206 |
| **AK.1.2. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ 5,023,567 | $ 5,023,567 |
| **Total, Goal AK:** SOUTH PLAINS COLLEGE | $ 13,332,773 | $ 13,332,773 |
| **AL. Goal:** SOUTH TEXAS COLLEGE | | |
| **AL.1.1. Strategy:** BACHELOR OF APPLIED TECHNOLOGY | $ 355,845 | $ 355,845 |
| **AL.2.1. Strategy:** ACADEMIC EDUCATION | $ 21,212,504 | $ 21,212,504 |
| **AL.2.2. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ 10,035,124 | $ 10,035,124 |
| **Total, Goal AL:** SOUTH TEXAS COLLEGE | $ 31,603,473 | $ 31,603,473 |
| **AM. Goal:** SOUTHWEST TEXAS JUNIOR COLLEGE | | |
| **AM.1.1. Strategy:** ACADEMIC EDUCATION | $ 4,998,861 | $ 4,998,861 |
| **AM.1.2. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ 2,161,967 | $ 2,161,967 |
| **Total, Goal AM:** SOUTHWEST TEXAS JUNIOR COLLEGE | $ 7,160,828 | $ 7,160,828 |

## PUBLIC COMMUNITY/JUNIOR COLLEGES
(Continued)

| | | |
|---|---|---|
| **AN. Goal:** TARRANT COUNTY COLLEGE | | |
| **AN.1.1. Strategy:** ACADEMIC EDUCATION | $ 41,174,552 | $ 41,174,552 |
| **AN.1.2. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ 9,544,171 | $ 9,544,171 |
| **Total, Goal AN:** TARRANT COUNTY COLLEGE | $ 50,718,723 | $ 50,718,723 |
| **AO. Goal:** TEMPLE COLLEGE | | |
| **AO.1.1. Strategy:** ACADEMIC EDUCATION | $ 4,699,500 | $ 4,699,500 |
| **AO.1.2. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ 2,719,777 | $ 2,719,777 |
| **AO.1.3. Strategy:** SMALL INSTITUTION SUPPLEMENT | $ 250,000 | $ 250,000 |
| **Total, Goal AO:** TEMPLE COLLEGE | $ 7,669,277 | $ 7,669,277 |
| **AP. Goal:** TEXARKANA COLLEGE | | |
| **AP.1.1. Strategy:** ACADEMIC EDUCATION | $ 3,454,098 | $ 3,454,098 |
| **AP.1.2. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ 4,075,184 | $ 4,075,184 |
| **Total, Goal AP:** TEXARKANA COLLEGE | $ 7,529,282 | $ 7,529,282 |
| **AQ. Goal:** TEXAS SOUTHMOST COLLEGE | | |
| **AQ.1.1. Strategy:** ACADEMIC EDUCATION | $ 7,849,708 | $ 7,849,708 |
| **AQ.1.2. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ 3,305,145 | $ 3,305,145 |
| **Total, Goal AQ:** TEXAS SOUTHMOST COLLEGE | $ 11,154,853 | $ 11,154,853 |
| **AR. Goal:** TRINITY VALLEY COMMUNITY COLLEGE | | |
| **AR.1.1. Strategy:** ACADEMIC EDUCATION | $ 6,258,302 | $ 6,258,302 |
| **AR.1.2. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ 4,656,947 | $ 4,656,947 |
| **Total, Goal AR:** TRINITY VALLEY COMMUNITY COLLEGE | $ 10,915,249 | $ 10,915,249 |
| **AS. Goal:** TYLER JUNIOR COLLEGE | | |
| **AS.1.1. Strategy:** ACADEMIC EDUCATION | $ 11,055,019 | $ 11,055,019 |
| **AS.1.2. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ 6,066,616 | $ 6,066,616 |
| **Total, Goal AS:** TYLER JUNIOR COLLEGE | $ 17,121,635 | $ 17,121,635 |
| **AT. Goal:** VERNON COLLEGE | | |
| **AT.1.1. Strategy:** ACADEMIC EDUCATION | $ 2,281,388 | $ 2,281,388 |
| **AT.1.2. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ 3,206,543 | $ 3,206,543 |
| **AT.1.3. Strategy:** SMALL INSTITUTION SUPPLEMENT | $ 250,000 | $ 250,000 |
| **Total, Goal AT:** VERNON COLLEGE | $ 5,737,931 | $ 5,737,931 |
| **AU. Goal:** VICTORIA COLLEGE | | |
| **AU.1.1. Strategy:** ACADEMIC EDUCATION | $ 3,024,139 | $ 3,024,139 |
| **AU.1.2. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ 2,740,272 | $ 2,740,272 |
| **Total, Goal AU:** VICTORIA COLLEGE | $ 5,764,411 | $ 5,764,411 |
| **AV. Goal:** WEATHERFORD COLLEGE | | |
| **AV.1.1. Strategy:** ACADEMIC EDUCATION | $ 4,640,048 | $ 4,640,048 |
| **AV.1.2. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ 2,880,970 | $ 2,880,970 |
| **Total, Goal AV:** WEATHERFORD COLLEGE | $ 7,521,018 | $ 7,521,018 |
| **AW. Goal:** WESTERN TEXAS COLLEGE | | |
| **AW.1.1. Strategy:** ACADEMIC EDUCATION | $ 2,198,891 | $ 2,198,891 |
| **AW.1.2. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ 1,047,522 | $ 1,047,522 |
| **AW.1.3. Strategy:** SMALL INSTITUTION SUPPLEMENT | $ 250,000 | $ 250,000 |
| **Total, Goal AW:** WESTERN TEXAS COLLEGE | $ 3,496,413 | $ 3,496,413 |
| **AX. Goal:** WHARTON COUNTY JUNIOR COLLEGE | | |
| **AX.1.1. Strategy:** ACADEMIC EDUCATION | $ 5,423,182 | $ 5,423,182 |
| **AX.1.2. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ 2,685,052 | $ 2,685,052 |

| | | |
|---|---|---|
| **AX.1.3. Strategy:** SMALL INSTITUTION SUPPLEMENT | $ 250,000 | $ 250,000 |
| **Total, Goal AX:** WHARTON COUNTY JUNIOR COLLEGE | $ 8,358,234 | $ 8,358,234 |
| **Grand Total,** PUBLIC COMMUNITY/JUNIOR COLLEGES | $ 857,368,581 | $ 857,368,582 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 850,329,827 | $ 850,329,827 |
| Other Operating Expense | 7,038,754 | 7,038,755 |
| **Total, Object-of-Expense Informational Listing** | $ 857,368,581 | $ 857,368,582 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 99,497,138 | $ 103,204,122 |
| Group Insurance | 28,565,100 | 28,565,100 |
| Subtotal, Employee Benefits | $ 128,062,238 | $ 131,769,222 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 128,062,238 | $ 131,769,222 |

2. **Administration of Appropriated Funds.** Funds appropriated above shall be administered by the Texas Higher Education Coordinating Board.

   To ensure the efficient allocation of state appropriations, the Coordinating Board shall reallocate the formula funds appropriated in this bill pattern in the second year of the biennium using certified contact hour data from the previous academic year. The Higher Education Coordinating Board shall exclude contact hours related to physical education courses for students who are registered to receive both high school and college credit from the contact hours used to reallocate formula funds in the second year of the biennium.

3. **Appropriation Eligibility.** To be eligible for and to receive an appropriation a public community/junior college must be certified as required by Education Code, Chapter 61, § 61.063, and comply with the following provisions:

   a. The Texas Higher Education Coordinating Board shall 1) determine whether each eligible public community/junior college has complied with all the provisions of this section; 2) determine each college's list of approved courses; and 3) certify its findings and such lists to the State Auditor not later than October 1 of each fiscal year. Each public community/junior college shall make such reports to the Texas Higher Education Coordinating Board as may be required, classified in accordance with the rules and regulations issued by the Board.

   b. On or before the dates for reporting official enrollments each semester to the Texas Higher Education Coordinating Board, each college will collect in full from each student that is to be counted for state aid purposes the amounts set as tuition by the respective governing boards. Valid contracts with the United States government for instruction of eligible military personnel, and valid contracts with private business and public service-type organizations or institutions such as hospitals, may be considered as collections thereunder, but subject to adjustments after final payment thereof. Financial aid awards processed by the financial aid office but not yet issued to the student shall be considered as collections thereunder but subject to adjustments after final payment thereof.

   c. Each community/junior college must use a registration and financial reporting system which is sufficient to satisfy the audit requirements of the State Auditor and furnish any reports and information as the auditor may require.

   d. Each community/junior college must file by December 1 of each fiscal year directly with the Governor, Legislative Budget Board, the Legislative Reference Library, and the Texas Higher Education Coordinating Board, a copy of an annual operating budget, and subsequent amendments thereto, approved by the community/junior college governing board. The operating budget shall be in such form and manner as may be prescribed by the board and/or

agency with the advice of the State Auditor providing, however, that each report include departmental operating budgets by function and salaries and emoluments for faculty and staff listed by position.

4. **Approved Special Item Expenditures.** The funds appropriated above for special items may be expended for salaries, wages, travel, capital outlay and other necessary operating expenses. It is specifically provided that funds appropriated above may not be used for the operation of intercollegiate athletics.

5. **Audit of Compliance.** The compliance of each public community/junior college with the requirements set forth in the paragraphs above shall be ascertained by the State Auditor who shall also audit the pertinent books and records of each college as necessary.

6. **Vouchers for Disbursement of Appropriated Funds.** Vouchers for disbursement of the sums appropriated hereinabove shall be prepared by the Texas Higher Education Coordinating Board on the basis of the provisions in the paragraphs above and the warrants issued in payment thereof shall be issued in compliance with Education Code, § 130.0031.

   Funds appropriated above to Howard County College for the operation of the Southwest Collegiate Institute for the Deaf shall be distributed in accordance with the installment schedule for Category 1 junior colleges.

   The total amount of funds appropriated above in each year of the biennium to Midland College in Strategy AB.1.1, American Airpower Heritage Museum, should be distributed on September 1 of the year funds are appropriated.

   In submitting vouchers for disbursement of the funds herein appropriated, the Texas Higher Education Coordinating Board, shall certify to the State Comptroller of Public Accounts that each school listed has qualified and is entitled to receive such funds under the provisions set forth in this Act under the heading "Public Community/Junior Colleges."

7. **Unobligated Balances.** At the close of each fiscal year each community/junior college shall report to the Coordinating Board the amount of state allocations which have not been obligated within each line item and shall return that amount to the State Treasury for deposit in the General Revenue Fund.

8. **Adjustment of Contact Hours.** Texas Higher Education Coordinating Board is authorized to review the accuracy of the contact hour data reported to the Coordinating Board by community college districts. In the event of data reporting errors, the Coordinating Board is authorized to adjust the fiscal year's formula appropriations as necessary to reflect the corrected data elements.

9. **Separation of Funds.** The funds appropriated by the State shall be maintained separately by community/junior colleges from other sources of income.

10. **Supplanting of Federal Funds Prohibited.** State funds shall not be used to supplant federal funds for the Workforce Investment Act programs conducted by community/junior colleges.

11. **Residency of Texas Department of Criminal Justice Inmates.** All inmates of the Texas Department of Criminal Justice are, for educational funding purposes in this Act only, residents of the State of Texas.

12. **Regional Import/Export Training Center.** Appropriations of $43,750 each year made above are contingent upon certification by the Comptroller of Public Accounts that increased economic activity associated with the Regional Import/Export Training Center and the Laredo Community College will generate at least $87,500 for the biennium in additional revenue to the General Revenue Fund. It is the intent of the Legislature that state funds provided to the Regional Import/Export Training Center be used by the Center to attract federal funds on a dollar-for-dollar basis.

13. **Informational Listing of Other Appropriations.** In addition to the funds appropriated above, general revenue is appropriated elsewhere in this Act for the use of the Public Community/Junior Colleges as follows:

a. Out of the General Revenue funds appropriated to the Higher Education Employees Group Insurance Contributions, $198,398,280 is intended for the use of public community colleges, subject to the provisions associated with that appropriation.

b. Out of the General Revenue funds appropriated to the Teacher Retirement System, an estimated $61,661,949 is appropriated for the state matching contribution for public community college employees.

c. Out of the General Revenue funds appropriated to the Optional Retirement Program, an estimated $43,211,376 is appropriated for the state matching contribution for public community college employees.

**14. Financial Information Reporting Requirement.** Each community college shall provide to the Texas Higher Education Coordinating Board financial data related to the operation of each community college using the specific content and format prescribed by the Coordinating Board. Each community college shall provide the report no later than January 1st of each year.

The Coordinating Board shall provide an annual report due on May 1 to the Legislative Budget Board and Governor's Office about the financial condition of the state's community college districts.

**15. Limitations of Formula Funding Contact Hours.** To control costs and limit General Revenue formula appropriations contact hours related to a course for which a student is generating formula funding for the third time shall be excluded from being counted in the hours reported by the Higher Education Coordinating Board to the Legislative Budget Board for formula funding.

**16. Approved Elements of Expenditure.** The expenditures by a public community/junior college of any funds received by it under these provisions headed "Public Community/Junior Colleges" shall be limited to the payment of the following elements of cost: instruction, academic support, student services, institutional support, organized activities, and staff benefits associated with salaries paid from general revenue. It is specifically provided, however, that in addition to the purposes enumerated herein, the funds appropriated above for special items may be expended for salaries, wages, travel, capital outlay and other necessary operating expenses. It is specifically provided that funds appropriated above may not be used for the operation of intercollegiate athletics.

**17. Funding for StarLink at Dallas Community College.** Funds identified above in Strategy N.1.2, StarLink, are to be used for the sole purpose of supporting the StarLink program and are subject to the provisions of Rider 3 and Rider 4 in this bill pattern.

**18. Funding for the Virtual College of Texas at Austin Community College.** Funds identified above in Strategy E.1.1, Virtual College of Texas, are to be used for the sole purpose of supporting the Virtual College of Texas and are subject to the provisions of Rider 3 and Rider 4 in this bill pattern.

**19. Texas Revolution.** Out of the funds appropriated above for Strategy F.1.1, Star of the Republic Museum, $50,000 in General Revenue funds in each year of the 2012-13 biennium may be used for the purpose of supporting a web-based tool on the Texas Revolution.

**20. Developmental Education Intervention Formulas.** It is the intent of the Legislature that during fiscal years 2012 and 2013 the Texas Higher Education Coordinating Board use the funds appropriated by this act to be in a position to implement funding formula recommendations on a weighted contact hour basis, under Sec. 61.059, Education Code, for semester length and non-semester length developmental education interventions (including course-based, non-course based, alternative-entry/exit, modules, paired courses, and competency based courses, and other intensive developmental education activities) based on existing developmental education cost studies, ongoing research studies, and survey data.

**21. Appropriations for the Bachelor's of Applied Technology Program.** The amounts appropriated above in Strategies G.1.1. AB.2.1. and AL.1.1., are exclusively for the purpose of providing state contributions to each affected district's Bachelor of Applied Technology program.

# TEXAS STATE TECHNICAL COLLEGE SYSTEM ADMINISTRATION

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 2,301,722 | $ 2,301,722 |
| GR Dedicated - Estimated Other Educational and General Income Account No. 770 | 373,652 | 374,365 |
| **Total, Method of Financing** | $ 2,675,374 | $ 2,676,087 |
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 2,675,374 | $ 2,676,087 |
| **Grand Total,** TEXAS STATE TECHNICAL COLLEGE SYSTEM ADMINISTRATION | $ 2,675,374 | $ 2,676,087 |
| **This bill pattern represents an estimated 99.8% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE)- Appropriated Funds** | 51.9 | 51.9 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS<br>Provide Instructional and Operations Support. | | |
| **A.1.1. Strategy:** FORECASTING & CURRICULUM DVLPMENT<br>Forecasting and Curriculum Development. | $ 178,175 | $ 178,175 |
| **A.1.2. Strategy:** STAFF GROUP INSURANCE PREMIUMS | $ 10,174 | $ 10,887 |
| **A.1.3. Strategy:** WORKERS' COMPENSATION INSURANCE | $ 15,675 | $ 15,675 |
| **A.1.4. Strategy:** SYSTEM OFFICE OPERATIONS | $ 2,175,217 | $ 2,175,217 |
| **A.1.5. Strategy:** TECHNICAL TRAINING PARTNERSHIP<br>Technical Training Partnerships with Community Colleges. | $ 296,133 | $ 296,133 |
| **Total, Goal A:** INSTRUCTION/OPERATIONS | $ 2,675,374 | $ 2,676,087 |
| **Grand Total,** TEXAS STATE TECHNICAL COLLEGE SYSTEM ADMINISTRATION | $ 2,675,374 | $ 2,676,087 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 2,264,418 | $ 2,264,418 |
| Faculty Salaries (Higher Education Only) | 296,133 | 296,133 |
| Utilities | 3,222 | 3,362 |
| Travel | 4,800 | 4,800 |
| Other Operating Expense | 106,801 | 107,374 |
| **Total, Object-of-Expense Informational Listing** | $ 2,675,374 | $ 2,676,087 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 136,814 | $ 141,911 |
| Group Insurance | 2,705,063 | 2,705,063 |
| Social Security | 171,335 | 177,332 |
| Subtotal, Employee Benefits | $ 3,013,212 | $ 3,024,306 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 3,013,212 | $ 3,024,306 |

## TEXAS STATE TECHNICAL COLLEGE SYSTEM ADMINISTRATION
(Continued)

2. **Coordination with Community/Junior Colleges.** In accordance with Education Code Chapter 135, prior to establishing a program in an area which is within a community/junior college district, the Texas State Technical College must receive authorization to offer such educational, technical or vocational programs from the Texas Higher Education Coordinating Board.

3. **Governing Board.** Out of the funds appropriated above, an amount not to exceed $49,000 in each year of the biennium shall be for all expenses associated with the governing board's duties including, but not limited to: travel, entertainment, lodging and expenses of state employees who provide services for the governing board.

   A separate record of the board's expenditures shall be kept and retained in the same manner as the fiscal records of the institution(s) the board governs. No funds may be used for the governing board's expenses except for the specific amounts designated above. Funds appropriated for the governing board's expenses may be used for any other purpose covered by this Act.

4. **Expenditure Reporting for System Administration and Extension Centers.** Prior to each legislative session the Texas State Technical College System Administration shall file with the House Appropriations Committee, the Senate Finance Committee, the Legislative Budget Board, and the Governor a report detailing expenditures for system administration and the extension centers at Abilene, Brownwood, and Breckenridge. The report shall compare actual expenditures to funds appropriated for those purposes and shall cover the current and previous two biennia.

## TEXAS STATE TECHNICAL COLLEGE - HARLINGEN

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 17,592,191 | $ 17,585,551 |
| GR Dedicated - Estimated Other Educational and General Income Account No. 770 | 7,103,048 | 6,812,720 |
| **Total, Method of Financing** | $ 24,695,239 | $ 24,398,271 |
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 24,695,239 | $ 24,398,271 |
| **Grand Total,** TEXAS STATE TECHNICAL COLLEGE - HARLINGEN | $ 24,695,239 | $ 24,398,271 |
| **This bill pattern represents an estimated 55.3% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE)- Appropriated Funds** | 442.9 | 442.9 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS<br>Provide Instructional and Operations Support. | | |
| **A.1.1. Strategy:** ACADEMIC EDUCATION | $ 9,012,301 | $ 8,828,663 |
| **A.1.2. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ 9,583,244 | $ 9,387,971 |
| **A.1.3. Strategy:** STAFF GROUP INSURANCE PREMIUMS | $ 864,049 | $ 924,533 |
| **A.1.4. Strategy:** WORKERS' COMPENSATION INSURANCE | $ 30,634 | $ 30,634 |
| **A.1.5. Strategy:** TEXAS PUBLIC EDUCATION GRANTS | $ 1,076,100 | $ 1,097,622 |
| **Total, Goal A:** INSTRUCTION/OPERATIONS | $ 20,566,328 | $ 20,269,423 |

| | | |
|---|---|---|
| **B. Goal:** INFRASTRUCTURE SUPPORT | | |
| Provide Infrastructure Support. | | |
| **B.1.1. Strategy:** E&G SPACE SUPPORT | $ 2,956,736 | $ 2,956,736 |
| Educational and General Space Support. | | |
| **B.1.2. Strategy:** TUITION REVENUE BOND RETIREMENT | $ 255,334 | $ 255,271 |
| **Total, Goal B:** INFRASTRUCTURE SUPPORT | $ 3,212,070 | $ 3,212,007 |
| **C. Goal:** SPECIAL ITEM SUPPORT | | |
| Provide Special Item Support. | | |
| **C.1.1. Strategy:** INSTITUTIONAL ENHANCEMENT | $ 916,841 | $ 916,841 |
| **Grand Total,** TEXAS STATE TECHNICAL COLLEGE - HARLINGEN | $ 24,695,239 | $ 24,398,271 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 7,336,940 | $ 7,050,804 |
| Other Personnel Costs | 303,127 | 271,939 |
| Faculty Salaries (Higher Education Only) | 8,583,524 | 8,809,316 |
| Professional Fees and Services | 156,738 | 167,273 |
| Fuels and Lubricants | 21,715 | 21,709 |
| Consumable Supplies | 292,669 | 0 |
| Utilities | 257,116 | 261,581 |
| Travel | 171,058 | 0 |
| Rent - Machine and Other | 108,234 | 170,414 |
| Debt Service | 255,334 | 255,271 |
| Other Operating Expense | 6,132,684 | 6,292,342 |
| Grants | 1,076,100 | 1,097,622 |
| **Total, Object-of-Expense Informational Listing** | $ 24,695,239 | $ 24,398,271 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 1,165,546 | $ 1,208,971 |
| Group Insurance | 1,649,598 | 1,649,598 |
| Social Security | 1,459,645 | 1,510,732 |
| Subtotal, Employee Benefits | $ 4,274,789 | $ 4,369,301 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 4,274,789 | $ 4,369,301 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas State Technical College - Harlingen. 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 Texas State Technical College - Harlingen. In order to achieve the objectives and service standards established by this Act, the Texas State Technical College - Harlingen shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Percent of First-time, Full-time, Degree or Certificate-seeking Students Graduated within Three Years with Either an Associate of Applied Science Degree or a Certificate | 30% | 30% |
| Annual Headcount Enrollment | 11,072 | 11,293 |
| Number of Associate Degrees and Certificates Awarded Annually | 506 | 506 |
| Number of Minority Students Graduated Annually | 427 | 427 |
| **A.1.1. Strategy:** ACADEMIC EDUCATION | | |
| **Efficiencies:** | | |
| Administrative Cost as a Percent of Total Expenditures | 7.8% | 7.8% |

# TEXAS STATE TECHNICAL COLLEGE - WEST TEXAS

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 10,097,664 | $ 10,097,421 |
| GR Dedicated - Estimated Other Educational and General Income Account No. 770 | 2,375,301 | 2,399,905 |
| **Total, Method of Financing** | $ 12,472,965 | $ 12,497,326 |
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 12,472,965 | $ 12,497,326 |
| **Grand Total,** TEXAS STATE TECHNICAL COLLEGE - WEST TEXAS | $ 12,472,965 | $ 12,497,326 |
| **This bill pattern represents an estimated 64.7% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE)- Appropriated Funds** | 234.7 | 234.7 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| Provide Instructional and Operations Support. | | |
| **A.1.1. Strategy:** ACADEMIC EDUCATION | $ 299,068 | $ 299,189 |
| **A.1.2. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ 2,876,727 | $ 2,877,897 |
| **A.1.3. Strategy:** STAFF GROUP INSURANCE PREMIUMS | $ 285,300 | $ 305,271 |
| **A.1.4. Strategy:** WORKERS' COMPENSATION INSURANCE | $ 43,050 | $ 43,050 |
| **A.1.5. Strategy:** TEXAS PUBLIC EDUCATION GRANTS | $ 314,118 | $ 317,259 |
| **A.1.6. Strategy:** HOLD HARMLESS | $ 3,133,676 | $ 3,133,676 |
| **A.1.7. Strategy:** ABILENE ACADEMIC/VOCATIONAL ED<br>Abilene Academic/Vocational Education. | $ 1,484,015 | $ 1,484,015 |
| **A.1.8. Strategy:** BROWNWOOD ACADEMIC/VOCATIONAL ED<br>Brownwood Academic/Vocational Education. | $ 626,301 | $ 626,301 |
| **A.1.9. Strategy:** RURAL TECH ACADEMIC/VOCATIONAL ED<br>Rural Tech Center Academic/Vocational Education. | $ 630,448 | $ 630,448 |
| **Total, Goal A:** INSTRUCTION/OPERATIONS | $ 9,692,703 | $ 9,717,106 |
| **B. Goal:** INFRASTRUCTURE SUPPORT | | |
| Provide Infrastructure Support. | | |
| **B.1.1. Strategy:** E&G SPACE SUPPORT<br>Educational and General Space Support. | $ 1,507,981 | $ 1,507,981 |
| **B.1.2. Strategy:** TUITION REVENUE BOND RETIREMENT | $ 172,350 | $ 172,308 |
| **Total, Goal B:** INFRASTRUCTURE SUPPORT | $ 1,680,331 | $ 1,680,289 |
| **C. Goal:** SPECIAL ITEM SUPPORT | | |
| Provide Special Item Support. | | |
| **C.1.1. Strategy:** INSTITUTIONAL ENHANCEMENT | $ 1,099,931 | $ 1,099,931 |
| **Grand Total,** TEXAS STATE TECHNICAL COLLEGE - WEST TEXAS | $ 12,472,965 | $ 12,497,326 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 4,099,368 | $ 3,965,316 |
| Other Personnel Costs | 249,547 | 242,166 |
| Faculty Salaries (Higher Education Only) | 2,480,212 | 2,502,602 |
| Professional Fees and Services | 70,592 | 75,947 |
| Fuels and Lubricants | 29,931 | 63,471 |
| Consumable Supplies | 23,785 | 0 |
| Utilities | 813,487 | 900,744 |
| Travel | 46,065 | 2,813 |
| Rent - Building | 2,904 | 2,823 |

## TEXAS STATE TECHNICAL COLLEGE - WEST TEXAS
(Continued)

| | | |
|---|---|---|
| Rent - Machine and Other | 54,261 | 95,334 |
| Debt Service | 172,350 | 172,308 |
| Other Operating Expense | 4,085,911 | 4,149,628 |
| Grants | 314,118 | 317,259 |
| Capital Expenditures | 30,434 | 6,915 |
| **Total, Object-of-Expense Informational Listing** | $ 12,472,965 | $ 12,497,326 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 649,864 | $ 674,076 |
| Group Insurance | 499,905 | 499,905 |
| Social Security | 813,843 | 842,327 |
| Subtotal, Employee Benefits | $ 1,963,612 | $ 2,016,308 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 1,963,612 | $ 2,016,308 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas State Technical College - West Texas. 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 Texas State Technical College - West Texas. In order to achieve the objectives and service standards established by this Act, the Texas State Technical College - West Texas shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Percent of First-time, Full-time, Degree or Certificate-seeking Students Graduated within Three Years with Either an Associate of Applied Science Degree or a Certificate | 42% | 42% |
| Annual Headcount Enrollment | 3,200 | 3,225 |
| Number of Associate Degrees and Certificates Awarded Annually | 375 | 375 |
| Number of Minority Students Graduated Annually | 100 | 100 |
| **A.1.1. Strategy:** ACADEMIC EDUCATION | | |
| **Efficiencies:** | | |
| Administrative Cost as a Percent of Total Expenditures | 8.5% | 8.5% |

## TEXAS STATE TECHNICAL COLLEGE - MARSHALL

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 4,259,975 | $ 4,259,454 |
| GR Dedicated - Estimated Other Educational and General Income Account No. 770 | 1,228,010 | 1,248,029 |
| **Total, Method of Financing** | $ 5,487,985 | $ 5,507,483 |
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 5,487,985 | $ 5,507,483 |
| **Grand Total,** TEXAS STATE TECHNICAL COLLEGE - MARSHALL | $ 5,487,985 | $ 5,507,483 |

**This bill pattern represents an estimated 67.3% of this agency's estimated total available funds for the biennium.**

| | | |
|---|---|---|
| **Number of Full-Time-Equivalents (FTE)- Appropriated Funds** | 102.0 | 102.0 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | | | |
|---|---|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | | | |
| Provide Instructional and Operations Support. | | | | |
| **A.1.1. Strategy:** ACADEMIC EDUCATION | $ | 720,404 | $ | 721,469 |
| **A.1.2. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ | 2,726,129 | $ | 2,730,160 |
| **A.1.3. Strategy:** STAFF GROUP INSURANCE PREMIUMS | $ | 166,477 | $ | 178,130 |
| **A.1.4. Strategy:** WORKERS' COMPENSATION INSURANCE | $ | 3,244 | $ | 3,244 |
| **A.1.5. Strategy:** TEXAS PUBLIC EDUCATION GRANTS | $ | 185,393 | $ | 188,174 |
| **Total, Goal A:** INSTRUCTION/OPERATIONS | $ | 3,801,647 | $ | 3,821,177 |
| **B. Goal:** INFRASTRUCTURE SUPPORT | | | | |
| Provide Infrastructure Support. | | | | |
| **B.1.1. Strategy:** E&G SPACE SUPPORT | $ | 769,280 | $ | 769,280 |
| Educational and General Space Support. | | | | |
| **B.1.2. Strategy:** TUITION REVENUE BOND RETIREMENT | $ | 134,050 | $ | 134,018 |
| **Total, Goal B:** INFRASTRUCTURE SUPPORT | $ | 903,330 | $ | 903,298 |
| **C. Goal:** SPECIAL ITEM SUPPORT | | | | |
| Provide Special Item Support. | | | | |
| **C.1.1. Strategy:** INSTITUTIONAL ENHANCEMENT | $ | 783,008 | $ | 783,008 |
| **Grand Total,** TEXAS STATE TECHNICAL COLLEGE - MARSHALL | $ | 5,487,985 | $ | 5,507,483 |
| **Object-of-Expense Informational Listing:** | | | | |
| Salaries and Wages | $ | 1,803,406 | $ | 1,804,512 |
| Other Personnel Costs | | 15,660 | | 15,660 |
| Faculty Salaries (Higher Education Only) | | 2,260,475 | | 2,264,465 |
| Utilities | | 150,000 | | 150,000 |
| Debt Service | | 134,050 | | 134,018 |
| Other Operating Expense | | 939,001 | | 950,654 |
| Client Services | | 185,393 | | 188,174 |
| **Total, Object-of-Expense Informational Listing** | $ | 5,487,985 | $ | 5,507,483 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | | | |
| Employee Benefits | | | | |
| Retirement | $ | 268,365 | $ | 278,363 |
| Group Insurance | | 419,317 | | 419,317 |
| Social Security | | 1,815,495 | | 1,879,037 |
| Subtotal, Employee Benefits | $ | 2,503,177 | $ | 2,576,717 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ | 2,503,177 | $ | 2,576,717 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas State Technical College - Marshall. 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 Texas State Technical College - Marshall. In order to achieve the objectives and service standards established by this Act, the Texas State Technical College - Marshall shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

## TEXAS STATE TECHNICAL COLLEGE - MARSHALL
(Continued)

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Percent of First-time, Full-time, Degree or Certificate-seeking Students Graduated within Three Years with Either an Associate of Applied Science Degree or a Certificate | 32% | 32% |
| Annual Headcount Enrollment | 1,845 | 1,845 |
| Number of Associate Degrees and Certificates Awarded Annually | 145 | 145 |
| Number of Minority Students Graduated Annually | 36 | 36 |
| **A.1.1. Strategy:** ACADEMIC EDUCATION | | |
| **Efficiencies:** | | |
| Administrative Cost as a Percent of Total Expenditures | 11.5% | 11.5% |

## TEXAS STATE TECHNICAL COLLEGE - WACO

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 26,592,770 | $ 26,597,306 |
| GR Dedicated - Estimated Other Educational and General Income Account No. 770 | 9,199,300 | 9,207,410 |
| **Total, Method of Financing** | $ 35,792,070 | $ 35,804,716 |
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 35,792,070 | $ 35,804,716 |
| **Grand Total,** TEXAS STATE TECHNICAL COLLEGE - WACO | $ 35,792,070 | $ 35,804,716 |
| **This bill pattern represents an estimated 58.5% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE)- Appropriated Funds** | 551.2 | 551.2 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| Provide Instructional and Operations Support. | | |
| **A.1.1. Strategy:** ACADEMIC EDUCATION | $ 5,411,010 | $ 5,399,061 |
| **A.1.2. Strategy:** VOCATIONAL/TECHNICAL EDUCATION | $ 22,269,160 | $ 22,219,982 |
| **A.1.3. Strategy:** STAFF GROUP INSURANCE PREMIUMS | $ 1,097,641 | $ 1,174,477 |
| **A.1.4. Strategy:** WORKERS' COMPENSATION INSURANCE | $ 99,425 | $ 99,425 |
| **A.1.5. Strategy:** TEXAS PUBLIC EDUCATION GRANTS | $ 1,387,504 | $ 1,387,504 |
| **Total, Goal A:** INSTRUCTION/OPERATIONS | $ 30,264,740 | $ 30,280,449 |
| **B. Goal:** PROVIDE INFRASTRUCTURE SUPPORT | | |
| **B.1.1. Strategy:** E&G SPACE SUPPORT | $ 4,004,133 | $ 4,004,133 |
| Educational and General Space Support. | | |
| **B.1.2. Strategy:** TUITION REVENUE BOND RETIREMENT | $ 535,972 | $ 532,909 |
| **Total, Goal B:** PROVIDE INFRASTRUCTURE SUPPORT | $ 4,540,105 | $ 4,537,042 |
| **C. Goal:** PROVIDE SPECIAL ITEM SUPPORT | | |
| **C.1.1. Strategy:** INSTITUTIONAL ENHANCEMENT | $ 987,225 | $ 987,225 |
| **Grand Total,** TEXAS STATE TECHNICAL COLLEGE - WACO | $ 35,792,070 | $ 35,804,716 |

| | | |
|---|---|---|
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 10,006,896 | $ 9,868,149 |
| Other Personnel Costs | 334,992 | 541,482 |
| Faculty Salaries (Higher Education Only) | 14,374,855 | 15,450,837 |
| Professional Fees and Services | 280,016 | 269,127 |
| Fuels and Lubricants | 82,146 | 81,290 |
| Consumable Supplies | 354,734 | 0 |
| Utilities | 2,272,279 | 2,299,273 |
| Travel | 76,680 | 0 |
| Rent - Building | 49,261 | 50,339 |
| Rent - Machine and Other | 105,416 | 143,357 |
| Debt Service | 535,972 | 532,909 |
| Other Operating Expense | 5,601,353 | 4,887,047 |
| Grants | 1,387,504 | 1,387,504 |
| Capital Expenditures | 329,966 | 293,402 |
| **Total, Object-of-Expense Informational Listing** | $ 35,792,070 | $ 35,804,716 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 1,449,697 | $ 1,503,709 |
| Group Insurance | 2,313,543 | 2,313,543 |
| Social Security | 336,081 | 347,844 |
| Subtotal, Employee Benefits | $ 4,099,321 | $ 4,165,096 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 4,099,321 | $ 4,165,096 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas State Technical College - Waco. 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 Texas State Technical College - Waco. In order to achieve the objectives and service standards established by this Act, the Texas State Technical College - Waco shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** INSTRUCTION/OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Percent of First-time, Full-time, Degree or Certificate-seeking Students Graduated within Three Years with Either an Associate of Applied Science Degree or a Certificate | 29% | 29% |
| Annual Headcount Enrollment | 7,750 | 7,750 |
| Number of Associate Degrees and Certificates Awarded Annually | 1,000 | 1,000 |
| Number of Minority Students Graduated Annually | 310 | 310 |
| **A.1.1. Strategy:** ACADEMIC EDUCATION | | |
| **Efficiencies:** | | |
| Administrative Cost as a Percent of Total Expenditures | 7% | 7% |

## SPECIAL PROVISIONS RELATING ONLY TO COMPONENTS OF TEXAS STATE TECHNICAL COLLEGE

1. **Expenditure of Educational and General Funds.** Recognizing that Texas State Technical College may have the opportunity and should be encouraged to attract private contributions, grants, or contracts, and to enter into agreements with private businesses and other agencies of government for purposes not specifically contained in the strategy items above that might require matching funds from TSTC, the Board of Regents of Texas State Technical College is hereby authorized to expend its remaining educational and general funds to meet contribution, contract, or grant-matching requirements only for the following purposes:

a. planning and implementing a large-scale job-training program in conjunction with private business and other state agencies;

b. acquiring facilities and equipment to carry out a large-scale industrial training program in conjunction with a major employer; and

c. additional space and mechanical systems or renovation of existing buildings in accordance with the Campus Master Plans and subject to approval by the Texas Higher Education Coordinating Board.

**2. Financial Records.** The financial records and reports of the Texas State Technical College shall classify accounts in accordance with the recommendation of the National Committee on the Preparation of a Manual on College and University Business Administration, as set forth in Volume I of "College and University Business Administration," published by the American Council on Education with a copyright date of 1952, and subsequent published revisions with such modifications as may be developed and provided by the Comptroller of Public Accounts, or as may be required to conform with specific provisions of the Appropriation Acts of the Legislature. The accounts of the Texas State Technical College shall be maintained and audited in accordance with the approved reporting system. The Texas State Technical College shall deliver to the Texas Higher Education Coordinating Board, any such program reports as it may deem necessary in accordance with its rules and regulations.

**3. Enrollment Records and Reports.** To be eligible to receive the appropriations herein above, the Texas State Technical College shall maintain separately for each campus and each extension center such enrollment records and report such enrollment data as required by the Texas Higher Education Coordinating Board. These enrollment reports shall be submitted in the form and on the date required.

The above reports shall be certified to the Comptroller of Public Accounts no later than the date required by the Coordinating Board, and each term copies of the above certified enrollment reports shall be sent to the Coordinating Board, Legislative Budget Board, Governor, State Auditor and Legislative Reference Library.

The State Auditor shall verify the certified enrollment data submitted to the agencies listed above as part of the audit of the Texas State Technical College.

The Texas State Technical College shall offer only such courses as are economically justified in the considered judgment of the Board of Regents. The Board of Regents shall adopt policies specifying the conditions under which classes of less than 10 students by headcount are to be considered necessary and justifiable. The Board of Regents shall direct the chancellor or other officials to review enrollment data prior to the designated Coordinating Board census date and take all necessary actions to ensure that the small classes offered on each campus are only those that conform with established policies on small classes. Each school term, each campus shall prepare for submission to the Board of Regents a small class report showing the department, course number, title of course and the name of the instructor. The Board of Regents shall review enrollment reports certified to the Comptroller of Public Accounts, the campus small class reports and other enrollment records as necessary to ensure that the classes offered are economically justified and are in compliance with Board of Regents' policy.

**4. Certification of Compliance.** Expenditure of the funds appropriated hereinabove is contingent upon annual certification by the chancellor of the Texas State Technical College to the Comptroller of Public Accounts that the Texas State Technical College is in compliance with these provisions regarding budgets, accounting procedures and enrollment.

**5. Approved Geographic Locations.** None of the funds appropriated above to the Texas State Technical College shall be expended in promoting, developing or creating a campus or extension center at any other location in the state except as specified in Education Code § 135.02.

**6. Temporary Special Courses.** Out of funds appropriated by contact hour generation hereinabove to the Texas State Technical College in pre-apprenticeship, related training for apprentices and specialized training for journeymen and compensatory training for pre-apprenticeship and apprenticeship enrollees, and plant expansion and new plant start-up training program no more than $50,000 per year may be spent wherever the need exists within the state in conjunction with

curriculum approval by the Texas Higher Education Coordinating Board. Such expenditure of funds for these special courses are temporary in nature and outside the provision of Education Code § 135.04.

7. **Aircraft Pilot Training Programs.** Funds may be used for the operation, maintenance or lease of aircraft for use in the Aircraft Pilot Training programs subject to the requirement that excess costs of flight instruction be recovered by an assessment of charge to student pilots. This income shall be separately accounted for and credited as a reduction in expenditure in the Aircraft Pilot Training Program.

8. **Approval of Plans by Foundations.** Any use of the Texas State Technical College's assets or facilities including, but not limited to, buildings, equipment or employees by existing foundations or for the promotion of foundations shall require prior approval of the Board of Regents. Approval is contingent upon receipt by the Board of Regents of a satisfactory annual plan of operation. At a minimum, this plan must specify the proposed use of any Texas State Technical College facilities, equipment, and personnel; payments made directly to Texas State Technical College personnel for services provided or expenses incurred; and donations of funds to the Texas State Technical College for designated purposes. All funds donated by foundations to the Texas State Technical College shall be received and accounted for in the same manner as all other Texas State Technical College funds. After Board of Regents approval, the plan shall be filed with the Legislative Budget Board.

9. **Audit of Base Contact Hours.** The hours used in the contact hour base period to fund Texas State Technical College are subject to audit for accuracy by the State Auditor according to an audit plan developed in consultation with the Texas Higher Education Coordinating Board, the Legislative Budget Board, and community, technical, and state colleges and the appropriation amounts adjusted accordingly by the Comptroller of Public Accounts. The total amount appropriated to the two-year institutions' contact hour formula shall be redistributed to all institutions funded by the formula based on certified contact hours. The calculation of revised appropriation amounts shall allow each institution an error rate of up to 2 percent of the total contact hour formula appropriations to that institution for the biennium. Adjustments shall be made to appropriated amounts in accordance with adjustments of estimated contact hours to actual certified contact hours, even if the total error rate is less than 2 percent of the total contact hour formula amount appropriated to that institution for the biennium.

10. **Campus President Salaries.** Out of the funds appropriated to each campus of Texas State Technical College, an amount not to exceed $63,654 in 2012 and $63,654 in 2013 may be expended for the salary of a president. All presidents may receive in addition to the above amounts a house, utilities, and/or supplement from private sources. If an institutionally owned house is not available an amount not to exceed $7,200 per year from the appropriations above, and additional funds from gifts and grants where required, may be provided in lieu of house and utilities.

11. **Chancellor Salary.** Out of the funds appropriated, transferred, or contracted to the system office, an amount not to exceed $70,231 in 2012 and $70,231 in 2013 may be expended for the salary of a chancellor. The chancellor may receive in addition to the above amount a house, utilities, and/or supplement from private sources. If a system owned house is not available an amount not to exceed $7,200 per year from the system office appropriation and additional funds from gifts and grants where required, may be provided in lieu of house and utilities.

## TEXAS AGRILIFE RESEARCH

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 50,161,229 | $ 50,071,831 |
| GR Dedicated - Clean Air Account No. 151 | 475,000 | 475,000 |
| Federal Funds | 7,966,791 | 7,966,791 |

| | | |
|---|---|---|
| Other Funds | | |
| Sales Funds - Agrilife Research, estimated | 852,503 | 852,503 |
| Fertilizer Control Fund, Locally Held, estimated | 1,219,000 | 1,219,000 |
| Indirect Cost Recovery, Locally Held, estimated | 288,750 | 288,750 |
| Feed Control Fund - Local No. 058 | 3,745,000 | 3,745,000 |
| Subtotal, Other Funds | $ 6,105,253 | $ 6,105,253 |
| **Total, Method of Financing** | $ 64,708,273 | $ 64,618,875 |
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 64,708,273 | $ 64,618,875 |
| **Grand Total,** TEXAS AGRILIFE RESEARCH | $ 64,708,273 | $ 64,618,875 |

**This bill pattern represents an estimated 39.6% of this agency's estimated total available funds for the biennium.**

| | | |
|---|---|---|
| **Number of Full-Time-Equivalents (FTE)- Appropriated Funds** | 985.9 | 985.9 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | |
|---|---|---|
| **A. Goal:** AGRICULTURAL/LIFE SCIENCES RESEARCH | | |
| Agricultural and Life Sciences Research. | | |
| **A.1.1. Strategy:** AGRICULTURAL/LIFE SCIENCES RESEARCH | $ 45,233,755 | $ 45,350,975 |
| Conduct Agricultural and Life Sciences Research. | | |
| **A.1.2. Strategy:** FEEDYARD BEEF CATTLE PRODUCTION | $ 374,126 | $ 352,622 |
| **Total, Goal A:** AGRICULTURAL/LIFE SCIENCES RESEARCH | $ 45,607,881 | $ 45,703,597 |
| **B. Goal:** REGULATORY SERVICES | | |
| Provide Regulatory Services. | | |
| **B.1.1. Strategy:** HONEY BEE REGULATION | $ 260,287 | $ 260,006 |
| Control Diseases/Pest of EHB & Reduce Impact of AHB thru Regulation. | | |
| **B.2.1. Strategy:** FEED AND FERTILIZER PROGRAM | $ 4,157,778 | $ 4,157,778 |
| Monitor and Evaluate Products Distributed in the State. | | |
| **Total, Goal B:** REGULATORY SERVICES | $ 4,418,065 | $ 4,417,784 |
| **C. Goal:** STAFF BENEFITS | | |
| Maintain Staff Benefits Program for Eligible Employees and Retirees. | | |
| **C.1.1. Strategy:** STAFF GROUP INSURANCE | $ 725,688 | $ 725,688 |
| Provide Funding for Staff Group Insurance Premiums. | | |
| **C.1.2. Strategy:** WORKERS' COMP INSURANCE | $ 211,431 | $ 211,431 |
| Provide Funding for Workers' Compensation Insurance. | | |
| **C.1.3. Strategy:** UNEMPLOYMENT INSURANCE | $ 24,357 | $ 24,357 |
| Provide Funding for Unemployment Insurance. | | |
| **C.1.4. Strategy:** OASI | $ 497,685 | $ 497,685 |
| Provide Funding for OASI. | | |
| **Total, Goal C:** STAFF BENEFITS | $ 1,459,161 | $ 1,459,161 |
| **D. Goal:** INDIRECT ADMINISTRATION | | |
| **D.1.1. Strategy:** INDIRECT ADMINISTRATION | $ 4,639,337 | $ 4,454,504 |
| **D.1.2. Strategy:** INFRASTRUCTURE SUPPORT IN BRAZOS CO | $ 5,467,866 | $ 5,467,866 |
| Infrastructure Support - In Brazos County. | | |

| | | |
|---|---|---|
| **D.1.3. Strategy:** INFRASTRUCT SUPP OUTSIDE BRAZOS CO | $ 3,115,963 | $ 3,115,963 |
| Infrastructure Support - Outside Brazos County. | | |
| **Total, Goal D:** INDIRECT ADMINISTRATION | $ 13,223,166 | $ 13,038,333 |
| **Grand Total,** TEXAS AGRILIFE RESEARCH | $ 64,708,273 | $ 64,618,875 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 25,891,336 | $ 25,684,718 |
| Other Personnel Costs | 2,625,109 | 2,625,109 |
| Professional Salaries - Faculty Equivalent (Higher Education Only) | 18,727,295 | 18,844,785 |
| Professional Fees and Services | 112,500 | 112,500 |
| Fuels and Lubricants | 399,800 | 399,800 |
| Consumable Supplies | 612,500 | 612,500 |
| Utilities | 2,338,102 | 2,337,832 |
| Travel | 406,500 | 406,500 |
| Rent - Building | 52,000 | 52,000 |
| Rent - Machine and Other | 150,660 | 150,660 |
| Other Operating Expense | 10,715,142 | 10,715,142 |
| Client Services | 3,000 | 3,000 |
| Grants | 1,111,829 | 1,111,829 |
| Capital Expenditures | 1,562,500 | 1,562,500 |
| **Total, Object-of-Expense Informational Listing** | $ 64,708,273 | $ 64,618,875 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 3,151,615 | $ 3,269,036 |
| Group Insurance | 7,801,626 | 7,801,626 |
| Social Security | 3,154,688 | 3,265,103 |
| Subtotal, Employee Benefits | $ 14,107,929 | $ 14,335,765 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 14,107,929 | $ 14,335,765 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas AgriLife Research. 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 Texas AgriLife Research. In order to achieve the objectives and service standards established by this Act, the Texas AgriLife Research shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** AGRICULTURAL/LIFE SCIENCES RESEARCH | | |
| **Outcome (Results/Impact):** | | |
| Percentage Change in Number of Patents, Disclosures, and Licenses | 2% | 2% |
| **A.1.1. Strategy:** AGRICULTURAL/LIFE SCIENCES RESEARCH | | |
| **Output (Volume):** | | |
| Number of Scientific Publications | 1,842 | 1,842 |
| **Explanatory:** | | |
| Amount of External Sponsor Support | 82,500,000 | 82,500,000 |
| **B. Goal:** REGULATORY SERVICES | | |
| **B.1.1. Strategy:** HONEY BEE REGULATION | | |
| **Output (Volume):** | | |
| Number of Bee Colonies Inspected | 42,300 | 42,300 |
| Number of Apiaries Inspected | 225 | 225 |
| **B.2.1. Strategy:** FEED AND FERTILIZER PROGRAM | | |
| **Output (Volume):** | | |
| Number of Feed and Fertilizer Samples Analyzed by the Agricultural Analytical Services Laboratory | 7,000 | 7,000 |

## TEXAS AGRILIFE RESEARCH
(Continued)

3. **Limited Waiver from Proportionality Provision.** Texas AgriLife Research is specifically exempt from implementation of proportionality for Higher Education Retirement Programs, but only in regard to the retirement match limit that is imposed under the federal Hatch Act and the McIntire-Stennis Act.

4. **Equine Research Account.** Included in the appropriations above are fees collected in each year of the biennium beginning September 1, 2011, pursuant to Revised Texas Civil Statutes Annotated, Art. 179e, § 6.08(h), for the Equine Research Account in support of the Equine Research Program.

5. **Agriculture Registration Fees.** Included in the appropriations above are fees collected in each year of the biennium beginning September 1, 2011, pursuant to § 131.046, Texas Agriculture Code, from the General Revenue Fund (Revenue Object Code 3410) to Texas AgriLife Research for the Honey Bee Disease Program.

## TEXAS AGRILIFE EXTENSION SERVICE

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 42,218,519 | $ 42,218,520 |
| General Revenue Fund - Dedicated | | |
| Master Gardener License Plates Account No. 5131 | 4,000 | 4,000 |
| Texas 4-H Plate Account No. 5132 | 500 | 500 |
| Subtotal, General Revenue Fund - Dedicated | $ 4,500 | $ 4,500 |
| Federal Funds | 12,651,354 | 12,651,354 |
| Other Funds | | |
| County Funds - Extension Programs Fund, Locally Held, estimated | 8,676,757 | 8,676,757 |
| Interagency Contracts | 571,318 | 571,318 |
| Subtotal, Other Funds | $ 9,248,075 | $ 9,248,075 |
| **Total, Method of Financing** | $ 64,122,448 | $ 64,122,449 |
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 64,122,448 | $ 64,122,449 |
| **Grand Total,** TEXAS AGRILIFE EXTENSION SERVICE | $ 64,122,448 | $ 64,122,449 |
| **This bill pattern represents an estimated 60.8% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE)- Appropriated Funds** | 1,023.1 | 1,023.1 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | |
|---|---|---|
| **A. Goal:** HEALTH AND SAFETY EDUCATION<br>Educate Texans for Improving Their Health, Safety, and Well-Being. | | |
| **A.1.1. Strategy:** HEALTH AND SAFETY EDUCATION<br>Conduct Education Programs: Nutrition, Safety and Dependent Care. | $ 11,183,069 | $ 11,183,069 |

## TEXAS AGRILIFE EXTENSION SERVICE
(Continued)

| | | | | |
|---|---|---|---|---|
| **B. Goal:** AGRICULTURE AND NATURAL RESOURCES<br>Agriculture, Natural Resources, Economic and Environmental Education. | | | | |
| **B.1.1. Strategy:** EXTEND ED ON AG, NAT RES & ECON DEV<br>Extend Education on Agriculture, Natural Resources & Economic Develop. | $ | 33,221,648 | $ | 33,221,648 |
| **C. Goal:** LEADERSHIP DEVELOPMENT<br>Foster Development of Responsible, Productive & Motivated Youth/Adults. | | | | |
| **C.1.1. Strategy:** LEADERSHIP DEVELOPMENT<br>Teach Leadership, Life, and Career Skills to Both Youth and Adults. | $ | 11,740,140 | $ | 11,740,141 |
| **D. Goal:** WILDLIFE MANAGEMENT<br>Protect Resources and Property from Wildlife-related Damages. | | | | |
| **D.1.1. Strategy:** WILDLIFE MANAGEMENT<br>Provide Direct Control and Technical Assistance. | $ | 2,793,859 | $ | 2,793,859 |
| **E. Goal:** STAFF BENEFITS<br>Maintain Staff Benefits Program for Eligible Employees and Retirees. | | | | |
| **E.1.1. Strategy:** STAFF GROUP INSURANCE<br>Staff Group Insurance Premiums. | $ | 1,200,100 | $ | 1,200,100 |
| **E.1.2. Strategy:** WORKERS' COMP INSURANCE<br>Provide Funding for Workers' Compensation Insurance. | $ | 136,255 | $ | 136,255 |
| **E.1.3. Strategy:** UNEMPLOYMENT INSURANCE<br>Provide Funding for Unemployment Insurance. | $ | 36,116 | $ | 36,116 |
| **E.1.4. Strategy:** OASI<br>Provide Funding for OASI. | $ | 278,273 | $ | 278,273 |
| **Total, Goal E:** STAFF BENEFITS | $ | 1,650,744 | $ | 1,650,744 |
| **F. Goal:** INDIRECT ADMINISTRATION | | | | |
| **F.1.1. Strategy:** INDIRECT ADMINISTRATION | $ | 2,115,972 | $ | 2,115,972 |
| **F.1.2. Strategy:** INFRASTRUCTURE SUPPORT IN BRAZOS CO<br>Infrastructure Support - In Brazos County. | $ | 665,716 | $ | 665,716 |
| **F.1.3. Strategy:** INFRASTRUCT SUPP OUTSIDE BRAZOS CO<br>Infrastructure Support - Outside Brazos County. | $ | 751,300 | $ | 751,300 |
| **Total, Goal F:** INDIRECT ADMINISTRATION | $ | 3,532,988 | $ | 3,532,988 |
| **Grand Total,** TEXAS AGRILIFE EXTENSION SERVICE | $ | 64,122,448 | $ | 64,122,449 |
| **Object-of-Expense Informational Listing:** | | | | |
| Salaries and Wages | $ | 17,712,000 | $ | 17,712,000 |
| Other Personnel Costs | | 2,983,481 | | 2,983,481 |
| Professional Salaries - Faculty Equivalent (Higher Education Only) | | 10,615,435 | | 10,615,435 |
| Professional Salaries - Extension (Texas AgriLife Extension Svc) | | 22,593,408 | | 22,593,410 |
| Professional Fees and Services | | 93,963 | | 93,963 |
| Fuels and Lubricants | | 480,911 | | 480,911 |
| Consumable Supplies | | 280,187 | | 280,187 |
| Utilities | | 657,019 | | 657,019 |
| Travel | | 894,738 | | 894,738 |
| Rent - Building | | 358,162 | | 358,162 |
| Rent - Machine and Other | | 378,681 | | 378,681 |
| Other Operating Expense | | 6,820,990 | | 6,820,989 |
| Client Services | | 3,473 | | 3,473 |
| Capital Expenditures | | 250,000 | | 250,000 |
| **Total, Object-of-Expense Informational Listing** | $ | 64,122,448 | $ | 64,122,449 |

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

| | | |
|---|---|---|
| Employee Benefits | | |
| Retirement | $ 3,436,076 | $ 3,564,094 |
| Group Insurance | 11,002,508 | 11,002,508 |
| Social Security | 2,744,593 | 2,840,654 |
| Subtotal, Employee Benefits | $ 17,183,177 | $ 17,407,256 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 17,183,177 | $ 17,407,256 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas AgriLife Extension Service. 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 Texas AgriLife Extension Service. In order to achieve the objectives and service standards established by this Act, the Texas AgriLife Extension Service shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** HEALTH AND SAFETY EDUCATION | | |
| **Outcome (Results/Impact):** | | |
| Educational Program Index Attainment | 80 | 80 |
| **A.1.1. Strategy:** HEALTH AND SAFETY EDUCATION | | |
| **Output (Volume):** | | |
| Direct Teaching Exposures | 3,228,569 | 3,228,569 |
| **Efficiencies:** | | |
| Average Cost Per Educational Contact | 3.45 | 3.45 |
| Percentage of Direct Teaching Exposures Obtained through Distance Education | 25% | 25% |
| **B. Goal:** AGRICULTURE AND NATURAL RESOURCES | | |
| **Outcome (Results/Impact):** | | |
| Educational Program Index Attainment | 80 | 80 |
| **B.1.1. Strategy:** EXTEND ED ON AG, NAT RES & ECON DEV | | |
| **Output (Volume):** | | |
| Direct Teaching Exposures | 11,250,504 | 11,250,504 |
| **Efficiencies:** | | |
| Average Cost Per Educational Contact | 2.95 | 2.95 |
| Percentage of Direct Teaching Exposures Obtained through Distance Education | 60% | 60% |
| **C. Goal:** LEADERSHIP DEVELOPMENT | | |
| **Outcome (Results/Impact):** | | |
| Educational Program Index Attainment | 80 | 80 |
| **C.1.1. Strategy:** LEADERSHIP DEVELOPMENT | | |
| **Output (Volume):** | | |
| Direct Teaching Exposures | 4,212,477 | 4,212,477 |
| **Efficiencies:** | | |
| Average Cost Per Educational Contact | 2.44 | 2.44 |
| Percentage of Direct Teaching Exposures Obtained through Distance Education | 8% | 8% |
| **D. Goal:** WILDLIFE MANAGEMENT | | |
| **Outcome (Results/Impact):** | | |
| Percent of Counties Receiving Direct Control Assistance | 80% | 80% |
| **D.1.1. Strategy:** WILDLIFE MANAGEMENT | | |
| **Output (Volume):** | | |
| Number of Properties Provided Wildlife Damage Management Assistance | 4,609 | 4,609 |
| Number of Technical Assistance Projects | 9,033 | 9,033 |

3. **Integrated Pest Management.** Out of the funds appropriated above, $49,365 in each year of the biennium is for contracting with the Texas Pest Management Association for pest management. No more than 10 percent of these funds shall be used by the Texas AgriLife Extension Service for administering the program.

4. **Limited Waiver from Proportionality Provision.** For the purpose of determining proportional payments of retirement and group insurance benefits for the Texas AgriLife Extension Service, as required in this Act, County Funds paid directly by County Commissioners Courts shall be considered as General Revenue Funds. The Texas AgriLife Extension Service is specifically exempt from implementation of proportionality for Higher Education Retirement Programs, but only in regard to the retirement match limit that is imposed under the federal Smith-Lever Act and the Hatch Act.

5. **Increased Interagency Collaboration.** The Texas AgriLife Extension Service and the Texas Engineering Extension Service are directed to use the amounts appropriated above to meet annually to generate, implement and manage efforts designed to reinforce each agency's respective training mission and avoid potential duplication of training efforts. The agencies shall file a jointly produced report with the Legislative Budget Board and the Governor by October 1 of each year summarizing the actions taken to meet the above purposes.

6. **Youth Development Programs in Urban Areas.** The Texas AgriLife Extension Service, in addition to providing ongoing programs for rural residents, shall use the appropriations above to place greater emphasis on providing community leadership development education programming, targeting (but not limited to) youth residing in urban areas.

7. **Appropriation of License Plate Receipts.** Included in the amounts appropriated above is one half of all revenue collected on or after September 1, 2011, for the license plates contained herein.

   A. Texas Master Gardener License Plates - Included in Strategy B.1.1, Extend Education on Agriculture, $4,000 each fiscal year out of the General Revenue - Dedicated Master Gardener Plate Account No. 5131 in collected revenue is to be spent in accordance with Transportation Code § 504.652.

   B. 4-H License Plates - Included in Strategy C.1.1, Leadership Development, $500 each fiscal year out of the General Revenue Dedicated Texas 4-H Plates Account No. 5132 in collected revenue is to be spent in accordance with Transportation Code § 504.645.

   Any unexpended balances as of August 31, 2012, out of the appropriations made herein are hereby appropriated to the Texas AgriLife Extension Service for the fiscal year beginning September 1, 2012, for the same purposes.

## TEXAS ENGINEERING EXPERIMENT STATION

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 12,918,380 | $ 12,873,378 |
| GR Dedicated - Texas Emissions Reduction Plan Account No. 5071 | 452,209 | 452,209 |
| Federal Funds | 76,928,836 | 76,928,836 |
| Other Funds | | |
| Interagency Contracts | 3,109,420 | 3,109,420 |
| Industry, Municipal and/or Foundation Grants, estimated | 35,241,540 | 35,241,540 |
| Indirect Cost Recovery, Locally Held, estimated | 4,449,276 | 4,449,276 |
| Subtotal, Other Funds | $ 42,800,236 | $ 42,800,236 |
| **Total, Method of Financing** | $ 133,099,661 | $ 133,054,659 |
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 133,099,661 | $ 133,054,659 |
| **Grand Total,** TEXAS ENGINEERING EXPERIMENT STATION | $ 133,099,661 | $ 133,054,659 |

**This bill pattern represents an estimated 92.9% of this agency's estimated total available funds for the biennium.**

| | | |
|---|---|---|
| **Number of Full-Time-Equivalents (FTE)- Appropriated Funds** | 840.7 | 840.7 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | | | |
|---|---|---|---|---|
| **A. Goal:** ENGINEERING RESEARCH<br>Conduct engineering & related research to enhance higher ed & eco dev. | | | | |
| **A.1.1. Strategy:** RESEARCH DIVISIONS<br>Develop/support research programs, centers, institutes & initiatives. | $ | 92,374,015 | $ | 92,374,015 |
| **A.1.2. Strategy:** MULTI-INSTITUTIONAL OUTREACH<br>Work with institutions in research & development and provide outreach. | $ | 24,667,241 | $ | 24,667,241 |
| **A.2.1. Strategy:** TECHNOLOGY TRANSFER | $ | 400,000 | $ | 400,000 |
| **A.3.1. Strategy:** EDUCATIONAL PROGRAMS<br>Provide programs for student participation in eng research & education. | $ | 2,326,006 | $ | 2,326,006 |
| **Total, Goal A:** ENGINEERING RESEARCH | $ | 119,767,262 | $ | 119,767,262 |
| **B. Goal:** STAFF BENEFITS<br>Maintain staff benefits program for eligible employees and retirees. | | | | |
| **B.1.1. Strategy:** STAFF GROUP INSURANCE<br>Provide funding for staff group insurance premiums. | $ | 3,067,208 | $ | 3,067,208 |
| **B.1.2. Strategy:** WORKERS' COMP INSURANCE<br>Provide funding for workers' compensation insurance. | $ | 28,623 | $ | 28,623 |
| **B.1.3. Strategy:** UNEMPLOYMENT INSURANCE<br>Provide funding for unemployment insurance. | $ | 42,796 | $ | 42,796 |
| **B.1.4. Strategy:** OASI<br>Provide funding for OASI. | $ | 1,908,993 | $ | 1,908,993 |
| **B.1.5. Strategy:** OPTIONAL RETIREMENT PROGRAM<br>Optional Retirement Program Differential. | $ | 75,255 | $ | 75,255 |
| **Total, Goal B:** STAFF BENEFITS | $ | 5,122,875 | $ | 5,122,875 |
| **C. Goal:** INDIRECT ADMINISTRATION | | | | |
| **C.1.1. Strategy:** INDIRECT ADMINISTRATION | $ | 3,560,886 | $ | 3,515,884 |
| **C.1.2. Strategy:** INFRASTRUCTURE SUPPORT | $ | 4,648,638 | $ | 4,648,638 |
| **Total, Goal C:** INDIRECT ADMINISTRATION | $ | 8,209,524 | $ | 8,164,522 |
| **Grand Total,** TEXAS ENGINEERING EXPERIMENT STATION | $ | 133,099,661 | $ | 133,054,659 |

| **Object-of-Expense Informational Listing:** | | | | |
|---|---|---|---|---|
| Salaries and Wages | $ | 44,468,278 | $ | 44,423,276 |
| Other Personnel Costs | | 4,120,579 | | 4,120,579 |
| Professional Salaries - Faculty Equivalent (Higher Education Only) | | 15,204,708 | | 15,204,708 |
| Professional Fees and Services | | 19,887,250 | | 19,887,250 |
| Fuels and Lubricants | | 20,039 | | 20,039 |
| Consumable Supplies | | 854,426 | | 854,426 |
| Utilities | | 373,088 | | 373,088 |
| Travel | | 4,920,385 | | 4,920,385 |
| Rent - Building | | 185,588 | | 185,588 |
| Rent - Machine and Other | | 371,666 | | 371,666 |
| Other Operating Expense | | 35,258,029 | | 35,258,029 |
| Capital Expenditures | | 7,435,625 | | 7,435,625 |
| **Total, Object-of-Expense Informational Listing** | $ | 133,099,661 | $ | 133,054,659 |

## TEXAS ENGINEERING EXPERIMENT STATION
(Continued)

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

| | | |
|---|---|---|
| Employee Benefits | | |
| Retirement | $ 1,531,458 | $ 1,588,516 |
| Group Insurance | 1,660,078 | 1,660,078 |
| Social Security | 920,747 | 952,973 |
| Subtotal, Employee Benefits | $ 4,112,283 | $ 4,201,567 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 4,112,283 | $ 4,201,567 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas Engineering Experiment Station. 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 Texas Engineering Experiment Station. In order to achieve the objectives and service standards established by this Act, the Texas Engineering Experiment Station shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** ENGINEERING RESEARCH | | |
| **Outcome (Results/Impact):** | | |
| Leverage Ratio of General Revenue Appropriations to Total Funds (Excluding Infrastructure Funds) | 15.6 | 15.6 |
| Total Dollar Volume of Research (Millions) | 156.5 | 156.5 |
| Number of Formal License Agreements | 10 | 10 |
| **A.1.1. Strategy:** RESEARCH DIVISIONS | | |
| **Output (Volume):** | | |
| Dollar Volume of Research (Millions) | 119.8 | 119.8 |
| Number of Research Projects | 4,017 | 4,025 |
| **A.1.2. Strategy:** MULTI-INSTITUTIONAL OUTREACH | | |
| **Output (Volume):** | | |
| Number of Collaborative Initiatives | 846 | 846 |
| Dollar Volume of Activities (Millions) | 11.4 | 11.4 |
| **A.2.1. Strategy:** TECHNOLOGY TRANSFER | | |
| **Output (Volume):** | | |
| Number of Patent Applications | 25 | 25 |
| **A.3.1. Strategy:** EDUCATIONAL PROGRAMS | | |
| **Output (Volume):** | | |
| Number of Students from Underrepresented Groups Participating in Agency Activities | 17,490 | 17,490 |

3. **Offshore Technology Research Center.** Out of the funds appropriated above in Strategy A.1.1, Research Divisions, $203,861 in fiscal year 2012 and $203,861 in fiscal year 2013 is for the purpose of supporting the Offshore Technology Research Center.

## TEXAS TRANSPORTATION INSTITUTE

| | For the Years Ending August 31, 2012 | August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 641,250 | $ 641,250 |
| Federal Funds | 9,205,984 | 9,551,209 |
| Other Funds | | |
| Appropriated Receipts | 5,179,303 | 5,373,527 |
| Interagency Contracts | 21,061,434 | 21,272,048 |
| Indirect Cost Recovery, Locally Held, estimated | 6,410,735 | 6,644,313 |
| State Highway Fund No. 006 | 6,653,480 | 6,653,480 |
| Subtotal, Other Funds | $ 39,304,952 | $ 39,943,368 |
| **Total, Method of Financing** | $ 49,152,186 | $ 50,135,827 |

| | | | | |
|---|---|---|---|---|
| **Items of Appropriation:** | | | | |
| 1. Educational and General State Support | $ | 49,152,186 | $ | 50,135,827 |
| **Grand Total,** TEXAS TRANSPORTATION INSTITUTE | $ | 49,152,186 | $ | 50,135,827 |

**This bill pattern represents an estimated 89% of this agency's estimated total available funds for the biennium.**

| | | |
|---|---|---|
| **Number of Full-Time-Equivalents (FTE)- Appropriated Funds** | 428.7 | 428.7 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | | | |
|---|---|---|---|---|
| **A. Goal:** TRANSPORTATION RESEARCH<br>Transportation Research, Dissemination & Transportation Education. | | | | |
| **A.1.1. Strategy:** SPONSORED RESEARCH<br>Sponsored Transportation Research. | $ | 36,889,678 | $ | 37,712,304 |
| **A.1.2. Strategy:** NATIONAL CENTERS<br>Research/Education within the National Centers. | $ | 3,521,721 | $ | 3,562,194 |
| **Total, Goal A:** TRANSPORTATION RESEARCH | $ | 40,411,399 | $ | 41,274,498 |
| **B. Goal:** STAFF BENEFITS<br>Maintain Staff Benefits Program for Eligible Employees and Retirees. | | | | |
| **B.1.1. Strategy:** STAFF GROUP INSURANCE<br>Provide Funding for Staff Group Insurance Premiums. | $ | 1,948,881 | $ | 1,994,088 |
| **B.1.2. Strategy:** WORKERS' COMP INSURANCE<br>Provide Funding for Workers' Compensation Insurance. | $ | 21,131 | $ | 21,658 |
| **B.1.3. Strategy:** UNEMPLOYMENT INSURANCE<br>Provide Funding for Unemployment Insurance. | $ | 26,281 | $ | 26,867 |
| **B.1.4. Strategy:** OASI<br>Provide Funding for OASI. | $ | 1,652,168 | $ | 1,677,698 |
| **Total, Goal B:** STAFF BENEFITS | $ | 3,648,461 | $ | 3,720,311 |
| **C. Goal:** INDIRECT ADMINISTRATION | | | | |
| **C.1.1. Strategy:** INDIRECT ADMINISTRATION | $ | 3,206,044 | $ | 3,254,736 |
| **C.1.2. Strategy:** INFRASTRUCTURE SUPPORT | $ | 1,886,282 | $ | 1,886,282 |
| **Total, Goal C:** INDIRECT ADMINISTRATION | $ | 5,092,326 | $ | 5,141,018 |
| **Grand Total,** TEXAS TRANSPORTATION INSTITUTE | $ | 49,152,186 | $ | 50,135,827 |

| | | | | |
|---|---|---|---|---|
| **Object-of-Expense Informational Listing:** | | | | |
| Salaries and Wages | $ | 30,450,983 | $ | 31,028,911 |
| Other Personnel Costs | | 3,769,636 | | 3,853,331 |
| Professional Fees and Services | | 143,936 | | 146,993 |
| Fuels and Lubricants | | 6,499 | | 6,675 |
| Consumable Supplies | | 793,518 | | 815,071 |
| Utilities | | 1,288,489 | | 1,299,057 |
| Travel | | 1,157,914 | | 1,187,854 |
| Rent - Building | | 649,122 | | 667,001 |
| Rent - Machine and Other | | 518,204 | | 531,965 |
| Other Operating Expense | | 9,605,429 | | 9,809,982 |
| Capital Expenditures | | 768,456 | | 788,987 |
| **Total, Object-of-Expense Informational Listing** | $ | 49,152,186 | $ | 50,135,827 |

## TEXAS TRANSPORTATION INSTITUTE
(Continued)

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

| | | |
|---|---|---|
| Employee Benefits | | |
| Retirement | $ 353,286 | $ 366,448 |
| Group Insurance | 638,044 | 638,044 |
| Social Security | 306,418 | 317,142 |
| Subtotal, Employee Benefits | $ 1,297,748 | $ 1,321,634 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 1,297,748 | $ 1,321,634 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas Transportation Institute. 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 Texas Transportation Institute. In order to achieve the objectives and service standards established by this Act, the Texas Transportation Institute shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** TRANSPORTATION RESEARCH | | |
| **Outcome (Results/Impact):** | | |
| Total Dollar Volume of Research | 48,859,060 | 49,836,241 |
| Leverage Ratio of Direct State Funding to Total Funds (Excluding Infrastructure Funds) | 11.93 | 12.02 |
| **A.1.1. Strategy:** SPONSORED RESEARCH | | |
| **Output (Volume):** | | |
| Number of TTI Patented Safety Devices Installed | 670,000 | 670,000 |
| Number of Students Involved in TTI Education and Research Activities | 190 | 190 |
| Dollar Volume of Research | 42,685,726 | 43,539,441 |
| **A.1.2. Strategy:** NATIONAL CENTERS | | |
| **Output (Volume):** | | |
| Number of Students Involved in TTI Education and Research Activities | 41 | 41 |
| Dollar Volume of Research | 6,173,334 | 6,296,801 |

3. **Transportation Safety Center.** Out of funds appropriated above, $1,000,000 in fiscal year 2012 and $1,000,000 in fiscal year 2013 out of State Highway Fund No. 006 shall be used to fund the Transportation Safety Center to conduct research, education, and technology transfer to improve the safety of Texas' roads and highways.

4. **Center for International Intelligent Transportation.** Out of State Highway Fund No. 006, $850,000 in fiscal year 2012 and $850,000 in fiscal year 2013 shall be used to fund the Center for International Intelligent Transportation in El Paso to conduct research, education, and technology transfer to improve the safety of Texas' roads and highways for secure international transportation and other issues specific to the El Paso region, international and border settings.

## TEXAS ENGINEERING EXTENSION SERVICE

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 6,247,892 | $ 6,140,945 |
| Federal Funds | 24,193,947 | 24,193,947 |
| Other Funds | | |
| Appropriated Receipts | 35,141,720 | 35,141,720 |
| Interagency Contracts | 6,171,415 | 6,171,415 |

| | | |
|---|---|---|
| Indirect Cost Recovery, Locally Held, estimated | 9,172,856 | 9,172,856 |
| Subtotal, Other Funds | $ 50,485,991 | $ 50,485,991 |
| **Total, Method of Financing** | $ 80,927,830 | $ 80,820,883 |
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 80,927,830 | $ 80,820,883 |
| **Grand Total,** TEXAS ENGINEERING EXTENSION SERVICE | $ 80,927,830 | $ 80,820,883 |

**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)-Appropriated Funds** | 608.1 | 608.1 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | |
|---|---|---|
| **A. Goal:** PROVIDE TRAINING | | |
| Provide Training and Technical Assistance. | | |
| **A.1.1. Strategy:** PUBLIC SECTOR TRAINING | $ 39,942,684 | $ 39,863,976 |
| Provide Public Sector Training. | | |
| **A.1.2. Strategy:** PRIVATE SECTOR TRAINING | $ 11,766,035 | $ 11,766,035 |
| Provide Private Sector Training. | | |
| **Total, Goal A:** PROVIDE TRAINING | $ 51,708,719 | $ 51,630,011 |
| **B. Goal:** PROVIDE TECHNICAL ASSISTANCE | | |
| **B.1.1. Strategy:** PROVIDE TECHNICAL ASSISTANCE | $ 8,331,489 | $ 8,331,489 |
| **C. Goal:** PROVIDE EMERGENCY RESPONSE | | |
| **C.1.1. Strategy:** PROVIDE TX TASK FORCE 1 CAPABILITY | $ 3,784,236 | $ 3,784,236 |
| Provide Texas Task Force One Capabilities. | | |
| **D. Goal:** STAFF BENEFITS | | |
| Maintain Staff Benefits Program for Eligible Employees and Retirees. | | |
| **D.1.1. Strategy:** STAFF GROUP INSURANCE | $ 2,610,160 | $ 2,610,160 |
| Provide Funding for Staff Group Insurance Premiums. | | |
| **D.1.2. Strategy:** WORKERS' COMPENSATION INSURANCE | $ 76,864 | $ 76,864 |
| Provide Funding for Workers' Compensation Insurance. | | |
| **D.1.3. Strategy:** UNEMPLOYMENT INSURANCE | $ 20,247 | $ 20,247 |
| Provide Funding for Unemployment Insurance. | | |
| **D.1.4. Strategy:** OASI | $ 2,559,525 | $ 2,559,525 |
| Provide funding for OASI. | | |
| **Total, Goal D:** STAFF BENEFITS | $ 5,266,796 | $ 5,266,796 |
| **E. Goal:** INDIRECT ADMINISTRATION | | |
| **E.1.1. Strategy:** INDIRECT ADMINISTRATION | $ 10,328,869 | $ 10,300,630 |
| **E.1.2. Strategy:** INFRASTRUCTURE SUPPORT | $ 1,507,721 | $ 1,507,721 |
| **Total, Goal E:** INDIRECT ADMINISTRATION | $ 11,836,590 | $ 11,808,351 |
| **Grand Total,** TEXAS ENGINEERING EXTENSION SERVICE | $ 80,927,830 | $ 80,820,883 |

| | | |
|---|---|---|
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 37,107,351 | $ 37,000,404 |
| Other Personnel Costs | 4,682,217 | 4,682,217 |
| Professional Fees and Services | 742,457 | 742,457 |
| Fuels and Lubricants | 19,259 | 19,259 |
| Consumable Supplies | 1,695,290 | 1,695,290 |

| | | |
|---|---|---|
| Utilities | 802,993 | 802,993 |
| Travel | 8,008,742 | 8,008,742 |
| Rent - Building | 414,725 | 414,725 |
| Rent - Machine and Other | 642,131 | 642,131 |
| Other Operating Expense | 26,812,665 | 26,812,665 |
| **Total, Object-of-Expense Informational Listing** | $ 80,927,830 | $ 80,820,883 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 1,045,169 | $ 1,084,109 |
| Group Insurance | 292,375 | 292,375 |
| Social Security | 200,850 | 207,880 |
| Subtotal, Employee Benefits | $ 1,538,394 | $ 1,584,364 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 1,538,394 | $ 1,584,364 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas Engineering Extension Service. 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 Texas Engineering Extension Service. In order to achieve the objectives and service standards established by this Act, the Texas Engineering Extension Service shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** PROVIDE TRAINING | | |
| **Outcome (Results/Impact):** | | |
| Leverage Ratio of General Revenue Appropriations to Total Funds (Excluding Infrastructure Funds) | 0.06 | 0.06 |
| **A.1.1. Strategy:** PUBLIC SECTOR TRAINING | | |
| **Output (Volume):** | | |
| Number of Student Contact Hours | 1,774,674 | 1,774,674 |
| **B. Goal:** PROVIDE TECHNICAL ASSISTANCE | | |
| **B.1.1. Strategy:** PROVIDE TECHNICAL ASSISTANCE | | |
| **Output (Volume):** | | |
| Number of Service Contact Hours | 149,026 | 149,026 |
| **C. Goal:** PROVIDE EMERGENCY RESPONSE | | |
| **C.1.1. Strategy:** PROVIDE TX TASK FORCE 1 CAPABILITY | | |
| **Output (Volume):** | | |
| Number of Emergency Response Teams Operationally Ready | 27 | 27 |
| Number of Hours Spent on Emergency Response | 41,420 | 41,420 |

3. **Increased Interagency Collaboration.** The Texas AgriLife Extension Service and the Texas Engineering Extension Service are directed to use the appropriations above to meet annually to generate, implement, and manage efforts designed to reinforce each agency's respective training mission and avoid potential duplication of training efforts. The agencies shall file a jointly produced report with the Legislative Budget Board and the Governor by October 1 of each year summarizing the actions taken to meet the above purposes.

4. **Pay for Regular Compensatory Time.** The Texas Engineering Extension Service may use the appropriations above to pay its Fair Labor Standards Act exempt employees on a straight-time basis for work on a holiday or for regular compensatory time hours when such time is worked in connection with a state or federal activation and when the taking of regular compensatory time off would be disruptive to normal business functions.

# TEXAS FOREST SERVICE

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | | |
| General Revenue Fund | $ 5,841,626 | $ 5,635,530 |
| Insurance Companies Maintenance Tax and Insurance Department Fees | 13,251,396 | 13,251,396 |
| Subtotal, General Revenue Fund | $ 19,093,022 | $ 18,886,926 |
| General Revenue Fund - Dedicated | | |
| Volunteer Fire Department Assistance Account No. 5064 | 13,500,000 | 13,500,000 |
| Rural Volunteer Fire Department Insurance Account No. 5066, estimated | 950,000 | 950,000 |
| Urban Forestry Plates, Account No. 5133 | 3,000 | 3,000 |
| Subtotal, General Revenue Fund - Dedicated | $ 14,453,000 | $ 14,453,000 |
| Federal Funds | 3,714,784 | 3,714,784 |
| Appropriated Receipts | 517,002 | 517,002 |
| **Total, Method of Financing** | $ 37,777,808 | $ 37,571,712 |
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 37,777,808 | $ 37,571,712 |
| **Grand Total,** TEXAS FOREST SERVICE | $ 37,777,808 | $ 37,571,712 |

**This bill pattern represents an estimated 87.8% of this agency's estimated total available funds for the biennium.**

| | | |
|---|---|---|
| **Number of Full-Time-Equivalents (FTE)- Appropriated Funds** | 378.2 | 378.2 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | |
|---|---|---|
| **A. Goal:** DEVELOP FOREST RESOURCES<br>Develop Forest/Tree Resources to Protect Life, Environment & Property. | | |
| **A.1.1. Strategy:** WILDFIRE AND EMERGENCY PROGRAM<br>Wildfire Prevention, Detection, and Suppression and Emergency Response. | $ 25,798,063 | $ 25,798,063 |
| **A.1.2. Strategy:** FOREST INSECTS AND DISEASES<br>Provide Detection/Notification/Control of Forest/Tree Insect & Disease. | $ 925,331 | $ 925,331 |
| **A.2.1. Strategy:** FORESTRY LEADERSHIP<br>Provide Professional Forestry Leadership & Resource Marketing. | $ 5,190,846 | $ 4,984,750 |
| **A.2.2. Strategy:** ENVIRONMENTAL ENHANCEMENT<br>Provide Leadership in Enhancement of Tree and Forest Resources. | $ 1,371,397 | $ 1,371,397 |
| **Total, Goal A:** DEVELOP FOREST RESOURCES | $ 33,285,637 | $ 33,079,541 |
| **B. Goal:** STAFF BENEFITS<br>Maintain Staff Benefits Program for Eligible Employees and Retirees. | | |
| **B.1.1. Strategy:** STAFF GROUP INSURANCE<br>Provide Funding for Staff Group Insurance Premiums. | $ 1,509,491 | $ 1,509,491 |
| **B.1.2. Strategy:** WORKERS' COMP INSURANCE<br>Provide Funding for Workers' Compensation Insurance. | $ 112,917 | $ 112,917 |
| **B.1.3. Strategy:** UNEMPLOYMENT INSURANCE<br>Provide Funding for Unemployment Insurance. | $ 2,954 | $ 2,954 |

| | | |
|---|---|---|
| **B.1.4. Strategy:** OASI<br>Provide Funding for OASI. | $ 186,996 | $ 186,996 |
| **B.1.5. Strategy:** HAZARDOUS DUTY PAY<br>Provide Funding for Hazardous Duty Pay. | $ 13,660 | $ 13,660 |
| **Total, Goal B:** STAFF BENEFITS | $ 1,826,018 | $ 1,826,018 |
| **C. Goal:** INDIRECT ADMINISTRATION | | |
| **C.1.1. Strategy:** INDIRECT ADMINISTRATION | $ 1,829,208 | $ 1,829,208 |
| **C.1.2. Strategy:** INFRASTRUCTURE SUPPORT IN BRAZOS CO<br>Infrastructure Support - In Brazos County. | $ 115,137 | $ 115,137 |
| **C.1.3. Strategy:** INFRASTRUCT SUPP OUTSIDE BRAZOS CO<br>Infrastructure Support - Outside Brazos County. | $ 721,808 | $ 721,808 |
| **Total, Goal C:** INDIRECT ADMINISTRATION | $ 2,666,153 | $ 2,666,153 |
| **Grand Total,** TEXAS FOREST SERVICE | $ 37,777,808 | $ 37,571,712 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 16,990,570 | $ 16,784,475 |
| Other Personnel Costs | 884,981 | 884,981 |
| Professional Fees and Services | 33,950 | 33,950 |
| Fuels and Lubricants | 764,406 | 764,406 |
| Consumable Supplies | 647,748 | 647,748 |
| Utilities | 762,485 | 762,485 |
| Travel | 411,280 | 411,280 |
| Rent - Building | 390,544 | 390,544 |
| Rent - Machine and Other | 370,717 | 370,717 |
| Other Operating Expense | 3,565,055 | 3,565,054 |
| Grants | 9,303,533 | 9,303,533 |
| Capital Expenditures | 3,652,539 | 3,652,539 |
| **Total, Object-of-Expense Informational Listing** | $ 37,777,808 | $ 37,571,712 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 872,843 | $ 905,363 |
| Group Insurance | 2,289,995 | 2,289,995 |
| Social Security | 805,035 | 833,212 |
| Subtotal, Employee Benefits | $ 3,967,873 | $ 4,028,570 |
| Debt Service | | |
| Lease Payments | $ 7,856 | $ 8,111 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 3,975,729 | $ 4,036,681 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas Forest Service. 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 Texas Forest Service. In order to achieve the objectives and service standards established by this Act, the Texas Forest Service shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** DEVELOP FOREST RESOURCES | | |
| **Outcome (Results/Impact):** | | |
| Saved-to-lost Ratio of Resource and Property Values from Wildfire | 5.1 | 5.1 |
| Number of Trees Saved from Spread of Oak Wilt Disease | 33,500 | 33,500 |
| Number of Acres Impacted through Windbreak and Wildlife Habitat Seedlings Sold | 20,000 | 20,000 |

| | | |
|---|---|---|
| **A.1.1. Strategy:** WILDFIRE AND EMERGENCY PROGRAM | | |
| **Output (Volume):** | | |
| Number of Contact Hours of Firefighter and Emergency Responder Training | 36,547 | 36,547 |
| Number of Hours Spent for Emergency Response | 58,242 | 58,242 |
| Market Value of Assistance Provided to Fire Departments | 15,600,000 | 15,600,000 |
| **A.1.2. Strategy:** FOREST INSECTS AND DISEASES | | |
| **Output (Volume):** | | |
| Number of Property Owners Provided with Oak Wilt Information | 25,000 | 25,000 |
| **A.2.1. Strategy:** FORESTRY LEADERSHIP | | |
| **Output (Volume):** | | |
| Number of Acres of Reforestation on Nonindustrial Private Forestland in East Texas | 44,000 | 44,000 |
| Number of Resource Development Assists | 17,100 | 17,100 |
| **A.2.2. Strategy:** ENVIRONMENTAL ENHANCEMENT | | |
| **Output (Volume):** | | |
| Number of Community Assists | 500 | 500 |
| Number of Windbreak and Wildlife Habitat Seedlings Sold | 120,000 | 120,000 |

3. **Overtime Payments, Contingency.** Included in the appropriation above, $335,223 for each year of the biennium is for the sole purpose of paying mandatory overtime expenses of non-exempt employees of the Texas Forest Service when such overtime is incurred in emergency response activities. It is further provided that payments from this appropriation shall be made only upon overtime payroll vouchers submitted to the State Comptroller. Any balances remaining as of August 31, 2011 are hereby appropriated for the same purpose for the biennium beginning September 1, 2011, and balances remaining as of August 31, 2012 are hereby appropriated for fiscal year 2013.

4. **Texas Wildfire Protection Plan.** Out of the funds appropriated above, $6,825,000 from the Insurance Companies Maintenance Tax in each year of the biennium shall be used for the Texas Wildfire Protection Plan.

5. **Pay for Regular Compensatory Time.** The Texas Forest Service may use the appropriations above to pay its Fair Labor Standards Act exempt employees on a straight-time basis for work on a holiday or for regular compensatory time hours when such time is worked in connection with an emergency and when the taking of regular compensatory time off would be disruptive to normal business functions.

6. **Urban Forestry License Plate Fund. Appropriation of License Plate Receipts.** Included in the amounts appropriated above is one half of all revenue collected on or after September 1, 2011, for the license plates contained herein.

   Urban Forestry License Plates - Included in Strategy A.2.2, Environmental Enhancement, an estimated $3,000 each fiscal year out of the General Revenue Dedicated Urban Forestry License Plate Account No. 5133 in collected revenue shall be spent in accordance with Transportation Code § 504.632.

7. **Sunset Contingency.** Funds appropriated above for fiscal year 2013 for the Texas Forest Service are made contingent on the continuation of the Texas Forest Service by the Eighty-second Legislature. In the event that the agency is not continued, the funds appropriated for fiscal year 2012 or as much thereof as may be necessary are to be used to provide for the phase out of agency operations.

## TEXAS VETERINARY MEDICAL DIAGNOSTIC LABORATORY

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 5,871,963 | $ 5,647,150 |
| Federal Funds | 297,000 | 297,000 |

| | | |
|---|---|---|
| Other Funds | | |
| Drug Testing Laboratory Fee Revenue, estimated | 850,426 | 850,426 |
| Veterinary Medical Diagnostic Laboratory Fee Revenue, estimated | 7,893,569 | 7,893,569 |
| Subtotal, Other Funds | $ 8,743,995 | $ 8,743,995 |
| **Total, Method of Financing** | $ 14,912,958 | $ 14,688,145 |
| **Items of Appropriation:** | | |
| 1. Educational and General State Support | $ 14,912,958 | $ 14,688,145 |
| **Grand Total,** TEXAS VETERINARY MEDICAL DIAGNOSTIC LABORATORY | $ 14,912,958 | $ 14,688,145 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE)-Appropriated Funds** | 155.0 | 155.0 |

1. **Informational Listing of Appropriated Funds.** The appropriations made above for Educational and General State Support are subject to the special and general provisions of this Act and include the following amounts for the purposes indicated.

| | | |
|---|---|---|
| **A. Goal:** DIAGNOSTIC AND DRUG TESTING<br>Provide Diagnostic Services Drug/Export Tests, & Disease Surveillance. | | |
| **A.1.1. Strategy:** DIAGNOSTIC SERVICES<br>Provide Diagnostic Service and Disease Surveillance. | $ 10,604,414 | $ 10,377,994 |
| **A.2.1. Strategy:** DRUG TESTING SERVICE<br>Provide Drug Testing Service. | $ 658,411 | $ 658,411 |
| **Total, Goal A:** DIAGNOSTIC AND DRUG TESTING | $ 11,262,825 | $ 11,036,405 |
| **B. Goal:** STAFF BENEFITS<br>Maintain Staff Benefits Program for Eligible Employees and Retirees. | | |
| **B.1.1. Strategy:** STAFF GROUP INSURANCE<br>Provide Funding for Staff Group Insurance Premiums. | $ 565,103 | $ 565,103 |
| **B.1.2. Strategy:** WORKERS' COMP INSURANCE<br>Provide Funding for Workers' Compensation Insurance. | $ 4,736 | $ 4,736 |
| **B.1.3. Strategy:** UNEMPLOYMENT INSURANCE<br>Provide Funding for Unemployment Insurance. | $ 2,368 | $ 2,368 |
| **B.1.4. Strategy:** OASI<br>Provide Funding for OASI. | $ 360,687 | $ 360,687 |
| **B.1.5. Strategy:** OPTIONAL RETIREMENT PROGRAM<br>Optional Retirement Program Differential. | $ 8,615 | $ 8,615 |
| **Total, Goal B:** STAFF BENEFITS | $ 941,509 | $ 941,509 |
| **C. Goal:** INDIRECT ADMINISTRATION | | |
| **C.1.1. Strategy:** INDIRECT ADMINISTRATION | $ 1,283,214 | $ 1,284,821 |
| **C.1.2. Strategy:** INFRASTRUCTURE SUPPORT IN BRAZOS CO<br>Infrastructure Support - In Brazos Country. | $ 1,256,588 | $ 1,256,588 |
| **C.1.3. Strategy:** INFRASTRUCT SUPP OUTSIDE BRAZOS CO<br>Infrastructure Support - Outside Brazos County. | $ 168,822 | $ 168,822 |
| **Total, Goal C:** INDIRECT ADMINISTRATION | $ 2,708,624 | $ 2,710,231 |
| **Grand Total,** TEXAS VETERINARY MEDICAL DIAGNOSTIC LABORATORY | $ 14,912,958 | $ 14,688,145 |

## TEXAS VETERINARY MEDICAL DIAGNOSTIC LABORATORY
(Continued)

| | | |
|---|---|---|
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 7,706,606 | $ 7,481,793 |
| Other Personnel Costs | 954,302 | 954,302 |
| Professional Fees and Services | 209,491 | 209,491 |
| Fuels and Lubricants | 27,138 | 27,138 |
| Consumable Supplies | 1,981,912 | 1,981,912 |
| Utilities | 919,814 | 919,814 |
| Travel | 124,826 | 124,826 |
| Rent - Building | 24,681 | 24,681 |
| Rent - Machine and Other | 56,753 | 56,753 |
| Other Operating Expense | 2,468,495 | 2,468,495 |
| Capital Expenditures | 438,940 | 438,940 |
| **Total, Object-of-Expense Informational Listing** | $ 14,912,958 | $ 14,688,145 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 369,725 | $ 383,500 |
| Group Insurance | 593,098 | 593,098 |
| Social Security | 290,584 | 300,755 |
| Subtotal, Employee Benefits | $ 1,253,407 | $ 1,277,353 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 1,253,407 | $ 1,277,353 |

2. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas Veterinary Medical Diagnostic Laboratory. 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 Texas Veterinary Medical Diagnostic Laboratory. In order to achieve the objectives and service standards established by this Act, the Texas Veterinary Medical Diagnostic Laboratory shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** DIAGNOSTIC AND DRUG TESTING | | |
| **Outcome (Results/Impact):** | | |
| Number of Diagnostic Services Rendered | 850,000 | 850,000 |
| Percent of Animals Testing Drug Free | 99.5% | 99.5% |
| **A.1.1. Strategy:** DIAGNOSTIC SERVICES | | |
| **Output (Volume):** | | |
| Number of Cases Submitted and Examined | 176,000 | 176,000 |
| Number of Surveillance Tests Performed for Agents of Bio- or Eco-terrorism | 260,000 | 260,000 |
| **A.2.1. Strategy:** DRUG TESTING SERVICE | | |
| **Output (Volume):** | | |
| Number of Animals Tested | 8,500 | 9,800 |

## RETIREMENT AND GROUP INSURANCE

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund, estimated | $ 25,782,596 | $ 28,287,582 |
| Federal Funds, estimated | 3,967,686 | 4,319,055 |
| Other Special State Funds, estimated | 617,738 | 671,036 |
| **Total, Method of Financing** | $ 30,368,020 | $ 33,277,673 |

## RETIREMENT AND GROUP INSURANCE
(Continued)

| | | |
|---|---|---|
| **Items of Appropriation:** | | |
| **A. Goal:** EMPLOYEES RETIREMENT SYSTEM | | |
| **A.1.1. Strategy:** RETIREMENT - PUBLIC EDUCATION<br>Retirement - Public Education. Estimated. | $ 5,250,556 | $ 5,688,103 |
| **A.1.2. Strategy:** RETIREMENT- HIGHER EDUCATION<br>Retirement - Higher Education. Estimated. | $ 1,672,530 | $ 1,811,906 |
| **A.1.3. Strategy:** GROUP INSURANCE - PUBLIC EDUCATION<br>Group Insurance - Public Education Contributions. Estimated. | $ 16,510,993 | $ 18,055,908 |
| **A.1.4. Strategy:** GROUP INSURANCE - HIGHER EDUCATION<br>Group Insurance - Higher Education Contributions. Estimated. | $ 6,933,941 | $ 7,721,756 |
| **Total, Goal A:** EMPLOYEES RETIREMENT SYSTEM | $ 30,368,020 | $ 33,277,673 |
| **Grand Total,** RETIREMENT AND GROUP INSURANCE | $ 30,368,020 | $ 33,277,673 |

## SOCIAL SECURITY AND BENEFIT REPLACEMENT PAY

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund, estimated | $ 239,844,021 | $ 248,034,928 |
| General Revenue Dedicated Accounts, estimated | 43,309,079 | 44,824,897 |
| Federal Funds, estimated | 1,714,910 | 1,718,169 |
| Other Funds | | |
| Other Special State Funds, estimated | 8,620,447 | 8,835,746 |
| State Highway Fund No. 006, estimated | 306,418 | 317,142 |
| Subtotal, Other Funds | $ 8,926,865 | $ 9,152,888 |
| **Total, Method of Financing** | $ 293,794,875 | $ 303,730,882 |
| **Items of Appropriation:** | | |
| **A. Goal:** SOCIAL SECURITY/BENEFIT REPLACEMENT<br>Comptroller - Social Security. | | |
| **A.1.1. Strategy:** STATE MATCH - EMPLOYER - PUBLIC ED<br>State Match — Employer — Public Education. Estimated. | $ 9,483,273 | $ 9,530,690 |
| **A.1.2. Strategy:** STATE MATCH-EMPLOYER-HIGHER ED<br>State Match — Employer — Higher Education. Estimated. | $ 283,688,430 | $ 293,617,525 |
| **A.1.3. Strategy:** BRP -- PUBLIC EDUCATION<br>Benefit Replacement Pay — Public Education. Estimated. | $ 546,237 | $ 510,732 |
| **A.1.4. Strategy:** BRP - HIGHER EDUCATION<br>Benefit Replacement Pay — Higher Education. Estimated. | $ 76,935 | $ 71,935 |
| **Total, Goal A:** SOCIAL SECURITY/BENEFIT REPLACEMENT | $ 293,794,875 | $ 303,730,882 |
| **Grand Total,** SOCIAL SECURITY AND BENEFIT REPLACEMENT PAY | $ 293,794,875 | $ 303,730,882 |

## BOND DEBT SERVICE PAYMENTS

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 6,302,598 | $ 7,946,232 |
| Federal Funds | 159,242 | 159,242 |
| **Total, Method of Financing** | $ 6,461,840 | $ 8,105,474 |
| **Items of Appropriation:** | | |
| **A. Goal:** FINANCE CAPITAL PROJECTS | | |
| **A.1.1. Strategy:** BOND DEBT SERVICE | $ 6,461,840 | $ 8,105,474 & UB |
| To Texas Public Finance Authority for Payment of Bond Debt Service. | | |
| **Grand Total,** BOND DEBT SERVICE PAYMENTS | $ 6,461,840 | $ 8,105,474 |

## LEASE PAYMENTS

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 2,882,705 | $ 2,412,625 |
| **Total, Method of Financing** | $ 2,882,705 | $ 2,412,625 |
| **Items of Appropriation:** | | |
| **A. Goal:** FINANCE CAPITAL PROJECTS | | |
| **A.1.1. Strategy:** LEASE PAYMENTS - PUBLIC EDUCATION | $ 2,700,824 | $ 2,270,562 & UB |
| To TFC for Payment to TPFA - Public Education. | | |
| **A.1.2. Strategy:** LEASE PAYMENTS - HIGHER EDUCATION | $ 181,881 | $ 142,063 & UB |
| To TFC for Payment to TPFA - Higher Education. | | |
| **Total, Goal A:** FINANCE CAPITAL PROJECTS | $ 2,882,705 | $ 2,412,625 |
| **Grand Total,** LEASE PAYMENTS | $ 2,882,705 | $ 2,412,625 |

## SPECIAL PROVISIONS RELATING ONLY TO STATE AGENCIES OF HIGHER EDUCATION

**Sec. 2. Local Funds Appropriated.** All balances of local funds except for any identifiable general revenue in the local funds of the state institutions of higher education named in this Article, as those funds are defined in Education Code § 51.009(a) at the close of the fiscal year ending August 31, 2011, including balances in their local revolving funds at that time, and the income to said funds during the fiscal years beginning September 1, 2011 and 2012, are hereby appropriated for the operation, maintenance, and improvement of the respective state institutions. Institutional funds, as those funds are defined in Education Code § 51.009(b), shall be expended as authorized by the laws governing the use of the funds, and unless specifically included or identified, are exempt from the Article III and IX Special Provisions of this Act.

All local funds shall be subject to the special and general provisions of Articles III and IX except where certain local funds are specifically exempted from these provisions by a provision herein or by specific statutory authority.

**Sec. 3. Definition of Terms.**

1. As used in this Act, the term "general academic institutions" shall mean only the following institutions:

The University of Texas at Arlington
The University of Texas at Austin
The University of Texas at Dallas
The University of Texas at El Paso
The University of Texas - Pan American
The University of Texas at Brownsville
The University of Texas of the Permian Basin
The University of Texas at San Antonio
The University of Texas at Tyler
Texas A&M University
Texas A&M University at Galveston
Prairie View A&M University
Tarleton State University
Texas A&M University - Central Texas
Texas A&M University - Corpus Christi
Texas A&M University - Kingsville
Texas A&M University - San Antonio
Texas A&M International University
West Texas A&M University
Texas A&M University - Commerce
Texas A&M University - Texarkana
University of Houston
University of Houston - Clear Lake
University of Houston - Downtown
University of Houston - Victoria
Midwestern State University
University of North Texas
University of North Texas at Dallas
Stephen F. Austin State University
Texas Southern University
Texas Tech University
Texas Woman's University
Angelo State University
Lamar University
Lamar Institute of Technology
Lamar State College - Orange
Lamar State College - Port Arthur
Sam Houston State University
Texas State University - San Marcos
Sul Ross State University, including:
Sul Ross State University Rio Grande College

2. "Educational and General Funds" are those funds defined in Education Code § 51.009(c) and General Revenue Fund appropriations.

**Sec. 4. Transfer Provisions.**

1. **Intercomponent Transfers.** With the approval of the respective governing board, appropriation transfers may be made among medically-related components and their associated system administration, among academic component institutions and their associated system administration, and among component technical colleges controlled by the board, and within each institution, transfers may be made between informational items of appropriation for the general academic institutions, health centers, health science centers, medical education programs, and technical colleges regardless of whether the informational items are general revenue or local funds in character. Transfers may not be made from medically-related components to academic components or from academic components to medically-related components except that transfers may be made from schools of nursing, pharmacy, and allied health in academic components to medically-related components and from medically-related components into the health-related

programs listed above in academic components. Transfers may not be made into the informational items setting the salary rate for the president, chancellor, or for any other line-item salary shown. Nothing in this section shall authorize the transfer of appropriations from Texas A&M University System Agencies to Texas A&M University.

2. **Health to Academic Intercomponent Transfers with LBB Prior Approval.** As an exception to the provisions in Subsection 1, transfers may be made with prior approval of the Governor and Legislative Budget Board from medically-related components to general academic institutions if it does not diminish the academic programs of the medically-related component or result in increased fees to patients at the component. The systems shall furnish whatever documentation may be required by the Governor and Legislative Budget Board to assure these conditions are met.

3. **Revenue Enhancement and Transfer Notification.** The University of Texas System shall enhance local funds revenue to reduce the need for general revenue funds. The University of Texas System shall give 30 days notice to the Legislative Budget Board and Governor prior to transferring local funds from any System hospital. Furthermore, notwithstanding the provisions of subsections 1 and 2 above, The University of Texas System Board of Regents shall not transfer funds from health institutions delivering patient care if such a transfer would result in a decrease in the quality or amount of indigent patient care offered by the affected institution.

4. **Reporting of Transfers.** Any transfers made pursuant to Subsections 1, 2, and 3, whether general revenue or local funds in nature, shall be reported in the Legislative Appropriations Request for the biennium beginning September 1, 2013.

5. **Tuition Revenue Bond and Revenue Bond Transfers.** Notwithstanding the other provisions of this act, transfers are not prohibited to the extent they are required to comply with proceedings authorizing bonds or other obligations now outstanding or hereafter issued pursuant to law.

**Sec. 5. Salary and Benefit Provisions.**

1. **Prorated Salaries Authorized.** Any employees who distribute their time and duties between general administration, instruction, organized activities related to instruction, and the management of auxiliary enterprises may receive their total salary payments in proportionate parts from such activities and from the appropriated or available funds therefore.

2. **President Salaries.** Out of the educational and general funds appropriated to the general academic institutions, community colleges, health centers, health science centers, and medical education programs, an amount not to exceed $65,945 in 2012 and $65,945 in 2013 may be expended for the salary of a president. All presidents may receive in addition to the above amounts a house, utilities, and/or supplement from institutional funds. If a house owned by the institution, center, or program is not available, an amount not to exceed $7,200 per year from the appropriation to the institution, center, or program, and additional amounts from institutional funds where required, may be provided in lieu of house and utilities.

3. **Chancellor Salaries.** Out of the funds appropriated, transferred, or contracted to the system offices and community colleges, an amount not to exceed $70,231 in 2012 and $70,231 in 2013 may be expended for the salary for a chancellor. All chancellors may receive in addition to the above amounts a house, utilities, and/or supplement from institutional funds. If a system owned house is not available, an amount not to exceed $7,200 per year from the system office appropriation and additional amounts from private and institutional funds where required may be provided in lieu of house and utilities.

4. **Merit Authorization.** It is expressly provided that institutional administrators may grant merit salary increases to employees whose job performance and productivity is consistently above that normally expected or required.

5. **Merit Requirement for Faculty and Faculty Equivalent Employees of Institutions and Agencies of Higher Education.** Notwithstanding any other provisions of this Act, salary increases for faculty or faculty equivalent employees of institutions of higher education shall be awarded on the basis of merit and performance in accepted activities. This shall not be interpreted so as to preclude salary adjustment designed to avoid salary inequities.

6. **Group Insurance Premiums.** For the biennium ending August 31, 2013, there is hereby appropriated such amounts, from local funds or educational and general income available to institutions of higher education, as may be necessary to pay the proportional share of the State's contributions for Staff Group Health Insurance Premiums. Funds appropriated by this subsection may be transferred by those institutions not retaining separate insurance programs to the Employees Retirement System at appropriate intervals to pay the proportional share of the group insurance premiums.

7. **Administrative Accountability**

   a. In each state fiscal year of the biennium, an institution of higher education, including a system office, may not spend funds appropriated to the institution by this Act unless, not later than December 1, the institution submits to the Legislative Budget Board, the chair of the House Appropriations Committee, and the chair of the Senate Finance Committee a report that includes the total number of persons holding high-ranking administrative positions at the institution.

   b. For purposes of subsection (a), "high-ranking administrative position" includes the following positions:

      (1) chancellor;
      (2) vice chancellor;
      (3) associate chancellor;
      (4) assistant chancellor;
      (5) president;
      (6) vice president;
      (7) associate vice president;
      (8) assistant vice president;
      (9) dean;
      (10) associate dean;
      (11) assistant dean; and
      (12) any other administrative position having similar responsibilities to the other positions listed in this subsection.

   c. A report submitted under subsection (a) must:

      (1) be in a form prescribed by the Legislative Budget Board;

      (2) include the name, salary, and total value of nonsalary benefits for each person holding a high administrative position at the institution; and

      (3) include the percentage salary increase for each person holding a high-ranking administrative position at the institution who occupies the same position during the current fiscal year as during the preceding fiscal year.

   d. Not later than the seventh day after the date an institution of higher education submits the report required by subsection (a), the institution shall make a copy of the report available for public inspection in the library of the institution.

**Sec. 6. Expenditure Provisions.** The expenditure of the appropriations made in this Article or authorized in law for institutions of higher education, except bequests and gifts specifically designated to be in some manner handled otherwise, shall be subject to the provisions of this section which follow and with exceptions only as specifically noted:

1. **Annual Operating Budgets Required.** It is expressly provided that the governing board of each of the institutions of higher education named herein shall approve on or before September 1, 2011 and 2012, an itemized budget covering the operation of the ensuing fiscal year, which budget shall be prepared within the limits of the revenue available. Each institution's operating budget shall contain a section(s) which provides budget amounts and the method of finance for each listed informational item of appropriated funds contained in this Act. A copy of each budget, and any subsequent amendments thereto, shall be filed with the Legislative Reference Library and the

institution's general library to be available for public inspection. Copies of each budget shall also be filed with the Legislative Budget Board, the Governor, and the Texas Higher Education Coordinating Board by December 1 of each fiscal year.

2. **Clearing Accounts.** At their option, the institutions may use their local depository bank account in lieu of the special clearing account, authorized by Education Code, § 51.008(b), provided that the general requirements set out in therein, for deposits and transfers to the state treasury, are complied with.

3. **Revolving Funds.**

   a. Each institution affected by this section, at its option, is hereby authorized to maintain a revolving fund to facilitate the payment of nominal expenses and to pay bills within cash discount periods. The institutions may use the revolving fund for regular monthly payrolls as well as for weekly and special payrolls. Disbursements from the revolving funds are to be reimbursed from respective items of educational and general appropriation made herein, the Comptroller of Public Accounts being hereby authorized to make such reimbursements on claims filed with her by the institutions under her regularly prescribed procedures except that one voucher and one warrant may cover any number of claims for this purpose. These reimbursement claims shall meet the same requirements as other claims against state appropriations, and each institution shall prepare such a reimbursement claim as at the close of business on the last day of each month and as many times during the month as may be expedient in order to make unnecessary the maintaining of an unreasonably large revolving fund.

   b. The respective governing board shall determine the amounts of the revolving funds to be set up for each institution, and may increase or decrease the amounts if necessary. Such governing board shall designate a depository bank for each revolving fund, and shall specify the officers and/or employees to sign checks drawn on each such fund. The depository bank for each revolving fund shall be required to secure the deposit as provided by law.

   c. Appropriations to all institutions of higher education and systems, except funds identified exclusively for salaries, may be used to reimburse any revolving fund operated for the benefit of one or more parts or component units of an institution or system, such as a motor pool for managing automotive vehicles authorized by this Act, a feed supply center, an office supply or laboratory supply center, a computer center, or any other operations of a similar nature established by authority of the governing board of said institution or system.

4. **Local Depositories.** The governing boards of the respective institutions for which appropriations are made in this Article are hereby authorized to select depository banks for the safekeeping of funds which are authorized, by statute, to be maintained outside the state treasury. The boards shall require depository banks to furnish adequate surety bonds or securities to be posted for the assurance of safety of such deposits. The depository bank or banks so selected are hereby authorized to pledge their securities for assurance of safety for such funds. All such local funds shall be deposited in these depositories within seven (7) days from date of collection. The governing boards may require the depository so designated and selected to pay interest on deposits at a rate to be agreed upon by said depositories and said boards.

5. **Investment Reports.**

   a. The governing board of each of the educational institutions named in this Article shall file with the State Auditor, Comptroller of Public Accounts, Legislative Budget Board, and the Governor an annual report of all investment transactions involving endowment funds, short-term and long-term investment funds, and all other securities transactions, in a method prescribed by the State Auditor's Office. Copies of such reports shall be available for public inspection. In addition to the annual report, each institution shall publish on its website quarterly investment reports in any format it deems appropriate.

   b. The governing boards of each educational institution named in this Article must adopt formal investment policies. Each governing board shall submit to the Legislative Budget Board and State Auditor's Office a copy of their investment policy by December 31 of each year.

6. **Central Services Accounts.**

   a. Out of funds appropriated in this Article, the governing boards of the university systems and their component units, and institutions of higher education may employ persons to serve two or more parts or component units of the system or institution and may pay their salaries in whole or in part from the informational items of appropriation made herein to any component unit. The governing boards are authorized to establish accounts from which salaries and expenses for the administration and supervision of the units of the system or institution may be paid and to require the units, including any other agency the administration of which it may be charged with by law, to pay into this account from any general revenue, local, or institutional funds their proportionate share as determined by the board for the expense of such administration and supervision. The Comptroller of Public Accounts is authorized to set up an account for each of the systems or institutions and to deposit in the account funds to the amount authorized by the governing boards and executive heads of the respective units, from funds appropriated by the Legislature to the units for noninstructional salaries and general operating expenses. The Comptroller is authorized to draw warrants against such accounts based on vouchers submitted by the systems or institutions in payment of salaries, maintenance, equipment, or travel incidental to the administration and supervision of the respective units.

   b. The systems and institutions whose governing boards and component units are subject to the above are authorized to establish the following accounts:

      Texas A&M University System Central Services Account
      The University of Texas System Central Services Account
      University of Houston System Central Services Account
      Texas Tech University System Central Services Account
      University of North Texas System Central Services Account
      Texas State University System Central Services Account

   c. Travel expense incurred by a person employed by one unit of an above system or institution in connection with service to the other units may be reimbursed by the unit for which such services are performed or proportionately if more than one such unit is involved.

7. **Utility Revolving Funds.** The governing boards of Texas Woman's University, West Texas A&M University, all components of the University of Houston System, Texas State University System, Texas Tech University System, University of North Texas System, and The University of Texas System are authorized to use appropriated funds, except funds expressly identified for salaries, to make payments of debt service and other payments in connection with utility plant revenue bonds and utility plant operation and maintenance expenses, and/or to reimburse any revolving fund now or hereafter established in connection with providing utility services to any building or facility of the college or university, in accordance with the general principles established in Education Code, § 55.11, and the creation and maintenance of any such revolving fund is hereby authorized.

8. **Appropriation Expenditure Authorization.**

   a. The educational and general appropriations made in this Act to the general academic teaching institutions, health related institutions, and Texas State Technical College may be expended for the following purposes, including, but not limited to: Instruction; Research; Public Service; Academic Support; Student Services; Institutional Support; Operation and Maintenance of Plant; Scholarships; Staff Benefits; Organized Activities; and Patient Care. Major repairs and rehabilitation of buildings and facilities may be purchased from appropriated funds, but may not be purchased from general revenue funds that are not expressly identified or allocated for such purposes.

   b. No educational and general funds appropriated to any institution or agency named in this article may be expended on auxiliary enterprises, unless specifically authorized in this Act.

9. **Tuition Revenue Bonds and Revenue Bonds.** Funds clearly identified in separate informational strategies to the general academic teaching institutions and health sciences centers for revenue or tuition revenue bond retirement may be expended only to reimburse institutions or centers for debt retirement authorized by Education Code § 55.17 through § 55.17721 and § 55.19 and any

additional authorization enacted by the Eighty-second Legislature. Any funds in excess of the amount expended for debt retirement shall be reverted to the General Revenue Fund at the end of each fiscal year.

**Sec. 7. Recruitment of Students.** No funds appropriated by this Act may be expended for travel expenses incurred outside the boundaries of the State of Texas for the purpose of direct recruitment of students.

**Sec. 8. Television Stations Prohibited.** None of the educational and general funds appropriated in this Article may be expended for the acquisition, construction, or operation of television transmitter stations; provided, however, this prohibition shall not be construed so as to prevent the institutions of higher education named in this Article from using closed-circuit television for purely instructional purposes, or to prevent institutions with existing public broadcasting or transmitter stations to use them for educational purposes, or to prevent the continuance of operating arrangements with existing transmitter stations for purely educational purposes; or to prevent cooperative arrangements with public broadcast stations.

**Sec. 9. Intercollegiate Athletics.** The special and general provisions of Articles III and IX of this Act shall not apply to intercollegiate athletics. The governing boards of the respective institutions of higher education shall use the appropriations in this Act to make such necessary rules and adjustments as may be deemed advisable for the management and operation of such activities; however, no funds under control of intercollegiate athletics may be used to purchase alcoholic beverages; no educational and general funds appropriated may be used for the operation of intercollegiate athletics; such rules and adjustments shall be designed to complement the rules applicable to other departments of the respective institution; and finally, such rules and adjustments shall specifically prohibit violation of National Collegiate Athletic Association (NCAA) or other governing body rules with respect to recruitment of athletes.

**Sec. 10. Prohibition Against Additional Museums.** None of the educational and general funds appropriated in this Article shall be used for establishing additional museums or for the maintenance and operation of museums unless the language of this Act or of other acts and resolutions of the Legislature specifically authorizes such use of educational and general funds. As an exception to this provision, in order to encourage and promote gifts, grants, or donations to institutions of higher education, it is specifically provided that an institution which receives such gifts, grants, or donations for the construction or establishment of a museum, which is added to an institution's building inventory after September 1, 1997, may use educational and general funds appropriated by this Article for the maintenance and operation of such a museum. This exception applies only to the authority to spend appropriated funds for these purposes; such museum space shall not be included in formula calculations for purposes of determining the amounts of appropriations due for maintenance or operations of institutional facilities.

**Sec. 11. Method of Financing Scholarships.**

1. Out of the funds identified by this Article in the informational items described as "Other Educational and General Income," the respective governing boards of the general academic teaching institutions and of the health centers, health science centers, or technical colleges may allocate and expend the actual receipts in such informational item for student scholarships pursuant to the provisions of Education Code § 56.031 to § 56.039, cited as the Texas Public Educational Grants Program.

2. Copies of such approved allocations together with copies of rules and regulations adopted by the respective governing boards concerning the award of such scholarships shall be filed with the Coordinating Board and with the Comptroller prior to the disbursement of any moneys for scholarships. Copies of any subsequent changes in such allocations or rules shall be similarly filed with the Coordinating Board and with the Comptroller.

3. No educational and general funds appropriated in this Act for scholarships to institutions of higher education may be used to provide athletic scholarships.

4. Out of the additional funds appropriated for the 2012-13 biennium for the informational strategy described as "Scholarships," the respective governing boards shall allocate and expend such funds for need-based student scholarships regardless of the race, sex, color, or ethnicity of the student recipient.

**Sec. 12. Use of Educational and General Funds for Alumni Activities Prohibited.** None of the educational and general funds appropriated by this Article may be expended by institutions of higher education for the support or maintenance of alumni organizations or activities.

**Sec. 13. Limitation of Nonresident Enrollment in Certain State-supported Professional Schools.**

1. None of the funds appropriated by this Act may be expended for the establishment, operation, or maintenance, or for the payment of any salaries to the employees in, any wholly or partially state-supported medical, dental, or law school which: (a) imposes a limitation on the number of students that it admits, (b) in an academic semester denies admission to one or more Texas residents who apply for admission and who reasonably demonstrate that they are probably capable of doing the quality of work that is necessary to obtain the usual degree awarded by such school, and (c) in the same academic semester admits, as either class, nonresidents of the State of Texas in a number greater than 10 percent of the class of which such nonresidents are a part. Limitation of nonresident enrollment at The University of Texas Law School, Texas Tech University School of Law, and the University of Houston Law Center may be increased to 35 percent of the class of which nonresidents are a part provided that the admission of such nonresident students is on the basis of academic merit alone. By the provisions of this paragraph it is intended to withhold funds appropriated by this Act from state-supported medical, dental, and law schools which limit their enrollments and which fill more than 10 percent of their classes with non-resident students in the case of medical and dental schools, and 35 percent in the case of The University of Texas Law School, Texas Tech University Law School, and the University of Houston Law Center, when the result of admitting a nonresident denies admission to a qualified Texas applicant. This provision shall not apply to the funds appropriated to the Coordinating Board for the funding of Baylor College of Medicine or to funds appropriated for tuition equalization grants for students attending private colleges.

2. In addition, The University of Texas Southwestern Medical Center at Dallas may admit up to 25 competitively recruited medical students in each entering class for a specialized six-year program of clinical and research training designed to lead to the MD and PhD degrees irrespective of whether those students are Texas residents.

3. Texas medical schools may enroll up to 6 competitively recruited medical students, who already possess the DDS degree, in each second year medical school class for a specialized six year program in oral and maxillofacial surgery comprised of the last three years of medical school and a three year residency program irrespective of whether those students are Texas residents.

**Sec. 14. Off-campus Instruction.** General academic institutions may use the funds appropriated in this Act to teach courses off campus with the following restrictions:

1. At the conclusion of each fiscal year, the Coordinating Board shall file a report with the Governor and the Legislative Budget Board on all general academic institutions concerning off-campus semester credit hours for that fiscal year.

2. Semester credit hours generated at upper level centers authorized by the Legislature or by the Coordinating Board, as well as at Prairie View A&M University's Houston nursing program and Texas Woman's University nursing programs in Dallas and Houston, are not considered to be off-campus.

3. All courses taught off campus must be taught by a regular faculty member or administrator who is employed at least half-time on the main campus of the institution. The Commissioner of Higher Education may waive this requirement in special cases where institutions can justify the use of a uniquely qualified individual. Allied health and vocational instructors are exempted from this requirement.

**Sec. 15. Medical School Enrollment.** None of the funds appropriated above to The University of Texas System medical colleges, the University of North Texas Health Science Center at Fort Worth, or the Texas Tech University Health Sciences Center College of Medicine may be used for the education of first year medical students unless the first year class enrollment of undergraduate medical students in the fiscal years ending August 31, 2012, and August 31, 2013, is no less than 200 students at The University of Texas System medical colleges and 100 students at the University of North Texas Health Science Center at Fort Worth and the Texas Tech University Health Sciences Center College of

Medicine. This provision shall not be construed as requiring any school of medicine to accept an unqualified applicant. In the event that a school of medicine falls below the required first year class enrollment of undergraduate medical students by more than 5 percent for fiscal years 2012 and 2013, the school shall report to the Legislative Budget Board the reasons for failing to meet the required enrollment. This information should be taken into account when preparing the appropriation recommendations for the Eighty-third Legislature.

**Sec. 16. Tuition and Other Educational and General Local Fee Collection.** No institution of higher education shall receive appropriations through formula funding in this Act unless it collects from each student whose semester credit hours are to be included in formula funding calculations all tuition and all fees in accordance with the installment tuition and fee payment plan provided for by the Education Code, (Chapter 54, as amended) on or before the end of the 20th class day for each regular semester and the 15th class day for each summer session. Valid contracts with the United States Government for instruction of eligible military personnel and valid contracts with private business and public service-type organizations or institutions such as hospitals may be considered as collections thereunder but subject to adjustments after final payment thereof. Financial aid awards processed by the financial aid office but not yet issued to the student may be considered as collections thereunder but subject to adjustments after final payment thereof.

**Sec. 17. Compliance with Uniform Recruitment and Retention Strategy.** Institutions of higher education shall use the appropriations in this Act to give top priority and consideration to compliance with the spirit and mandates of the Uniform Recruitment and Retention Strategy.

**Sec. 18. Formula Variable and Educational and General Income Audits.** The Texas Higher Education Coordinating Board in consultation with the State Auditor's Office and the Legislative Budget Board shall clearly define all variables used by the Eighty-second Legislature in arriving at formula appropriations for fiscal years 2012 and 2013. According to an audit plan developed in consultation with the Coordinating Board and Legislative Budget Board, all variables of selected formulas used in making fiscal years 2012 and 2013 formula appropriations are subject to audit by the State Auditor. The State Auditor shall report any differences from data submitted by the institutions to the Coordinating Board, the Legislative Budget Board, and the Governor. The Coordinating Board shall then calculate a new appropriations amount for each institution that reported data in conflict with that verified by the Auditor. These calculations shall then be reported to the Legislative Budget Board, Governor, and the Comptroller of Public Accounts and may be used to revise appropriation authority accordingly. The calculation of revised appropriation amounts shall allow each institution an error rate of up to 2 percent of the biennial appropriations related to the variables audited at that institution.

In addition, components of educational and general income reported in the institutional requests for legislative appropriations for fiscal years 2012 and 2013 are subject to audit by the State Auditor.

The State Auditor may request the assistance of an institution's internal auditor in performing the audits described in this section.

**Sec. 19. System Offices Funding Authorized.** Educational and general funds appropriated to components of The University of Texas, Texas A&M University, University of Houston, Texas Tech University, University of North Texas, Texas State University System, and Texas State Technical College Systems may be transferred or contracted to system offices to provide support for coordination, administration, and other related services.

**Sec. 20. Annual Reports of Health Related Institutions Practice Plans.** As a limitation and restriction upon appropriations made by this Act, all agencies that have a public health related institution covered under Article III shall not expend funds after a period of 120 days following the close of the fiscal year, unless there has been filed with the Governor, the State Auditor, the Legislative Budget Board, the Legislative Reference Library, and the Comptroller of Public Accounts an annual report as of August 31 of the preceding fiscal year showing the use of practice plan funds. The annual report shall conform to a uniform reporting system developed by the State Auditor's Office for all financial data concerning the health related institutions practice plans.

**Sec. 21. Self-insurance Funds.** Any funds of an institution of higher education used for or allocated to a self-insurance fund authorized by Government Code § 2259.001 for a risk otherwise insurable by the institution of higher education shall be treated by the Comptroller of Public Accounts as an expenditure of the respective funds. The self-insurance funds so created shall be considered designated funds as that

term is used in § 51.008(b) of the Education Code. Any self-insurance fund reserves so created shall not exceed in amount the maximum value determined to be actuarially sound for each such self-insurance program.

**Sec. 22. Uncompensated Care Reporting Requirement.** The public health-related institutions shall use the appropriations in this Act to include in their biennial legislative appropriations request information including the actual amount of uncompensated care provided through each institution's respective physician practice plan, and if applicable, hospital or clinic using the uncompensated care reporting requirement established by the Health and Human Services Commission.

Uncompensated care includes the unreimbursed costs for the uninsured (those with no source of third party insurance) and the underinsured (those with insurance who after contractual adjustment and third party payments have a responsibility to pay for an amount they are unable to pay). Uncompensated care also includes the unreimbursed cost from governmental sponsored health programs. To calculate uncompensated care, charges will be converted to costs by application of a standard, auditable ratio of cost to charge and providers will recognize appropriate patient specific funding and lump sum funding available to offset costs. Any amounts received by the Physician Practice Plan from Upper Payment Limit shall be counted as payments received for uncompensated care.

**Sec. 23. County Indigent Care Contracts.**

1. **Contracts Required.** It is the intent of the Legislature that all institutions of higher education providing indigent health care contract with relevant counties in their service area to recover the costs associated with treating those counties' indigent patients.

2. **County Indigent Care Contracts Reporting.** The University of Texas Medical Branch at Galveston, The University of Texas M.D. Anderson Cancer Center, and The University of Texas Health Science Center at Tyler shall submit to the Legislative Budget Board and the Governor at the end of each fiscal year a list of counties whose indigent residents have been served by each institution; the total amount of reimbursement received by each institution from each county pursuant to the Indigent Health Care and Treatment Act; and the total cost, by county, of services provided by each institution for which counties are liable pursuant to the Indigent Health Care and Treatment Act. In addition, each institution shall report annually (no later than December 1st) to the Legislative Budget Board and Governor on the status of contract agreements or negotiations with each county whose indigent residents have been served by the institution.

**Sec. 24. Ethics Policy.**

1. None of the funds appropriated by this Act may be expended by an institution of higher education until its governing board has filed with the Texas Higher Education Coordinating Board an ethics policy which has been adopted by the board of regents. The ethics policy shall apply to the board of regents and its staff, the administration, staff, and faculty of the institutions under the board's governance.

2. The ethics policy adopted by each board of regents shall include specific provisions regarding sexual harassment.

**Sec. 25. Driscoll Children's Hospital.** No funds appropriated to a health-related institution of higher education shall be used to replace or duplicate the Driscoll Children's Hospital in caring for children with special health-care needs, including pediatric cardiovascular diseases, or in assuming the direct care of those children. This rider language shall not restrict the traditional referral patterns utilized by physicians to refer patients to health-related institutions.

**Sec. 26. Participation in Drug Development Research Projects.** A public university may not expend funds appropriated by this Act, including appropriations of grants or gifts, to conduct a drug development research protocol involving a person who is receiving mental health services under a protective custody order, pursuant to Chapter 574, Health and Safety Code. This rider is not intended to limit or prohibit provisions for treatment established under § 576.022, Health and Safety Code.

**Sec. 27. Post Tenure Review.** None of the funds appropriated by this Act may be expended by an institution of higher education until its governing board has filed with the Texas Higher Education Coordinating Board policies and procedures regarding post tenure review which have been adopted by the board of regents. Post tenure policies shall include review procedures to determine that a tenured

faculty member is performing consistently at an acceptable, professional level and a mechanism whereby a faculty member is informed of any deficiencies and provided opportunities to effectively improve his or her performance.

**Sec. 28. General Academic Funding.** Appropriations made in this Act for formula funding for general academic institutions other than Lamar Institute of Technology, Lamar State College – Orange, and Lamar State College – Port Arthur will consist of four formulas and supplemental items.

1. **Instruction and Operation Formula.** The Instruction and Operations Formula shall provide funding for faculty salaries, including nursing, departmental operating expense, library, instructional administration, research enhancement, student services, and institutional support. These funds are distributed on a weighted semester credit hour basis. The rate per weighted semester credit hour for the 2012-13 biennium is $53.71.

   Weighting is determined by the following matrix:

| | Lower Div. | Upper Div. | Masters | Doctoral | Special Professional |
|---|---|---|---|---|---|
| Liberal Arts | 1.00 | 1.70 | 4.07 | 9.26 | |
| Science | 1.74 | 2.95 | 8.07 | 20.30 | |
| Fine Arts | 1.40 | 2.31 | 5.44 | 7.07 | |
| Teacher Ed | 1.41 | 1.73 | 2.34 | 7.58 | |
| Agriculture | 1.88 | 2.46 | 7.01 | 9.35 | |
| Engineering | 2.41 | 3.82 | 7.47 | 15.81 | |
| Home Economics | 1.04 | 1.68 | 2.88 | 6.97 | |
| Law | | | | | 3.92 |
| Social Services | 1.90 | 2.03 | 2.93 | 14.40 | |
| Library Science | 1.33 | 1.08 | 2.58 | 7.50 | |
| Vocational Training | 1.44 | 1.86 | | | |
| Physical Training | 1.35 | 1.20 | | | |
| Health Services | 1.23 | 1.89 | 3.23 | 9.14 | 2.42 |
| Pharmacy | 1.27 | 4.53 | 23.49 | 30.57 | 3.77 |
| Business Admin | 1.09 | 1.70 | 3.26 | 24.41 | 18.99 |
| Optometry | | | 5.46 | 19.12 | 7.00 |
| Teacher Ed Practice | 1.43 | 1.74 | | | |
| Technology | 1.96 | 2.42 | 4.07 | 2.95 | |
| Nursing | 1.96 | 2.35 | 4.45 | 1.94 | |
| Developmental Ed | 1.00 | | | | |
| Veterinary Medicine | | | | | 15.05 |

2. **Teaching Experience Supplement.** For the 2012-13 biennium, an additional weight of 10 percent is added to lower division and upper division semester credit hours taught by tenured and tenure-track faculty. Furthermore, it is the intent of the Legislature that the weight shall increase by 10 percent per biennium, up to 50 percent.

3. **Infrastructure Support.** Funding associated with plant-related formulas and utilities shall be distributed by the infrastructure support formula which is driven by the predicted square feet for universities' educational and general activities produced by the Space Projection Model developed by the Coordinating Board. The portion of the formula related to utilities is adjusted to reflect differences in unit costs for purchased utilities, including electricity, natural gas, water and wastewater, and thermal energy. The average rate per square foot is $5.25.

4. **Supplemental Non-formula Items.** Institutions shall receive a direct reimbursement as applicable for staff group insurance (other educational and general income portion), workers' compensation insurance, unemployment compensation insurance, public education grants, organized activities, scholarships, tuition revenue bond payments, Skiles Act bond payments, and facility lease charges. Institutions may receive an appropriation for special items. Revenue derived from board authorized tuition would still be appropriated to the institutions levying the additional charges.

5. The General Academic Instruction and Operations and Infrastructure formulas shall incorporate the Higher Education Coordinating Board's October 2006 recommendations for mission-specific formula funding for Texas A&M University at Galveston.

These formulas and supplemental items shall be reviewed and updated by study committees appointed by the Higher Education Coordinating Board and recommended changes forwarded to the Legislature, Legislative Budget Board, and Governor by June 1, 2012

**Sec. 29. Health Related Institutions Funding.** Appropriations made in this Act for formula funding for health related institutions shall consist of three formulas plus supplemental non-formula items.

1. **Instruction and Operations Support Formula.** The Instruction and Operations Support Formula shall provide funding on a per student or full time equivalent basis. Funding for each instructional program is based on the following funding weights per student, with a base value per weighted student of $8,429:

| Program | Weight Per Student |
|---|---|
| Allied Health | 1.000 |
| Biomedical Science | 1.018 |
| Nursing | 1.138 |
| Pharmacy | 1.670 |
| Public Health | 1.721 |
| Dental | 4.601 |
| Medical | 4.753 |

Instructional programs with enrollments of less than 200 students at individual campuses shall receive additional funding to compensate for the diseconomies of scale. The minimum formula shall generate additional funding per student, on a sliding scale, with programs with small enrollments receiving more additional funding per student.

2. **Infrastructure Support Formula.** Funding to the health-related institutions for plant support and utilities shall be distributed by the infrastructure support formula which is driven by the predicted square feet for the health related institutions produced by the Space Projection Model developed by the Texas Higher Education Coordinating Board. The rate per square foot is $6.25 for all health related institutions, excluding The University of Texas M.D. Anderson Cancer Center and The University of Texas Health Science Center at Tyler. For these two institutions, the per square foot rate is $5.68.

Because the Space Projection Model does not account for hospital space, separate infrastructure funding for hospital space at The University of Texas Medical Branch at Galveston, The University of Texas M.D. Anderson Cancer Center, and The University of Texas Health Science Center at Tyler shall be included in the total funding for hospital and patient care activities.

3. **Research Funding.** The health-related institutions shall retain 100 percent of indirect research costs recovered on grants. Each institution also receives research enhancement funding of $1,412,500 plus 1.0 percent of its research expenditures as reported to the Texas Higher Education Coordinating Board.

4. **Graduate Medical Education Formula.** The Graduate Medical Education Formulas shall provide funding on a per medical resident basis. Funding is based on a base value of $8,872 per medical resident in an accredited program. Appropriations for Graduate Medical Education for fiscal year 2012 are $4,436 per resident and appropriations for fiscal year 2013 are $4,436 per resident.

5. **Health Related Institution Graduate Medical Education.** The funds appropriated above in each of the health-related institutions bill pattern titled Graduate Medical Education (GME) shall be spent to increase the number of resident slots in the State of Texas as well as faculty costs relating to GME. In addition, each health-related institution shall work with the Higher Education Coordinating Board to develop new performance measures relating to increasing the number of resident slots in the State of Texas.

6. **Supplemental Non-formula Items.** Institutions shall receive a direct reimbursement as applicable for staff group insurance, workers' compensation insurance, unemployment insurance, public education grants, medical loans, tuition revenue bond payments, and facility lease charges. Institutions may receive an appropriation for special items. Hospital and clinic operations shall be funded through a combination of hospital and clinic revenue and general revenue.

7. **Formula Study Committees.** These formulas shall be reviewed and updated by study committees appointed by the Texas Higher Education Coordinating Board and recommended changes forwarded to the Legislature, Legislative Budget Board, and Governor by June 1, 2012.

8. **Mission Specific Support.** The University of Texas M.D. Anderson Cancer Center and The University of Texas Health Science Center at Tyler do not provide formal medical education which qualifies for instruction support under subsection 1 above. Therefore, funding allocated to these institutions shall be based on the following criteria:

   a. The General Revenue Operations formula funding provided to The University of Texas M.D. Anderson Cancer Center in Strategy A.2.1, Cancer Center Operations, shall be based on the total number of Texas cancer patients served at The University of Texas M. D. Anderson Cancer Center. General Revenue appropriations for fiscal years 2012 and 2013 shall be based on the number of total Texas cancer patients served in 2010. The rate per patient shall be $1,752 in fiscal year 2012 and $1,752 in fiscal year 2013 for Strategy A.2.1, Cancer Center Operations. For formula funding purposes, the amount of growth in total funding from one biennium to another may not exceed the average growth in funding for Health Related Institutions in the Instruction and Operations formula for the current biennium.

   b. The University of Texas Health Science Center at Tyler has a statutory mission to conduct research, develop diagnostic and treatment techniques, provide training and teaching programs, and provide diagnosis and treatment of inpatients and outpatients with pulmonary, respiratory and other diseases of the chest. General Revenue funds appropriated to The University of Texas Health Science Center at Tyler in Strategy A.1.2, Chest Disease Center Operations, shall be based on the number of cases in which disease diagnoses are treated by The University of Texas Health Science Center at Tyler. General Revenue appropriations for fiscal years 2012 and 2013 shall be based on the number of such cases treated in fiscal year 2010. The rate per case for fiscal years 2012 and 2013 shall be $322.

   c. The University of Texas M.D. Anderson Cancer Center and The University of Texas Health Science Center at Tyler shall submit to the Legislative Budget Board, Governor, and Texas Higher Education Coordinating Board a copy of the appropriate reports discussed above and supporting documentation which provides the necessary information to calculate the formula allocations in subsections (a) and (b) above.

**Sec. 30. Optional Retirement Program Differential.** Included in the appropriation to institutions of higher education in this act are general revenue amounts to offset local funds used for the optional retirement program employer contributions of 6 percent of salaries for employees who were on the state payroll or who were employed by a Public Community or Junior College as of August 31, 1995. These general revenue amounts are included in the funding formulas for general academic institutions and two-year institutions and in the base funding for other institutions of higher education.

**Sec. 31. Indirect Cost Recovery Earned by Texas A&M System Agencies.** The Texas A&M University System agencies shall report to the Legislative Budget Board in their Legislative Appropriations Requests for the 2014-15 biennium all indirect cost recovery revenue earned on research grants and contracts including amounts collected by the Research Foundation.

**Sec. 32. Fire Safety Projects at Institutions of Higher Education.** Because of the urgent nature of these projects, it is the intent of the Legislature that institutions of higher education that have major fire safety projects, identified by the State Fire Marshal's Office as not meeting the requirements of the National Fire Protection Association, *Life Safety Code 101,* 2009 Edition, remedy the fire safety issues and complete any related construction and renovation projects as soon as practical. Institutions shall consult with the State Fire Marshal's Office and develop a time line for completion of the projects. Institutions shall implement the interim safety precautions recommended by the State Fire Marshal's Office. The State Fire Marshal shall submit periodic reports to the House Appropriations Committee and Senate Finance Committee on the progress of institutions in remedying the fire safety issues.

Institutions of higher education shall notify parents of students living in dormitories identified by the State Fire Marshal's Office. The notice shall contain information about the actions needed to rectify noncompliance and the time frame in which the institution plans to make improvements in order to comply.

**Sec. 33. Funding for Physical Education Courses.** No funds appropriated under this act shall be used for contact hours or semester credit hours for students who are registered solely for physical education, weight lifting, group exercises, aerobics, or related courses; have registered for the same such course more than once; and are not seeking a degree plan or certificate of completion of a course of study.

Furthermore, it is the intent of the Legislature that the Higher Education Coordinating Board shall, during fiscal years 2012 and 2013, use the funds appropriated by this act to be in a position to recommend to the 83rd Legislature a funding methodology that excludes semester credit hours related to physical education courses for students who are registered to receive both high school and college credit.

**Sec. 34. Faculty Salary Increase Report.** The Texas Higher Education Coordinating Board shall report the average salary increase provided to faculty at each general academic institution to the Legislative Budget Board and Governor by January 31 of each fiscal year on a form prescribed by the Texas Higher Education Coordinating Board.

**Sec. 35. Endowed Chairs.** Out of funds appropriated to the Texas Higher Education Coordinating Board for Baylor College of Medicine, Houston; University of Texas Health Science Center at Houston; and University of Texas Medical Branch at Galveston, each may expend up to $1,000,000 out of funds appropriated in this Act to fund one endowed chair or professorship for spinal cord injury research.

**Sec. 36. Nursing School Enrollment.** The Legislature encourages institutions of higher education who receive state appropriations not to reduce the number of student full-time equivalents enrolled in programs preparing students for licensure as registered nurses in state fiscal years ending August 31, 2012, and August 31, 2013, below the number of student full-time equivalents enrolled for the state fiscal year ending August 31, 2011. This provision shall not be construed as requiring any school to accept an unqualified applicant to its professional nursing program. In the event that a school falls below the required number of students enrolled in professional nursing program by more than 5 percent for the state fiscal year ending August 31, 2012, and the state fiscal year ending August 31, 2013, the school shall report to the Legislative Budget Board and the Texas Higher Education Coordinating Board the reasons for failing to meet the required enrollment.

**Sec. 37. Endowed Programs.** A state university that, within five years of receiving a donation, diminishes its financial support from local funds for a program created or endowed by the donor shall notify the donor in accordance with the donor agreement. If the agreement so provides, then upon application by the donor, the university shall return the donation or endowment.

**Sec. 38. Student Travel Policy.** Each governing board of an institution of higher education shall use the appropriations above to adopt a policy regulating travel that is undertaken by one or more students presently enrolled at the institution to reach an activity or event that is located more than 25 miles from the institution that is organized and sponsored by the institution and that is funded by the institution, and the travel is undertaken using a vehicle owned or leased by the institution or required by a student organization registered at the institution.

**Sec. 39. Special Item Support.** Any appropriations made to special item support strategies throughout this article are intended to supplement existing programs and may not be used to supplant funds.

**Sec. 40. Informational Listing - Permanent Funds and Endowments.** The following is an informational list of the amounts used to capitalize Permanent Funds and Endowments created by House Bills 1676 and 1945, Seventy-sixth Legislature, and does not make appropriations.

| | |
|---|---|
| Permanent Health Fund for Higher Education, Fund No. 810 | $ 350,000,000 |
| The University of Texas Health Science Center at San Antonio Endowment, Fund No. 811 | $ 200,000,000 |

| | |
|---|---|
| The University of Texas M.D. Anderson Cancer Center Endowment, Fund No. 812 | $ 100,000,000 |
| Texas Tech University Health Sciences Center Endowment (El Paso), Fund No. 820 | $ 25,000,000 |
| The University of Texas Southwestern Medical Center at Dallas Endowment, Fund No. 813 | $ 50,000,000 |
| Texas Tech University Health Sciences Center Endowment (Other Than El Paso), Fund No. 821 | $ 25,000,000 |
| The University of Texas Medical Branch at Galveston Endowment, Fund No. 814 | $ 25,000,000 |
| The University of Texas Health Science Center at Houston Endowment, Fund No. 815 | $ 25,000,000 |
| The University of Texas Health Science Center at Tyler Endowment, Fund No. 816 | $ 25,000,000 |
| Texas A&M University System Health Science Center Endowment, Fund No. 818 | $ 25,000,000 |
| University of North Texas Health Science Center at Fort Worth Endowment, Fund No. 819 | $ 25,000,000 |
| Permanent Endowment Fund for The University of Texas Regional Academic Health Center, Fund No. 822 | $ 20,000,000 |
| The University of Texas at El Paso Endowment, Fund No. 817 | $ 25,000,000 |
| Permanent Endowment Fund for the Baylor College of Medicine, Fund No. 823 | $ 25,000,000 |
| Permanent Fund For Higher Education Nursing, Allied Health and Other Health Related Programs, Fund No. 824 | $ 45,000,000 |
| Permanent Fund for Minority Health Research and Education, Fund No. 825 | $ 25,000,000 |

**Sec. 41. Appropriation of Funds from the Permanent Health Fund for Higher Education.** Included in the amounts appropriated to health related institutions of higher education is an estimated appropriation based on the institution's allocation of the estimated earnings out of the Permanent Health Fund for Higher Education for each fiscal year of the biennium. Amounts available for distribution from this fund are estimated to be $15,750,000 each fiscal year of the biennium. The funds appropriated out of the Permanent Health Fund for Higher Education shall be distributed to the institutions of higher education in accordance with Education Code § 63.003 for the purpose of medical research, health education, or treatment programs.

**Sec. 42. Limitation on Formula Funding Contact and Semester Credit Hours.** In order to control costs and limit General Revenue formula appropriations, contact hours or semester credit hours related to a course for which a student is generating formula funding for the third time shall be excluded from being counted in the hours reported by the Higher Education Coordinating Board to the Legislative Budget Board for formula funding.

**Sec. 43. Report on Real Property.** Institutions of higher education shall use the appropriations above to submit to the Asset Management Division in the General Land Office the following information, as the General Land Office may require, in accordance with general law:

1. a description of each item of property by reference to a volume number and page or image number or numbers of the official public records of real property in a particular county, or if not applicable, by a legal description;

2. the date of purchase of the property, if applicable;

3. the purchase price of the property, if applicable;

4. the name of the institution holding title to the property for the state;

5. a description of the current uses of the property and of the projected future uses of the property during the next 15 years; and

6. a description of each building or other improvement located on the property.

7. If the description of real property required by this section is excessively voluminous, as in the case of parkland, the division may direct the institution in possession of the real property to furnish the description only in summary form, as agreed to by the division and the institution involved.

8. In addition, if the institution of higher education has done an appraisal on the property, the date of the appraisal and the value broken out by land and improvements should be submitted.

**Sec. 44. Limitation on Use of Funds.**

1. State agencies and institutions of higher education that are appropriated funds from the receipts collected pursuant to the Comprehensive Tobacco Settlement Agreement and Release in this Article shall submit a budget by November 1 of each year of the biennium to the Legislative Budget Board and the Governor. This budget shall describe the purposes and amounts for which such funds will be expended by the state agency or institution of higher education. No funds described in this budget may be expended by the state agency or institution of higher education until the Legislative Budget Board and the Governor receive the budget.

2. Authorized managers of permanent funds and endowments whose earnings are appropriated in this article shall provide a copy of year end financial reports to the Legislative Budget Board and the Governor by November 1 of each year of the biennium. These reports should include, at a minimum, an income statement and balance sheet for each fund, and a summary of the investment return of the fund during the preceding fiscal year.

**Sec. 45. Financial Information Reporting Requirement.** In addition to the financial information required to be reported in accordance with § 2101.011, Government Code, each university system, general academic institution, and health-related institution receiving appropriations in this Act shall continue to provide to the Higher Education Coordinating Board financial data related to the operation of each system office and institution as was reported in the 2001 annual financial report. Each system office and institution of higher education shall provide the report no later than January 1st of each year using the specific content and format prescribed by the Coordinating Board.

**Sec. 46. Program to Encourage Certification to Teach Bilingual Education, English as a Second Language, or Spanish.** Of the funds appropriated by this Act to the Texas Higher Education Coordinating Board, the Coordinating Board may use an amount that is not less than $150,000 for each year of the 2012-13 biennium to develop and operate a program at the University of North Texas at Dallas, in consultation with the university, to provide financial incentives, such as tuition assistance and loan forgiveness, to encourage students who enroll in an educator preparation program at the university to become certified to teach bilingual education, English as a Second Language, or Spanish.

**Sec. 47. Texas A&M University System Cost Efficiencies.** The Texas A&M University System research and service agencies including Texas AgriLife Research,Texas AgriLife Extension Service, Engineering Experiment Station, Transportation Institute, Engineering Extension Service, Forest Service, and Veterinary Medical Diagnostic Laboratory shall use the appropriations in this Act to contract or out-source administrative functions within the research and service agencies, Texas A&M

University, and/or the Texas A&M University System to use the appropriations in this Act in the most cost-effective extent with the goals of reducing administrative costs, increasing efficiencies, and capitalizing on economies of scale.

**Sec. 48. Contingent Appropriations for Small Business Development Centers.** Of the appropriations identified elsewhere in this Article for individual institutions' Small Business Development Center(s), the amounts listed below are contingent upon certification by the Comptroller of Public Accounts that the activities of each network of Small Business Development Centers will generate additional revenue of at least the listed amount for the network to the general revenue fund. If the amount that can be certified is less than the maximum amount appropriated, the amounts appropriated shall be reduced to be within the amounts certified.

a. An amount not to exceed $1,651,904 in each year of the biennium is appropriated to the network of Small Business Development Centers affiliated with the lead center hosted by the Dallas County Community College.

| | 2012 | 2013 |
|---|---|---|
| Dallas County Community College | $1,651,904 | $1,651,904 |

b. An amount not to exceed $1,800,511 in each year of the biennium is appropriated to the network of Small Business Development Centers affiliated with the lead center hosted by Texas Tech University in the amounts listed below.

| **Lead Center:** | 2012 | 2013 |
|---|---|---|
| Texas Tech University | $1,227,706 | $1,227,706 |
| **Affiliated Institutions** | | |
| Midwestern University | $135,739 | $135,739 |
| West Texas A&M University | $187,109 | $187,109 |
| The University of Texas of the Permian Basin | $139,957 | $139,957 |
| Tarleton State University | $110,000 | $110,000 |

c. An amount not to exceed $3,617,853 in each year of the biennium is appropriated to the network of Small Business Development Centers affiliated with the lead center hosted by the University of Houston in the amounts listed below.

| **Lead Center:** | 2012 | 2013 |
|---|---|---|
| University of Houston | $3,070,697 | $3,070,697 |
| **Affiliated Institutions** | | |
| Lamar University | $119,918 | $119,918 |
| Lamar State College - Port Arthur | $210,000 | $210,000 |
| Sam Houston State University | $217,238 | $217,238 |

d. An amount not to exceed $5,040,746 in each year of the biennium is appropriated to the network of Small Business Development Centers affiliated with the lead center hosted by The University of Texas at San Antonio in the amounts listed below.

| **Lead Center:** | 2012 | 2013 |
|---|---|---|
| University of Texas - San Antonio | $3,791,138 | $3,791,138 |
| **Affiliated Institutions** | | |
| Angelo State University | $134,270 | $134,270 |
| Sul Ross State University | $133,866 | $133,866 |
| Sul Ross State University - Rio Grande College | $167,838 | $167,838 |
| Texas State University - San Marcos | $188,607 | $188,607 |
| The University of Texas - Pan American | $244,977 | $244,977 |
| University of Houston - Victoria | $215,050 | $215,050 |
| Texas A&M International University | $165,000 | $165,000 |

**Sec. 49. Display and Availability of Health Information.** The Legislature intends that an institution of higher education, as defined by § 61.003, Education Code, that spends appropriated money to support a student health center or similar facility that displays or makes available to students pamphlets, brochures, or similar printed material relating to health issues will make available to female students copies of the current edition of the brochure published by the Department of State Health Services entitled "A Woman's Right to Know."

**Sec. 50. Report Concerning Designated Tuition.**

(a) Not later than January 1, 2012, the governing board of each public institution of higher education that charges students designated tuition under § 54.0513, Education Code, shall use the appropriations in the Act to report to the legislature, for the 2010-2011 and 2011-2012 academic years:

(1) the amount the institution has collected in designated tuition;

(2) the purposes for which the institution spent the money derived from designated tuition and the amount of that money spent for each of those purposes; and

(3) the amount set aside from designated tuition for resident undergraduate and graduate student assistance under §§ 56.011 and 56.012, Education Code and how these amounts are allocated under the following categories.
(a) grants
(b) scholarships,
(c) work-study programs,
(d) students loans,
(e) and student loan repayment assistance.

(b) In addition to the information reported under Subsection (a), not later than January 1, 2012, the governing board of each institution of higher education shall report to the legislature the total academic cost for resident undergraduates enrolled for 15 semester credit hours. The information reported shall be derived from actual fee bills for the 2010 fall semester and the 2009 spring and fall semesters and must reflect the actual charges, before any adjustments or discounts are applied for waivers, exemptions, or other discounts, in the following categories:

(1) statutory tuition;
(2) designated tuition;
(3) mandatory fees; and
(4) average college and course fees, which must include all academic related fees and charges not reported under (1), (2), or (3), such as fees for laboratories, field trips, multimedia, equipment replacement, and instructional technology, but should not include charges for voluntary services ("optional fees").

(c) Reports required by this section shall be delivered to the Lieutenant Governor, the Speaker of the House, the chair of the Senate Finance Committee, the chair of the House Appropriations Committee, and the members of the Legislative Oversight Committee on Higher Education.

**Sec. 51. Texas A&M System Agencies' Infrastructure Support Inside Brazos County.** General Revenue funding associated with infrastructure expenses and utilities for the Texas A&M System Agencies inside Brazos County shall be determined by the infrastructure support formula as outlined in Section 28 (3). Infrastructure support for the A&M System Agencies shall be determined by multiplying the Texas A&M University rate as determined under Section 28 (3) (estimated to be $5.25) times the square footage provided by the Space Projection Model developed by the Coordinating Board.

**Sec. 52. Hold Harmless.** It is the intent of the legislature that any amounts appropriated to general academic institutions, Lamar State Colleges, and Texas State Technical Colleges in hold harmless funding not be included in the 2014-15 Instruction and Operations and Infrastructure formula funding.

**Sec. 53. Cancer Prevention & Research Institute of Texas Awards for 2010-11.** The following awards were made by the Cancer Prevention and Research Institute in the 2010-11 biennium:

| | 2010 | 2011 |
|---|---|---|
| Baylor College of Dentistry - TAMU Health Science Center | $ 203,244 | $ 0 |
| Baylor College of Medicine | $ 30,617,111 | $ 24,246,693 |
| Baylor Research Institute (MIRA Sub Award) | $ 0 | $ 2,108,180 |
| Baylor University | $ 200,000 | $ 0 |
| Rice University | $ 5,241,977 | $ 0 |
| Rice University (MIRA Sub Award) | $ 0 | $ 826,491 |

| | | |
|---|---|---|
| Texas A&M University | $ 499,894 | $ 739,227 |
| Texas A&M University System Health Science Center | $ 1,247,228 | $ 1,093,985 |
| Texas A&M University System Health Science Center Research Foundation | $ 339,932 | $ 0 |
| Texas Agrilife Extension Service | $ 712,125 | $ 0 |
| Texas Tech University | $ 199,796 | $ 592,546 |
| Texas Tech University Health Sciences Center | $ 4,713,728 | $ 2,895,802 |
| University of North Texas | $ 0 | $ 200,000 |
| The University of North Texas Health Science Center at Fort Worth | $ 607,578 | $ 466,484 |
| The University of Texas at Arlington | $ 0 | $ 989,470 |
| The University of Texas at Austin | $ 8,334,547 | $ 5,331,254 |
| The University of Texas at Dallas | $ 886,693 | $ 2,447,630 |
| The University of Texas at El Paso (MIRA Sub Award) | $ 0 | $ 999,992 |
| The University of Texas at San Antonio | $ 0 | $ 199,906 |
| The University of Texas Health Science Center at Houston | $ 11,333,091 | $ 7,542,768 |
| The University of Texas Health Science Center at San Antonio | $ 7,037,121 | $ 3,926,560 |
| The University of Texas M.D. Anderson Cancer Center | $ 32,979,476 | $ 38,206,707 |
| The University of Texas Medical Branch at Galveston | $ 4,067,471 | $ 0 |
| The University of Texas Medical School at Houston | $ 2,000,000 | $ 0 |
| The University of Texas Southwestern Medical Center in Dallas | $ 34,790,311 | $ 53,538,082 |
| University of Houston | $ 2,660,417 | $ 3,219,238 |
| Total | $ 148,671,740 | $ 149,571,015 |

**Sec. 54. Appropriations for the Research Development Fund.** The amounts listed below for informational purposes are appropriated in each affected institution's "Research Development Fund" strategy and shall be expended only for the purpose defined in Education Code 62.091. Any unexpended balances as of August 31, 2012, are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2012.

| | 2012 | 2013 |
|---|---|---|
| UT Arlington | $3,016,377 | $3,016,377 |
| UT Dallas | 4,212,943 | 4,212,943 |
| UT El Paso | 3,462,520 | 3,462,520 |
| UT Pan American | 573,919 | 573,919 |
| UT Brownsville | 451,256 | 451,256 |
| UT Permian Basin | 153,204 | 153,204 |
| UT San Antonio | 2,745,648 | 2,745,648 |
| UT Tyler | 217,036 | 217,036 |
| Texas A&M Univ. at Galveston | 300,171 | 300,171 |
| Tarleton State University | 793,198 | 793,198 |
| Texas A&M University - Corpus Christi | 1,106,178 | 1,106,178 |
| Texas A&M University - Kingsville | 923,103 | 923,103 |
| Texas A&M International University | 126,623 | 126,623 |
| West Texas A&M University | 340,876 | 340,876 |
| Texas A&M - Commerce | 218,376 | 218,376 |
| Texas A&M - Texarkana | 4,504 | 4,504 |
| University of Houston | 5,352,736 | 5,352,736 |
| UH-Clear Lake | 54,196 | 54,196 |
| UH-Downtown | 52,124 | 54,124 |
| UH-Victoria | 1,127 | 1,127 |
| Midwestern State University | 15,033 | 15,033 |
| University of North Texas | 1,247,724 | 1,247,724 |
| Stephen F. Austin State University | 447,848 | 447,848 |
| Texas Southern University | 169,290 | 169,290 |
| Texas Tech University | 4,163,801 | 4,163,801 |
| Texas Woman's University | 133,076 | 133,076 |
| Angelo State University | 61,588 | 61,588 |
| Lamar University | 410,005 | 410,005 |

| | | |
|---|---|---|
| Sam Houston State University | 181,287 | 181,287 |
| Texas State University - San Marcos | 1,560,582 | 1,560,582 |
| Sul Ross State University | 152,020 | 152,020 |
| | $32,648,369 | $32,648,369 |

**Sec. 55. Community College Transfer Student Reporting Requirement.** All General Academic Institutions shall use their respective Education and General funds appropriated in this Act to develop and submit an annual report to the Texas Higher Education Coordinating Board (THECB) that details the institution's goals to increase the number, success, and persistence of community college transfer students as measured by THECB. The report shall assess each institution's existing academic and technical transfer pathways, identify each institution's barriers to transfer, and define emerging issues. The report shall detail institution actions to serve current and future transfer students through local and regional articulation agreements with faculty collaboration, community college program enhancements, student outreach and advising, website information development, targeted financial aid, university student success programs, and degree program alignment.

The THECB shall provide performance data by institution (application rates, admission rates, financial aid awarded, time-to-degree, and baccalaureate graduation rates) of transfer and native students by program completion at community colleges and universities during the preceding fiscal year. The THECB shall conduct a comparative analysis of the institutional reports and the performance data. The THECB shall submit an annual report to the Legislature that evaluates actions to increase the number, success, and persistence of community college transfer students and make recommendations to meet state goals.

The report shall be delivered to the House Appropriations Committee, the Senate Finance Committee, the Legislative Budget Board and the Governor by November 1 of each year.

**Sec. 56. Appropriations for the Texas Competitive Knowledge Fund.** The amounts listed below for informational purposes are appropriated out of the General Revenue fund elsewhere in this Act in each affected institution's "Texas Competitive Knowledge" strategy and shall be expended to support faculty for the purpose of instructional excellence and research. Any unexpended balances as of August 31, 2012 elsewhere in this Act, are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2012.

| | 2012 | 2013 |
|---|---|---|
| The University of Texas at Austin | $18,391,782 | $18,391,782 |
| Texas A&M University | $19,903,235 | $19,903,235 |
| University of Houston | $3,061,979 | $3,061,979 |
| Texas Tech University | $3,020,595 | $3,020,595 |
| The University of Texas at Dallas | $2,365,121 | $2,365,121 |
| Total | $46,742,712 | $46,742,712 |

**Sec. 57. Online Degree Plans.**

(a) Using funds appropriated by this Act, not later than August 1, 2012, each public institution of higher education receiving appropriations under this Act shall submit to the Higher Education Coordinating Board a study of the costs making available online four of the institution's most popular degree plans, as determined by the institution. Each institution's reported cost study must include the methodology used for the cost study and an explanation for each expense listed in the study.

(b) The coordinating board shall use new and existing data, including performance measures, ongoing research studies, and survey data, to evaluate probable student outcomes for online degree plans identified by the institutions. The coordinating board shall:

(1) analyze and compare all reported cost studies under this section and corresponding student outcomes to determine the most efficient and effective of the proposed online degree plans among those institutions generally; and

(2) notify each institution of its conclusions.

**Sec. 58. Mexican American Studies Program or Other Course Work.** It is the intent of the Legislature that the governing board of each general academic institution located in one or more counties with a substantial and growing Mexican American population may establish a Mexican American studies program or other course work in Mexican American studies at the institution. For that purpose, the governing board of an institution described by this section may use a portion of the available General Revenue funds otherwise appropriated to the institution by this Act for the purpose of evaluating the demand for and feasibility of establishing a Mexican American studies program or other course work in Mexican American studies in connection with establishing and operating such a program of other course work at the institution.

## RECAPITULATION - ARTICLE III
## AGENCIES OF EDUCATION
## (General Revenue)

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| Texas Education Agency | $ 17,113,112,602 | $ 16,446,158,352 |
| School for the Blind and Visually Impaired | 14,701,474 | 14,451,473 |
| School for the Deaf | 18,814,664 | 17,401,814 |
| Teacher Retirement System | 1,731,613,220 | 1,699,526,259 |
| Optional Retirement Program | 102,670,649 | 102,670,648 |
| Higher Education Employees Group Insurance Contributions | 471,017,382 | 496,539,542 |
| Higher Education Coordinating Board | 577,910,655 | 466,300,102 |
| Higher Education Fund | 262,500,000 | 262,500,000 |
| The University of Texas System Administration | 7,965,600 | 7,965,600 |
| The University of Texas at Arlington | 89,448,405 | 89,419,389 |
| The University of Texas at Austin | 247,397,392 | 245,147,339 |
| The University of Texas at Dallas | 73,170,725 | 72,607,656 |
| The University of Texas at El Paso | 68,822,630 | 68,959,082 |
| The University of Texas - Pan American | 55,480,654 | 55,408,868 |
| The University of Texas at Brownsville | 23,706,578 | 23,718,203 |
| The University of Texas of the Permian Basin | 23,559,695 | 23,556,545 |
| The University of Texas at San Antonio | 89,254,368 | 89,292,896 |
| The University of Texas at Tyler | 25,896,880 | 25,907,848 |
| Texas A&M University System Administrative and General Offices | 2,236,934 | 2,236,934 |
| Texas A&M University | 229,328,294 | 228,682,766 |
| Texas A&M University at Galveston | 15,498,067 | 15,466,607 |
| Prairie View A&M University | 45,549,924 | 45,373,944 |
| Tarleton State University | 29,760,680 | 29,703,793 |
| Texas A&M University - Central Texas | 12,707,887 | 12,645,041 |
| Texas A&M University - Corpus Christi | 40,577,915 | 40,546,501 |
| Texas A&M University - Kingsville | 27,103,318 | 26,926,884 |
| Texas A&M University - San Antonio | 14,640,060 | 14,647,537 |
| Texas A&M International University | 29,047,148 | 28,962,373 |
| West Texas A&M University | 26,753,272 | 26,528,888 |
| Texas A&M University - Commerce | 33,305,541 | 33,275,685 |
| Texas A&M University - Texarkana | 15,245,865 | 15,124,790 |
| University of Houston System Administration | 25,975,144 | 25,693,318 |
| University of Houston | 129,132,679 | 128,198,995 |
| University of Houston - Clear Lake | 23,313,520 | 23,140,530 |
| University of Houston - Downtown | 20,020,006 | 19,953,389 |
| University of Houston - Victoria | 13,827,568 | 13,824,253 |
| Midwestern State University | 16,762,807 | 16,619,208 |
| University of North Texas System Administration | 3,366,113 | 3,366,113 |
| University of North Texas | 95,956,315 | 95,317,804 |
| University of North Texas at Dallas | 14,076,345 | 14,089,057 |
| Stephen F. Austin State University | 37,797,001 | 37,843,134 |
| Texas Southern University | 52,541,654 | 52,143,547 |
| Texas Tech University System Administration | 1,425,000 | 1,425,000 |
| Texas Tech University | 127,276,377 | 126,700,431 |
| Angelo State University | 22,921,535 | 22,939,802 |
| Texas Woman's University | 46,290,355 | 46,176,745 |
| Texas State University System | 1,425,000 | 1,425,000 |
| Lamar University | 35,576,330 | 35,273,575 |
| Lamar Institute of Technology | 8,187,031 | 8,176,621 |
| Lamar State College - Orange | 6,726,582 | 6,711,777 |
| Lamar State College - Port Arthur | 8,345,818 | 8,330,788 |
| Sam Houston State University | 39,843,239 | 39,766,337 |
| Texas State University - San Marcos | 82,391,669 | 82,503,256 |
| Sul Ross State University | 12,896,246 | 12,862,225 |
| Sul Ross State University Rio Grande College | 4,680,909 | 4,684,023 |
| The University of Texas Southwestern Medical Center at Dallas | 118,350,815 | 118,340,715 |
| The University of Texas Medical Branch at Galveston | 226,140,030 | 226,185,611 |
| The University of Texas Health Science Center at Houston | 135,017,412 | 135,118,799 |

## RECAPITULATION - ARTICLE III
## AGENCIES OF EDUCATION
## (General Revenue)
(Continued)

| | | |
|---|---|---|
| The University of Texas Health Science Center at San Antonio | 121,878,453 | 121,918,354 |
| The University of Texas M.D. Anderson Cancer Center | 140,570,741 | 140,480,437 |
| The University of Texas Health Science Center at Tyler | 31,552,604 | 31,551,567 |
| Texas A&M University System Health Science Center | 90,698,527 | 90,664,001 |
| University of North Texas Health Science Center at Fort Worth | 53,962,078 | 53,886,456 |
| Texas Tech University Health Sciences Center | 136,105,193 | 135,529,543 |
| Public Community/Junior Colleges | 857,368,581 | 857,368,582 |
| Texas State Technical College System Administration | 2,301,722 | 2,301,722 |
| Texas State Technical College - Harlingen | 17,592,191 | 17,585,551 |
| Texas State Technical College - West Texas | 10,097,664 | 10,097,421 |
| Texas State Technical College - Marshall | 4,259,975 | 4,259,454 |
| Texas State Technical College - Waco | 26,592,770 | 26,597,306 |
| Texas AgriLife Research | 50,161,229 | 50,071,831 |
| Texas AgriLife Extension Service | 42,218,519 | 42,218,520 |
| Texas Engineering Experiment Station | 12,918,380 | 12,873,378 |
| Texas Transportation Institute | 641,250 | 641,250 |
| Texas Engineering Extension Service | 6,247,892 | 6,140,945 |
| Texas Forest Service | 19,093,022 | 18,886,926 |
| Texas Veterinary Medical Diagnostic Laboratory | 5,871,963 | 5,647,150 |
| Subtotal, Agencies of Education | $ 24,459,194,732 | $ 23,663,183,806 |
| Retirement and Group Insurance | 25,782,596 | 28,287,582 |
| Social Security and Benefit Replacement Pay | 239,844,021 | 248,034,928 |
| Subtotal, Employee Benefits | $ 265,626,617 | $ 276,322,510 |
| Bond Debt Service Payments | 6,302,598 | 7,946,232 |
| Lease Payments | 2,882,705 | 2,412,625 |
| Subtotal, Debt Service | $ 9,185,303 | $ 10,358,857 |
| TOTAL, ARTICLE III - AGENCIES OF EDUCATION | $ 24,734,006,652 | $ 23,949,865,173 |

## RECAPITULATION - ARTICLE III
## AGENCIES OF EDUCATION
## (General Revenue - Dedicated)

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| Texas Education Agency | $ 162,000 | $ 162,500 |
| Teacher Retirement System | 101,419,633 | 108,180,942 |
| Optional Retirement Program | 21,282,339 | 21,282,339 |
| Higher Education Coordinating Board | 86,428,791 | 278,500 |
| The University of Texas at Arlington | 52,183,109 | 52,603,253 |
| The University of Texas at Austin | 102,969,114 | 106,225,820 |
| The University of Texas at Dallas | 36,928,316 | 37,807,165 |
| The University of Texas at El Paso | 27,444,286 | 27,515,100 |
| The University of Texas - Pan American | 25,584,116 | 25,899,028 |
| The University of Texas at Brownsville | 5,082,799 | 5,121,138 |
| The University of Texas of the Permian Basin | 5,148,480 | 5,180,841 |
| The University of Texas at San Antonio | 40,830,519 | 41,117,989 |
| The University of Texas at Tyler | 7,149,410 | 7,193,407 |
| Texas A&M University System Administrative and General Offices | 2,817,000 | 2,817,000 |
| Texas A&M University | 91,667,283 | 93,122,343 |
| Texas A&M University at Galveston | 3,370,744 | 3,438,204 |
| Prairie View A&M University | 15,704,154 | 16,011,357 |
| Tarleton State University | 12,165,204 | 12,320,407 |
| Texas A&M University - Central Texas | 2,584,264 | 2,662,511 |
| Texas A&M University - Corpus Christi | 14,263,037 | 14,395,621 |
| Texas A&M University - Kingsville | 10,523,193 | 10,814,858 |
| Texas A&M University - San Antonio | 3,915,525 | 3,922,241 |
| Texas A&M International University | 7,689,165 | 7,841,864 |
| West Texas A&M University | 9,610,087 | 9,954,776 |
| Texas A&M University - Commerce | 11,570,001 | 11,769,401 |
| Texas A&M University - Texarkana | 2,114,506 | 2,269,807 |
| University of Houston | 68,029,222 | 69,454,507 |
| University of Houston - Clear Lake | 12,558,594 | 12,836,989 |
| University of Houston - Downtown | 13,887,692 | 14,065,735 |
| University of Houston - Victoria | 6,046,988 | 6,088,150 |
| Midwestern State University | 7,603,931 | 7,842,508 |
| University of North Texas | 51,983,681 | 53,097,551 |
| University of North Texas at Dallas | 1,156,493 | 1,156,493 |
| Stephen F. Austin State University | 16,485,905 | 16,602,634 |
| Texas Southern University | 22,821,822 | 23,396,850 |
| Texas Tech University | 51,053,661 | 52,133,874 |
| Angelo State University | 9,086,945 | 9,105,584 |
| Texas Woman's University | 21,181,180 | 21,492,643 |
| Texas State University System | 5 | 5 |
| Lamar University | 20,332,307 | 20,744,693 |
| Lamar Institute of Technology | 3,663,454 | 3,681,884 |
| Lamar State College - Orange | 2,801,555 | 2,924,855 |
| Lamar State College - Port Arthur | 2,718,826 | 2,724,277 |
| Sam Houston State University | 32,725,074 | 33,004,223 |
| Texas State University - San Marcos | 44,689,605 | 44,908,114 |
| Sul Ross State University | 2,519,033 | 2,526,516 |
| Sul Ross State University Rio Grande College | 1,380,760 | 1,381,691 |
| The University of Texas Southwestern Medical Center at Dallas | 8,996,328 | 9,058,286 |
| The University of Texas Medical Branch at Galveston | 12,406,504 | 12,390,649 |
| The University of Texas Health Science Center at Houston | 17,711,217 | 17,771,955 |
| The University of Texas Health Science Center at San Antonio | 8,602,992 | 8,631,865 |
| The University of Texas M.D. Anderson Cancer Center | 26,454,044 | 29,022,141 |
| The University of Texas Health Science Center at Tyler | 284,200 | 285,000 |
| Texas A&M University System Health Science Center | 12,386,274 | 12,522,135 |
| University of North Texas Health Science Center at Fort Worth | 8,106,584 | 8,189,278 |

## RECAPITULATION - ARTICLE III
## AGENCIES OF EDUCATION
## (General Revenue - Dedicated)
(Continued)

| | | |
|---|---|---|
| Texas Tech University Health Sciences Center | 13,435,189 | 14,260,031 |
| Texas State Technical College System Administration | 373,652 | 374,365 |
| Texas State Technical College - Harlingen | 7,103,048 | 6,812,720 |
| Texas State Technical College - West Texas | 2,375,301 | 2,399,905 |
| Texas State Technical College - Marshall | 1,228,010 | 1,248,029 |
| Texas State Technical College - Waco | 9,199,300 | 9,207,410 |
| Texas AgriLife Research | 475,000 | 475,000 |
| Texas AgriLife Extension Service | 4,500 | 4,500 |
| Texas Engineering Experiment Station | 452,209 | 452,209 |
| Texas Forest Service | 14,453,000 | 14,453,000 |
| Subtotal, Agencies of Education | $ 1,237,381,160 | $ 1,176,636,666 |
| Social Security and Benefit Replacement Pay | 43,309,079 | 44,824,897 |
| Subtotal, Employee Benefits | $ 43,309,079 | $ 44,824,897 |
| TOTAL, ARTICLE III - AGENCIES OF EDUCATION | $ 1,280,690,239 | $ 1,221,461,563 |

## RECAPITULATION - ARTICLE III
## AGENCIES OF EDUCATION
## (Federal Funds)

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| Texas Education Agency | $ 4,776,180,755 | $ 4,913,618,555 |
| Contingency Appropriations | 830,820,460 | 0 |
| Total | 5,607,001,215 | 4,913,618,555 |
| School for the Blind and Visually Impaired | 2,927,940 | 2,927,940 |
| School for the Deaf | 1,460,931 | 1,460,931 |
| Higher Education Coordinating Board | 61,810,663 | 61,825,763 |
| Texas AgriLife Research | 7,966,791 | 7,966,791 |
| Texas AgriLife Extension Service | 12,651,354 | 12,651,354 |
| Texas Engineering Experiment Station | 76,928,836 | 76,928,836 |
| Texas Transportation Institute | 9,205,984 | 9,551,209 |
| Texas Engineering Extension Service | 24,193,947 | 24,193,947 |
| Texas Forest Service | 3,714,784 | 3,714,784 |
| Texas Veterinary Medical Diagnostic Laboratory | 297,000 | 297,000 |
| Subtotal, Agencies of Education | $ 5,808,159,445 | $ 5,115,137,110 |
| Retirement and Group Insurance | 3,967,686 | 4,319,055 |
| Social Security and Benefit Replacement Pay | 1,714,910 | 1,718,169 |
| Subtotal, Employee Benefits | $ 5,682,596 | $ 6,037,224 |
| Bond Debt Service Payments | 159,242 | 159,242 |
| Subtotal, Debt Service | $ 159,242 | $ 159,242 |
| TOTAL, ARTICLE III - AGENCIES OF EDUCATION | $ 5,814,001,283 | $ 5,121,333,576 |

## RECAPITULATION - ARTICLE III
## AGENCIES OF EDUCATION
## (Other Funds)

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| Texas Education Agency | $ 3,118,366,118 | $ 3,187,046,116 |
| School for the Blind and Visually Impaired | 3,118,259 | 3,118,259 |
| School for the Deaf | 6,684,619 | 6,872,286 |
| Teacher Retirement System | 90,826,518 | 65,826,518 |
| Higher Education Employees Group Insurance Contributions | 683,982 | 721,044 |
| Higher Education Coordinating Board | 20,449,624 | 16,989,040 |
| The University of Texas System Administration | 1,108,000 | 1,108,000 |
| Available University Fund | 507,006,715 | 554,442,953 |
| The University of Texas at El Paso | 1,385,000 | 1,385,000 |
| The University of Texas - Pan American | 228,713 | 228,713 |
| Texas A&M University | 4,291,967 | 4,506,566 |
| Texas A&M International University | 137,887 | 137,887 |
| The University of Texas Southwestern Medical Center at Dallas | 5,475,360 | 5,475,360 |
| The University of Texas Medical Branch at Galveston | 351,382,730 | 366,177,005 |
| The University of Texas Health Science Center at Houston | 8,998,845 | 9,117,214 |
| The University of Texas Health Science Center at San Antonio | 26,253,591 | 15,050,070 |
| The University of Texas M.D. Anderson Cancer Center | 2,297,374,999 | 2,392,153,604 |
| The University of Texas Health Science Center at Tyler | 49,573,423 | 54,003,667 |
| Texas A&M University System Health Science Center | 9,486,335 | 12,636,632 |
| University of North Texas Health Science Center at Fort Worth | 7,608,842 | 3,105,420 |
| Texas Tech University Health Sciences Center | 6,957,869 | 6,948,600 |
| Texas AgriLife Research | 6,105,253 | 6,105,253 |
| Texas AgriLife Extension Service | 9,248,075 | 9,248,075 |
| Texas Engineering Experiment Station | 42,800,236 | 42,800,236 |
| Texas Transportation Institute | 39,304,952 | 39,943,368 |
| Texas Engineering Extension Service | 50,485,991 | 50,485,991 |
| Texas Forest Service | 517,002 | 517,002 |
| Texas Veterinary Medical Diagnostic Laboratory | 8,743,995 | 8,743,995 |
| Subtotal, Agencies of Education | $ 6,674,604,900 | $ 6,864,893,874 |
| Retirement and Group Insurance | 617,738 | 671,036 |
| Social Security and Benefit Replacement Pay | 8,926,865 | 9,152,888 |
| Subtotal, Employee Benefits | $ 9,544,603 | $ 9,823,924 |
| Less Interagency Contracts | $ 41,208,861 | $ 41,419,473 |
| TOTAL, ARTICLE III - AGENCIES OF EDUCATION | $ 6,642,940,642 | $ 6,833,298,325 |

# RECAPITULATION - ARTICLE III
# AGENCIES OF EDUCATION
# (All Funds)

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| Texas Education Agency | $ 25,007,821,475 | $ 24,546,985,523 |
| Contingency Appropriations | 830,820,460 | 0 |
| Total | 25,838,641,935 | 24,546,985,523 |
| School for the Blind and Visually Impaired | 20,747,673 | 20,497,672 |
| School for the Deaf | 26,960,214 | 25,735,031 |
| Teacher Retirement System | 1,923,859,371 | 1,873,533,719 |
| Optional Retirement Program | 123,952,988 | 123,952,987 |
| Higher Education Employees Group Insurance Contributions | 471,701,364 | 497,260,586 |
| Higher Education Coordinating Board | 746,599,733 | 545,393,405 |
| Higher Education Fund | 262,500,000 | 262,500,000 |
| The University of Texas System Administration | 9,073,600 | 9,073,600 |
| Available University Fund | 507,006,715 | 554,442,953 |
| The University of Texas at Arlington | 141,631,514 | 142,022,642 |
| The University of Texas at Austin | 350,366,506 | 351,373,159 |
| The University of Texas at Dallas | 110,099,041 | 110,414,821 |
| The University of Texas at El Paso | 97,651,916 | 97,859,182 |
| The University of Texas - Pan American | 81,293,483 | 81,536,609 |
| The University of Texas at Brownsville | 28,789,377 | 28,839,341 |
| The University of Texas of the Permian Basin | 28,708,175 | 28,737,386 |
| The University of Texas at San Antonio | 130,084,887 | 130,410,885 |
| The University of Texas at Tyler | 33,046,290 | 33,101,255 |
| Texas A&M University System Administrative and General Offices | 5,053,934 | 5,053,934 |
| Texas A&M University | 325,287,544 | 326,311,675 |
| Texas A&M University at Galveston | 18,868,811 | 18,904,811 |
| Prairie View A&M University | 61,254,078 | 61,385,301 |
| Tarleton State University | 41,925,884 | 42,024,200 |
| Texas A&M University - Central Texas | 15,292,151 | 15,307,552 |
| Texas A&M University - Corpus Christi | 54,840,952 | 54,942,122 |
| Texas A&M University - Kingsville | 37,626,511 | 37,741,742 |
| Texas A&M University - San Antonio | 18,555,585 | 18,569,778 |
| Texas A&M International University | 36,874,200 | 36,942,124 |
| West Texas A&M University | 36,363,359 | 36,483,664 |
| Texas A&M University - Commerce | 44,875,542 | 45,045,086 |
| Texas A&M University - Texarkana | 17,360,371 | 17,394,597 |
| University of Houston System Administration | 25,975,144 | 25,693,318 |
| University of Houston | 197,161,901 | 197,653,502 |
| University of Houston - Clear Lake | 35,872,114 | 35,977,519 |
| University of Houston - Downtown | 33,907,698 | 34,019,124 |
| University of Houston - Victoria | 19,874,556 | 19,912,403 |
| Midwestern State University | 24,366,738 | 24,461,716 |
| University of North Texas System Administration | 3,366,113 | 3,366,113 |
| University of North Texas | 147,939,996 | 148,415,355 |
| University of North Texas at Dallas | 15,232,838 | 15,245,550 |
| Stephen F. Austin State University | 54,282,906 | 54,445,768 |
| Texas Southern University | 75,363,476 | 75,540,397 |
| Texas Tech University System Administration | 1,425,000 | 1,425,000 |
| Texas Tech University | 178,330,038 | 178,834,305 |
| Angelo State University | 32,008,480 | 32,045,386 |
| Texas Woman's University | 67,471,535 | 67,669,388 |
| Texas State University System | 1,425,005 | 1,425,005 |
| Lamar University | 55,908,637 | 56,018,268 |
| Lamar Institute of Technology | 11,850,485 | 11,858,505 |
| Lamar State College - Orange | 9,528,137 | 9,636,632 |
| Lamar State College - Port Arthur | 11,064,644 | 11,055,065 |
| Sam Houston State University | 72,568,313 | 72,770,560 |
| Texas State University - San Marcos | 127,081,274 | 127,411,370 |
| Sul Ross State University | 15,415,279 | 15,388,741 |
| Sul Ross State University Rio Grande College | 6,061,669 | 6,065,714 |
| The University of Texas Southwestern Medical Center at Dallas | 132,822,503 | 132,874,361 |

## RECAPITULATION - ARTICLE III
## AGENCIES OF EDUCATION
## (All Funds)
(Continued)

| | | |
|---|---|---|
| The University of Texas Medical Branch at Galveston | 589,929,264 | 604,753,265 |
| The University of Texas Health Science Center at Houston | 161,727,474 | 162,007,968 |
| The University of Texas Health Science Center at San Antonio | 156,735,036 | 145,600,289 |
| The University of Texas M.D. Anderson Cancer Center | 2,464,399,784 | 2,561,656,182 |
| The University of Texas Health Science Center at Tyler | 81,410,227 | 85,840,234 |
| Texas A&M University System Health Science Center | 112,571,136 | 115,822,768 |
| University of North Texas Health Science Center at Fort Worth | 69,677,504 | 65,181,154 |
| Texas Tech University Health Sciences Center | 156,498,251 | 156,738,174 |
| Public Community/Junior Colleges | 857,368,581 | 857,368,582 |
| Texas State Technical College System Administration | 2,675,374 | 2,676,087 |
| Texas State Technical College - Harlingen | 24,695,239 | 24,398,271 |
| Texas State Technical College - West Texas | 12,472,965 | 12,497,326 |
| Texas State Technical College - Marshall | 5,487,985 | 5,507,483 |
| Texas State Technical College - Waco | 35,792,070 | 35,804,716 |
| Texas AgriLife Research | 64,708,273 | 64,618,875 |
| Texas AgriLife Extension Service | 64,122,448 | 64,122,449 |
| Texas Engineering Experiment Station | 133,099,661 | 133,054,659 |
| Texas Transportation Institute | 49,152,186 | 50,135,827 |
| Texas Engineering Extension Service | 80,927,830 | 80,820,883 |
| Texas Forest Service | 37,777,808 | 37,571,712 |
| Texas Veterinary Medical Diagnostic Laboratory | 14,912,958 | 14,688,145 |
| Subtotal, Agencies of Education | $ 38,179,340,237 | $ 36,819,851,456 |
| Retirement and Group Insurance | 30,368,020 | 33,277,673 |
| Social Security and Benefit Replacement Pay | 293,794,875 | 303,730,882 |
| Subtotal, Employee Benefits | $ 324,162,895 | $ 337,008,555 |
| Bond Debt Service Payments | 6,461,840 | 8,105,474 |
| Lease Payments | 2,882,705 | 2,412,625 |
| Subtotal, Debt Service | $ 9,344,545 | $ 10,518,099 |
| Less Interagency Contracts | $ 41,208,861 | $ 41,419,473 |
| TOTAL, ARTICLE III - AGENCIES OF EDUCATION | $ 38,471,638,816 | $ 37,125,958,637 |
| Number of Full-Time-Equivalents (FTE)-Appropriated Funds | 85,204.1 | 85,219.4 |

# ARTICLE IV

# THE JUDICIARY

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 judiciary and other judicial service units of the state.

## SUPREME COURT OF TEXAS

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 5,017,155 | $ 4,924,655 |
| Federal Funds | 1,800,000 | 1,800,000 |
| Other Funds | | |
| Judicial Fund No. 573 | 19,124,301 | 19,124,301 |
| Appropriated Receipts | 43,000 | 43,000 |
| Interagency Contracts | 2,500,000 | 2,500,000 |
| Subtotal, Other Funds | $ 21,667,301 | $ 21,667,301 |
| **Total, Method of Financing** | $ 28,484,456 | $ 28,391,956 |
| **This bill pattern represents an estimated 78% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 72.0 | 72.0 |
| **Schedule of Exempt Positions:** | | |
| Chief Justice | $152,500 | $152,500 |
| Justice | (8) 150,000 | (8) 150,000 |
| **Items of Appropriation:** | | |
| **A. Goal:** APPELLATE COURT OPERATIONS | | |
| **A.1.1. Strategy:** APPELLATE COURT OPERATIONS | $ 5,478,095 | $ 5,385,596 & UB |
| **B. Goal:** COURT PROGRAMS | | |
| **B.1.1. Strategy:** BASIC CIVIL LEGAL SERVICES | $ 21,091,050 | $ 21,091,050 & UB |
| **B.1.2. Strategy:** COURT IMPROVEMENT PROJECTS | $ 1,800,000 | $ 1,800,000 |
| **B.1.3. Strategy:** MULTI-DISTRICT LITIGATION | $ 115,311 | $ 115,310 |
| **Total, Goal B:** COURT PROGRAMS | $ 23,006,361 | $ 23,006,360 |
| **Grand Total,** SUPREME COURT OF TEXAS | $ 28,484,456 | $ 28,391,956 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 5,242,837 | $ 5,242,837 |
| Other Personnel Costs | 105,000 | 105,000 |
| Consumable Supplies | 36,000 | 36,000 |
| Utilities | 20,000 | 20,000 |
| Travel | 50,000 | 50,000 |
| Rent - Building | 22,000 | 22,000 |
| Rent - Machine and Other | 55,500 | 55,500 |
| Other Operating Expense | 428,258 | 335,759 |
| Grants | 22,524,861 | 22,524,860 |
| **Total, Object-of-Expense Informational Listing** | $ 28,484,456 | $ 28,391,956 |

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

| | | |
|---|---|---|
| Employee Benefits | | |
| Retirement | $ 182,416 | $ 183,328 |
| Group Insurance | 537,914 | 545,996 |
| Social Security | 369,020 | 370,865 |
| Benefits Replacement | 9,240 | 8,639 |
| Subtotal, Employee Benefits | $ 1,098,590 | $ 1,108,828 |
| Debt Service | | |
| Lease Payments | $ 899,429 | $ 901,668 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 1,998,019 | $ 2,010,496 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Supreme Court of Texas. 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 Supreme Court of Texas. In order to achieve the objectives and service standards established by this Act, the Supreme Court of Texas shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** APPELLATE COURT OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Disposition Rate | 102% | 102% |
| Average Number of Days since Filing of All Matters Pending in the Supreme Court | 230 | 230 |

2. **Appropriation: Basic Civil Legal Services.** All fees deposited into the Basic Civil Legal Services Account of the Judicial Fund are appropriated above in Strategy B.1.1, Basic Civil Legal Services. Any fees deposited in excess of $18,591,050 in fiscal year 2012 and $18,591,050 in fiscal year 2013 are hereby appropriated to the Supreme Court for the same purpose (estimated to be $0). Any unexpended balances in the Basic Civil Legal Services Account at the end of fiscal year 2011 are hereby appropriated to the Supreme Court in fiscal year 2012 for the same purpose (estimated to be $0 and included in amounts appropriated above).

   The Supreme Court of Texas shall file a report with the Legislative Budget Board and the Governor within 90 days following February 28 and August 31 of each fiscal year showing disbursements from all funding sources for Basic Civil Legal Services, the purpose for each disbursement, and compliance with grant conditions.

3. **Equalization.** It is the intent of the Legislature that the Supreme Court use funds appropriated above to equalize the dockets of the 14 Courts of Appeals. For the purposes of this rider equalization shall be considered achieved if the new cases filed each year per justice are equalized by 10 percent or less among all the courts of appeals. Multi-district litigation cases are exempted from this provision.

4. **Special Masters: State Commission on Judicial Conduct.** The appropriations to the State Commission on Judicial Conduct reflect the intent of the Legislature to encourage the Supreme Court of Texas to appoint active judges rather than retired judges as special masters in formal proceedings initiated by the State Commission on Judicial Conduct under Rule 10 of the Procedural Rules for the Removal or Retirement of Judges.

5. **Court Improvement Projects.** Included in amounts appropriated above are federal funds awarded to the State of Texas, State Court Improvement Program (CFDA 93.586) of $1,800,000 in fiscal year 2012 and $1,800,000 in fiscal year 2013. Out of these funds, the Supreme Court is allocated an amount estimated to be $481,500 in fiscal year 2012 and $481,500 in fiscal year 2013 to administer the grant. Additionally, the Supreme Court shall file a report with the Legislative Budget Board and the Governor within 90 days following August 31 of each fiscal year showing disbursements, the purpose of each disbursement, and compliance with grant conditions.

6. **Texas Young Lawyers License Plate Receipts.** Included in amounts appropriated above in Strategy B.1.1, Basic Civil Legal Services, are all balances collected prior to the effective date of this Act ($0) and revenue collected on or after September 1, 2011 (not to exceed $10,000 in fiscal

year 2012 and not to exceed $10,000 in fiscal year 2013), from the sale of license plates as provided by Transportation Code § 504.604 and deposited to the credit of the Judicial Fund No. 573.

Any unexpended balances as of August 31, 2012, out of the appropriations made herein are hereby appropriated to the Supreme Court for the fiscal year beginning September 1, 2012 for this same purpose.

7. **Supreme Court Performance Measures.** The Chief Justice of the Supreme Court of Texas shall file a report with the Legislative Budget Board and the Governor compiling data on each Justice's compliance with the Court's internal deadlines. The report shall be due no later than December 1 of each year and compile data from the prior fiscal year.

8. **Appropriation: Supreme Court Support Fee.** Included in amounts appropriated above in Strategy A.1.1, Appellate Court Operations, is an amount estimated to be $200,000 in each fiscal year from the Supreme Court Support Account in the Judicial Fund No. 573.

## COURT OF CRIMINAL APPEALS

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 4,630,074 | $ 4,630,074 |
| Other Funds | | |
| Judicial and Court Personnel Training Fund No. 540 | 8,528,684 | 8,146,184 |
| Judicial Fund No. 573 | 333,251 | 333,251 |
| Appropriated Receipts | 4,500 | 387,000 |
| Interagency Contracts | 30,000 | 30,000 |
| Subtotal, Other Funds | $ 8,896,435 | $ 8,896,435 |
| **Total, Method of Financing** | $ 13,526,509 | $ 13,526,509 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 68.0 | 68.0 |
| **Schedule of Exempt Positions:** | | |
| Presiding Judge | $152,500 | $152,500 |
| Judge | (8) 150,000 | (8) 150,000 |
| **Items of Appropriation:** | | |
| **A. Goal:** APPELLATE COURT OPERATIONS | | |
| **A.1.1. Strategy:** APPELLATE COURT OPERATIONS | $ 4,997,825 | $ 4,997,825 & UB |
| **B. Goal:** JUDICIAL EDUCATION | | |
| **B.1.1. Strategy:** JUDICIAL EDUCATION | $ 8,528,684 | $ 8,528,684 |
| **Grand Total,** COURT OF CRIMINAL APPEALS | $ 13,526,509 | $ 13,526,509 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 4,895,977 | $ 4,895,977 |
| Other Personnel Costs | 85,810 | 85,810 |
| Professional Fees and Services | 1,904 | 1,904 |
| Consumable Supplies | 28,831 | 28,831 |
| Travel | 67,511 | 67,511 |
| Rent - Building | 11,576 | 11,576 |
| Rent - Machine and Other | 30,593 | 30,593 |
| Other Operating Expense | 124,682 | 124,682 |
| Grants | 8,279,625 | 8,279,625 |
| **Total, Object-of-Expense Informational Listing** | $ 13,526,509 | $ 13,526,509 |

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

| | | |
|---|---|---|
| Employee Benefits | | |
| Retirement | $ 207,002 | $ 208,037 |
| Group Insurance | 500,567 | 507,971 |
| Social Security | 355,426 | 357,203 |
| Benefits Replacement | 17,289 | 16,165 |
| Subtotal, Employee Benefits | $ 1,080,284 | $ 1,089,376 |
| Debt Service | | |
| Lease Payments | $ 718,085 | $ 719,873 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 1,798,369 | $ 1,809,249 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Court of Criminal Appeals. 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 Court of Criminal Appeals. In order to achieve the objectives and service standards established by this Act, the Court of Criminal Appeals shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** APPELLATE COURT OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Disposition Rate for Petitions for Discretionary Review Which Are Granted | 125% | 125% |
| Disposition Rate for Death Penalty Cases | 125% | 125% |
| Average Time (in Days) from the Time Petitions for Discretionary Review Are Granted until Disposition | 290 | 290 |
| Average Time from Time Filed to Disposition in Death Penalty Cases | 825 | 825 |

2. **Judicial Education.**

a. The Court of Criminal Appeals may assign to the Office of Court Administration or to any other agency of the Judicial Branch the necessary administrative and accounting functions for the Judicial and Court Personnel Training Fund appropriation included in this Act to be performed under the direction of the Court of Criminal Appeals in compliance with Government Code, Chapter 56. To implement this provision, the Comptroller is authorized to transfer the appropriation from the Court of Criminal Appeals to the Office of Court Administration, or to any other agency of the Judicial Branch, as directed by order of the Court of Criminal Appeals. Of the amount appropriated for Strategy B.1.1, Judicial Education, $403,750 in fiscal year 2012 and $403,750 in fiscal year 2013 shall be expended for the continuing legal education of judges of county courts performing judicial functions.

b. None of the funds appropriated above in Strategy B.1.1, Judicial Education, in excess of 3 percent of the appropriated amount and any additional amounts appropriated for the purposes of this provision in any fiscal year shall be expended for the administration of the judicial education function. The 3 percent administrative allocation is estimated to be $352,861 in fiscal year 2012 and $255,861 in fiscal year 2013, subject to amounts of refunds of unexpended balances from training entities or other funds that may be provided for judicial and court personnel training. For the purposes of this provision, the term administration shall include, but not be limited to, administrative oversight functions, accounting and auditing functions, management studies, performance audits, and other studies initiated by the Court of Criminal Appeals or the Office of Court Administration.

c. Funds expended by either the Court of Criminal Appeals or the Office of Court Administration, out of the appropriation made above out of the Judicial and Court Personnel Training Fund, for the purpose of conducting management studies, performance audits, or other studies, shall be expended only in accordance with a competitive bidding process.

3. **Continuing Education and Technical Assistance for Prosecutors and Criminal Defense Attorneys.**

   a. The Court of Criminal Appeals is appropriated above in Strategy B.1.1, Judicial Education an amount not to exceed $1,253,750 in fiscal year 2012 and $1,253,750 in fiscal year 2013 to contract with a statewide professional association of prosecuting attorneys and other entities to provide continuing legal education courses, programs, and technical assistance projects for prosecutors and prosecutor office personnel.

   b. The Court of Criminal Appeals is appropriated above in Strategy B.1.1, Judicial Education an amount not to exceed $1,105,000 in fiscal year 2012 and $1,105,000 in fiscal year 2013 to contract with a statewide professional association of criminal defense attorneys and other entities to provide continuing legal education courses, programs and technical assistance projects for criminal defense attorneys who regularly represent indigent defendants in criminal matters.

   c. Funds may be expended pursuant to this provision only out of the appropriation made above out of the Judicial and Court Personnel Training Fund No. 540.

4. **Judicial Education: Reimbursement for Travel Expenses.** Funds appropriated above in Strategy B.1.1, Judicial Education, for the purposes established in § 56.003(b) of the Government Code, may be granted only pursuant to a grant contract which provides for the reimbursement of expenses of judges pursuant to the provisions of § 74.062 of the Government Code. This provision shall not apply to funds granted for the purpose of providing continuing legal education for judges of county courts performing judicial functions.

5. **Judicial and Court Personnel Training Report.** The Court of Criminal Appeals shall file a report with the Legislative Budget Board and the Governor within 90 days following February 28 and August 31 of each fiscal year showing the allocation of grants and expenditures from Judicial and Court Personnel Training Fund No. 540, and the results of grant audits.

6. **Appropriation: Refunds of Unexpended Balances from Training Entities.** The Court of Criminal Appeals shall maintain procedures to ensure that the state is refunded all unexpended and unencumbered state funds held at the close of fiscal year 2011 and fiscal year 2012 by training entities receiving grants to conduct judicial and court personnel training. Refunds received by the Court of Criminal Appeals in fiscal year 2012 from training entities are appropriated above in Strategy B.1.1, Judicial Education (not to exceed $382,500 in fiscal year 2012 out of Judicial and Court Personnel Training Account No. 540.) In addition, under Article IX, § 8.03 of this Act, the Court of Criminal Appeals is authorized to spend an amount not to exceed $382,500 from refunds received from training entities in fiscal year 2013 for grants awarded in fiscal year 2012.

7. **Judicial and Court Personnel Training.** Out of funds appropriated above in Strategy B.1.1, Judicial Education, a minimum of $850,000 per fiscal year is designated for the Court of Criminal Appeals to contract with training entities providing for the training and continuing legal education of the clerks and other court personnel of the appellate courts, district courts, county courts at law, county courts, justice courts, and municipal courts of this State in accordance with Government Code § 74.025.

8. **Actual Innocence Training.** Out of funds appropriated above in Strategy B.1.1, Judicial Education, an amount not to exceed $200,000 in fiscal year 2012 and an amount not to exceed $200,000 in fiscal year 2013 shall be used by the Court of Criminal Appeals to contract with statewide professional associations and other entities whose purposes include providing continuing legal education courses, programs, and technical assistance projects on actual innocence for criminal defense attorneys, prosecuting attorneys, judges, bailiffs, constables, warrant officers, or other persons as provided by statute. Any unexpended balances of these funds remaining as of August 31, 2012 are hereby appropriated to the Court of Criminal Appeals for the fiscal year beginning September 1, 2012 for the same purpose.

9. **Appropriation: Unexpended Balance Authority Between Biennia and Within the Biennium for Judicial Education, Administrative Allocation.** All unexpended balances of funds appropriated to Strategy B.1.1, Judicial Education, at the end of fiscal year 2011 are appropriated to Strategy B.1.1, Judicial Education in fiscal year 2012 (not to exceed $100,000 in Judicial and Court Personnel Training Fund No. 540, and included in amounts appropriated above). Further,

all unexpended balances of funds appropriated to Strategy B.1.1, Judicial Education, at the end of fiscal year 2012 are appropriated to Strategy B.1.1, Judicial Education in fiscal year 2013 (not to exceed $100,000 in Judicial and Court Personnel Training Fund No. 540).

**10. Public Defender Training.** Out of funds appropriated above in Strategy B.1.1, Judicial Education, an amount not to exceed $42,500 in fiscal year 2012 and an amount not to exceed $42,500 in fiscal year 2013 shall be used by the Court of Criminal Appeals to contract with statewide professional associations and other entities whose purposes include providing continuing legal education, courses, and programs for public defenders.

**11. Judicial and Court Personnel Training Fund No. 540 Reclassification.** Contingent on the enactment of legislation relating to the dedication of funds or the dedication of the Judicial and Court Personnel Training Fund No. 540, the Comptroller, on approval of the Legislative Budget Board, may change the name of the Judicial and Court Personnel Training Fund No. 540 as provided elsewhere in this Act, to reflect changes made by the other legislation that affects the status of Judicial and Court Personnel Training Fund No. 540. The amount of the appropriation from the Judicial and Court Personnel Training Fund No. 540 would not be affected by this change.

## FIRST COURT OF APPEALS DISTRICT, HOUSTON

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 3,413,430 | $ 3,413,429 |
| Other Funds | | |
| Judicial Fund No. 573 | 273,350 | 273,350 |
| Appropriated Receipts | 8,700 | 8,700 |
| Interagency Contracts | 42,500 | 42,500 |
| Subtotal, Other Funds | $ 324,550 | $ 324,550 |
| **Total, Method of Financing** | $ 3,737,980 | $ 3,737,979 |
| **This bill pattern represents an estimated 93.3% 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:** | | |
| Chief Justice | $140,000 | $140,000 |
| Justice | (8) 137,500 | (8) 137,500 |
| **Items of Appropriation:** | | |
| **A. Goal:** APPELLATE COURT OPERATIONS | | |
| **A.1.1. Strategy:** APPELLATE COURT OPERATIONS | $ 3,737,980 | $ 3,737,979 & UB |
| **Grand Total,** FIRST COURT OF APPEALS DISTRICT, HOUSTON | $ 3,737,980 | $ 3,737,979 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 3,453,222 | $ 3,453,222 |
| Other Personnel Costs | 38,520 | 38,520 |
| Consumable Supplies | 12,500 | 12,500 |
| Utilities | 2,000 | 2,000 |
| Travel | 5,500 | 5,500 |
| Rent - Building | 46,410 | 46,410 |
| Rent - Machine and Other | 18,110 | 18,110 |
| Other Operating Expense | 161,718 | 161,717 |
| **Total, Object-of-Expense Informational Listing** | $ 3,737,980 | $ 3,737,979 |

## FIRST COURT OF APPEALS DISTRICT, HOUSTON
(Continued)

| | | |
|---|---|---|
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 123,857 | $ 124,476 |
| Group Insurance | 342,653 | 346,614 |
| Social Security | 240,293 | 241,495 |
| Benefits Replacement | 4,561 | 4,264 |
| Subtotal, Employee Benefits | $ 711,364 | $ 716,849 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 711,364 | $ 716,849 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the First Court of Appeals District, Houston. 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 First Court of Appeals District, Houston. In order to achieve the objectives and service standards established by this Act, the First Court of Appeals District, Houston shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** APPELLATE COURT OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Clearance Rate | 98% | 98% |
| Percentage of Cases Under Submission for Less Than One Year | 98% | 98% |
| Percentage of Cases Pending for Less Than Two Years | 98% | 98% |

## SECOND COURT OF APPEALS DISTRICT, FORT WORTH

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 2,560,772 | $ 2,560,771 |
| Other Funds | | |
| Judicial Fund No. 573 | 213,050 | 213,050 |
| Appropriated Receipts | 10,000 | 10,000 |
| Interagency Contracts | 54,000 | 54,000 |
| Subtotal, Other Funds | $ 277,050 | $ 277,050 |
| **Total, Method of Financing** | $ 2,837,822 | $ 2,837,821 |
| **This bill pattern represents an estimated 91.6% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 35.5 | 35.5 |
| **Schedule of Exempt Positions:** | | |
| Chief Justice | $140,000 | $140,000 |
| Justice | (6) 137,500 | (6) 137,500 |
| **Items of Appropriation:** | | |
| **A. Goal:** APPELLATE COURT OPERATIONS | | |
| **A.1.1. Strategy:** APPELLATE COURT OPERATIONS | $ 2,837,822 | $ 2,837,821 & UB |
| **Grand Total,** SECOND COURT OF APPEALS DISTRICT, FORT WORTH | $ 2,837,822 | $ 2,837,821 |

## SECOND COURT OF APPEALS DISTRICT, FORT WORTH
(Continued)

| | | |
|---|---|---|
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 2,687,677 | $ 2,687,677 |
| Other Personnel Costs | 46,450 | 49,805 |
| Consumable Supplies | 30,000 | 26,999 |
| Utilities | 1,200 | 1,200 |
| Travel | 10,000 | 10,000 |
| Rent - Building | 127 | 127 |
| Rent - Machine and Other | 828 | 828 |
| Other Operating Expense | 61,540 | 61,185 |
| **Total, Object-of-Expense Informational Listing** | $ 2,837,822 | $ 2,837,821 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 101,385 | $ 101,892 |
| Group Insurance | 282,948 | 286,209 |
| Social Security | 182,230 | 183,141 |
| Benefits Replacement | 6,523 | 6,099 |
| Subtotal, Employee Benefits | $ 573,086 | $ 577,341 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 573,086 | $ 577,341 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Second Court of Appeals District, Fort Worth. 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 Second Court of Appeals District, Fort Worth. In order to achieve the objectives and service standards established by this Act, the Second Court of Appeals District, Fort Worth shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** APPELLATE COURT OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Clearance Rate | 98% | 98% |
| Percentage of Cases Under Submission for Less Than One Year | 98% | 98% |
| Percentage of Cases Pending for Less Than Two Years | 98% | 98% |

## THIRD COURT OF APPEALS DISTRICT, AUSTIN

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 2,244,785 | $ 2,244,786 |
| Other Funds | | |
| Judicial Fund No. 573 | 182,900 | 182,900 |
| Appropriated Receipts | 16,000 | 16,000 |
| Interagency Contracts | 36,000 | 36,000 |
| Subtotal, Other Funds | $ 234,900 | $ 234,900 |
| **Total, Method of Financing** | $ 2,479,685 | $ 2,479,686 |
| **This bill pattern represents an estimated 89.3% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 33.0 | 33.0 |

## THIRD COURT OF APPEALS DISTRICT, AUSTIN
(Continued)

| | | |
|---|---|---|
| **Schedule of Exempt Positions:** | | |
| Chief Justice | $140,000 | $140,000 |
| Justice | (5) 137,500 | (5) 137,500 |
| **Items of Appropriation:** | | |
| **A. Goal:** APPELLATE COURT OPERATIONS | | |
| **A.1.1. Strategy:** APPELLATE COURT OPERATIONS | $ 2,479,685 | $ 2,479,686 & UB |
| **Grand Total,** THIRD COURT OF APPEALS DISTRICT, AUSTIN | $ 2,479,685 | $ 2,479,686 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 2,375,090 | $ 2,375,090 |
| Other Personnel Costs | 20,000 | 20,000 |
| Professional Fees and Services | 2,000 | 2,000 |
| Consumable Supplies | 17,000 | 17,000 |
| Travel | 1,000 | 1,000 |
| Rent - Building | 8,000 | 8,000 |
| Other Operating Expense | 56,595 | 56,596 |
| **Total, Object-of-Expense Informational Listing** | $ 2,479,685 | $ 2,479,686 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 88,978 | $ 89,423 |
| Group Insurance | 280,588 | 285,123 |
| Social Security | 167,909 | 168,749 |
| Benefits Replacement | 3,366 | 3,147 |
| Subtotal, Employee Benefits | $ 540,841 | $ 546,442 |
| Debt Service | | |
| Lease Payments | $ 465,492 | $ 466,651 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 1,006,333 | $ 1,013,093 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Third Court of Appeals District, Austin. 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 Third Court of Appeals District, Austin. In order to achieve the objectives and service standards established by this Act, the Third Court of Appeals District, Austin shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** APPELLATE COURT OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Clearance Rate | 98% | 98% |
| Percentage of Cases Under Submission for Less Than One Year | 98% | 98% |
| Percentage of Cases Pending for Less Than Two Years | 98% | 98% |

## FOURTH COURT OF APPEALS DISTRICT, SAN ANTONIO

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 2,602,630 | $ 2,602,628 |

## FOURTH COURT OF APPEALS DISTRICT, SAN ANTONIO
(Continued)

| | | |
|---|---|---|
| Other Funds | | |
| Judicial Fund No. 573 | 213,050 | 213,050 |
| Appropriated Receipts | 11,000 | 11,000 |
| Interagency Contracts | 42,000 | 42,000 |
| Subtotal, Other Funds | $ 266,050 | $ 266,050 |
| **Total, Method of Financing** | $ 2,868,680 | $ 2,868,678 |
| **This bill pattern represents an estimated 89.3% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 32.5 | 32.5 |
| **Schedule of Exempt Positions:** | | |
| Chief Justice | $140,000 | $140,000 |
| Justice | (6) 137,500 | (6) 137,500 |
| **Items of Appropriation:** | | |
| **A. Goal:** APPELLATE COURT OPERATIONS | | |
| **A.1.1. Strategy:** APPELLATE COURT OPERATIONS | $ 2,868,680 | $ 2,868,678 & UB |
| **Grand Total,** FOURTH COURT OF APPEALS DISTRICT, SAN ANTONIO | $ 2,868,680 | $ 2,868,678 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 2,659,761 | $ 2,659,761 |
| Other Personnel Costs | 55,124 | 55,826 |
| Professional Fees and Services | 7,692 | 7,656 |
| Consumable Supplies | 11,147 | 11,096 |
| Utilities | 2,007 | 1,997 |
| Travel | 1,271 | 1,265 |
| Rent - Building | 8,361 | 8,322 |
| Rent - Machine and Other | 1,538 | 1,531 |
| Other Operating Expense | 121,779 | 121,224 |
| **Total, Object-of-Expense Informational Listing** | $ 2,868,680 | $ 2,868,678 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 101,094 | $ 101,600 |
| Group Insurance | 247,628 | 250,526 |
| Social Security | 192,422 | 193,384 |
| Benefits Replacement | 5,608 | 5,243 |
| Subtotal, Employee Benefits | $ 546,752 | $ 550,753 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 546,752 | $ 550,753 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Fourth Court of Appeals District, San Antonio. 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 Fourth Court of Appeals District, San Antonio. In order to achieve the objectives and service standards established by this Act, the Fourth Court of Appeals District, San Antonio shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** APPELLATE COURT OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Clearance Rate | 98% | 98% |
| Percentage of Cases Under Submission for Less Than One Year | 98% | 98% |
| Percentage of Cases Pending for Less Than Two Years | 98% | 98% |

## FIFTH COURT OF APPEALS DISTRICT, DALLAS

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 4,684,939 | $ 4,684,938 |
| Other Funds | | |
| Judicial Fund No. 573 | 393,950 | 393,950 |
| Appropriated Receipts | 32,000 | 32,000 |
| Subtotal, Other Funds | $ 425,950 | $ 425,950 |
| **Total, Method of Financing** | $ 5,110,889 | $ 5,110,888 |
| **This bill pattern represents an estimated 93.7% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 55.6 | 55.6 |
| **Schedule of Exempt Positions:** | | |
| Chief Justice | $140,000 | $140,000 |
| Justice | (12) 137,500 | (12) 137,500 |
| **Items of Appropriation:** | | |
| **A. Goal:** APPELLATE COURT OPERATIONS | | |
| **A.1.1. Strategy:** APPELLATE COURT OPERATIONS | $ 5,110,889 | $ 5,110,888 & UB |
| **Grand Total,** FIFTH COURT OF APPEALS DISTRICT, DALLAS | $ 5,110,889 | $ 5,110,888 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 4,770,109 | $ 4,770,109 |
| Other Personnel Costs | 65,738 | 65,738 |
| Consumable Supplies | 36,221 | 36,221 |
| Travel | 13,000 | 13,000 |
| Rent - Building | 38,000 | 38,000 |
| Rent - Machine and Other | 27,500 | 27,500 |
| Other Operating Expense | 160,321 | 160,320 |
| **Total, Object-of-Expense Informational Listing** | $ 5,110,889 | $ 5,110,888 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 173,683 | $ 174,551 |
| Group Insurance | 456,914 | 462,623 |
| Social Security | 342,508 | 344,220 |
| Benefits Replacement | 14,290 | 13,361 |
| Subtotal, Employee Benefits | $ 987,395 | $ 994,755 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 987,395 | $ 994,755 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Fifth Court of Appeals District, Dallas. 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 Fifth Court of Appeals District, Dallas. In order to achieve the objectives and service standards established by this Act, the Fifth Court of Appeals District, Dallas shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

## FIFTH COURT OF APPEALS DISTRICT, DALLAS
(Continued)

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** APPELLATE COURT OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Clearance Rate | 98% | 98% |
| Percentage of Cases Under Submission for Less Than One Year | 98% | 98% |
| Percentage of Cases Pending for Less Than Two Years | 98% | 98% |

## SIXTH COURT OF APPEALS DISTRICT, TEXARKANA

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 1,248,008 | $ 1,248,007 |
| Other Funds | | |
| Judicial Fund No. 573 | 92,450 | 92,450 |
| Appropriated Receipts | 4,000 | 4,000 |
| Subtotal, Other Funds | $ 96,450 | $ 96,450 |
| **Total, Method of Financing** | $ 1,344,458 | $ 1,344,457 |
| **This bill pattern represents an estimated 94% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 15.5 | 15.5 |
| **Schedule of Exempt Positions:** | | |
| Chief Justice | $140,000 | $140,000 |
| Justice | (2) 137,500 | (2) 137,500 |
| **Items of Appropriation:** | | |
| **A. Goal:** APPELLATE COURT OPERATIONS | | |
| **A.1.1. Strategy:** APPELLATE COURT OPERATIONS | $ 1,344,458 | $ 1,344,457 & UB |
| **Grand Total,** SIXTH COURT OF APPEALS DISTRICT, TEXARKANA | $ 1,344,458 | $ 1,344,457 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 1,229,072 | $ 1,229,072 |
| Other Personnel Costs | 19,200 | 20,400 |
| Consumable Supplies | 6,500 | 6,500 |
| Utilities | 3,600 | 3,600 |
| Travel | 12,000 | 12,000 |
| Rent - Building | 1,225 | 1,225 |
| Rent - Machine and Other | 1,200 | 1,200 |
| Other Operating Expense | 71,661 | 70,460 |
| **Total, Object-of-Expense Informational Listing** | $ 1,344,458 | $ 1,344,457 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 44,867 | $ 45,091 |
| Group Insurance | 129,336 | 131,368 |
| Social Security | 84,834 | 85,258 |
| Benefits Replacement | 3,648 | 3,411 |
| Subtotal, Employee Benefits | $ 262,685 | $ 265,128 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 262,685 | $ 265,128 |

## SIXTH COURT OF APPEALS DISTRICT, TEXARKANA
(Continued)

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Sixth Court of Appeals District, Texarkana. 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 Sixth Court of Appeals District, Texarkana. In order to achieve the objectives and service standards established by this Act, the Sixth Court of Appeals District, Texarkana shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** APPELLATE COURT OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Clearance Rate | 98% | 98% |
| Percentage of Cases Under Submission for Less Than One Year | 98% | 98% |
| Percentage of Cases Pending for Less Than Two Years | 98% | 98% |

## SEVENTH COURT OF APPEALS DISTRICT, AMARILLO

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 1,531,631 | $ 1,531,631 |
| Other Funds | | |
| Judicial Fund No. 573 | 122,600 | 122,600 |
| Appropriated Receipts | 8,000 | 8,000 |
| Subtotal, Other Funds | $ 130,600 | $ 130,600 |
| **Total, Method of Financing** | $ 1,662,231 | $ 1,662,231 |
| **This bill pattern represents an estimated 95.2% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 19.5 | 19.5 |
| **Schedule of Exempt Positions:** | | |
| Chief Justice | $140,000 | $140,000 |
| Justice | (3) 137,500 | (3) 137,500 |
| **Items of Appropriation:** | | |
| **A. Goal:** APPELLATE COURT OPERATIONS | | |
| **A.1.1. Strategy:** APPELLATE COURT OPERATIONS | $ 1,662,231 | $ 1,662,231 & UB |
| **Grand Total,** SEVENTH COURT OF APPEALS DISTRICT, AMARILLO | $ 1,662,231 | $ 1,662,231 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 1,522,703 | $ 1,522,703 |
| Other Personnel Costs | 31,525 | 32,825 |
| Consumable Supplies | 10,000 | 10,000 |
| Utilities | 6,000 | 6,000 |
| Travel | 16,000 | 16,000 |
| Rent - Building | 20 | 20 |
| Rent - Machine and Other | 1,830 | 1,830 |
| Other Operating Expense | 74,153 | 72,853 |
| **Total, Object-of-Expense Informational Listing** | $ 1,662,231 | $ 1,662,231 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 50,898 | $ 51,153 |
| Group Insurance | 160,572 | 162,341 |

## SEVENTH COURT OF APPEALS DISTRICT, AMARILLO
(Continued)

| | | |
|---|---|---|
| Social Security | 106,947 | 107,482 |
| Benefits Replacement | 5,473 | 5,117 |
| Subtotal, Employee Benefits | $ 323,890 | $ 326,093 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 323,890 | $ 326,093 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Seventh Court of Appeals District, Amarillo. 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 Seventh Court of Appeals District, Amarillo. In order to achieve the objectives and service standards established by this Act, the Seventh Court of Appeals District, Amarillo shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** APPELLATE COURT OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Clearance Rate | 98% | 98% |
| Percentage of Cases Under Submission for Less Than One Year | 98% | 98% |
| Percentage of Cases Pending for Less Than Two Years | 98% | 98% |

## EIGHTH COURT OF APPEALS DISTRICT, EL PASO

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 1,248,513 | $ 1,248,513 |
| Other Funds | | |
| Judicial Fund No. 573 | 92,450 | 92,450 |
| Appropriated Receipts | 6,000 | 6,000 |
| Interagency Contracts | 27,000 | 27,000 |
| Subtotal, Other Funds | $ 125,450 | $ 125,450 |
| **Total, Method of Financing** | $ 1,373,963 | $ 1,373,963 |
| **This bill pattern represents an estimated 98.4% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 17.0 | 17.0 |
| **Schedule of Exempt Positions:** | | |
| Chief Justice | $140,000 | $140,000 |
| Justice | (2) 137,500 | (2) 137,500 |
| **Items of Appropriation:** | | |
| **A. Goal:** APPELLATE COURT OPERATIONS | | |
| **A.1.1. Strategy:** APPELLATE COURT OPERATIONS | $ 1,373,963 | $ 1,373,963 & UB |
| **Grand Total,** EIGHTH COURT OF APPEALS DISTRICT, EL PASO | $ 1,373,963 | $ 1,373,963 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 1,254,928 | $ 1,254,928 |
| Other Personnel Costs | 30,965 | 32,000 |
| Consumable Supplies | 7,500 | 7,700 |
| Utilities | 4,800 | 4,800 |
| Travel | 13,300 | 15,000 |

## EIGHTH COURT OF APPEALS DISTRICT, EL PASO
(Continued)

| | | |
|---|---|---|
| Rent - Building | 9,000 | 9,000 |
| Rent - Machine and Other | 500 | 500 |
| Other Operating Expense | 52,970 | 50,035 |
| **Total, Object-of-Expense Informational Listing** | $ 1,373,963 | $ 1,373,963 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 41,512 | $ 41,719 |
| Group Insurance | 166,467 | 169,252 |
| Social Security | 88,128 | 88,569 |
| Benefits Replacement | 8,176 | 7,645 |
| Subtotal, Employee Benefits | $ 304,283 | $ 307,185 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 304,283 | $ 307,185 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Eighth Court of Appeals District, El Paso. 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 Eighth Court of Appeals District, El Paso. In order to achieve the objectives and service standards established by this Act, the Eighth Court of Appeals District, El Paso shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** APPELLATE COURT OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Clearance Rate | 98% | 98% |
| Percentage of Cases Under Submission for Less Than One Year | 98% | 98% |
| Percentage of Cases Pending for Less Than Two Years | 98% | 98% |

## NINTH COURT OF APPEALS DISTRICT, BEAUMONT

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 1,526,928 | $ 1,526,927 |
| Other Funds | | |
| Judicial Fund No. 573 | 122,600 | 122,600 |
| Appropriated Receipts | 8,000 | 8,000 |
| Subtotal, Other Funds | $ 130,600 | $ 130,600 |
| **Total, Method of Financing** | $ 1,657,528 | $ 1,657,527 |
| **This bill pattern represents an estimated 94.8% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 20.5 | 20.5 |
| **Schedule of Exempt Positions:** | | |
| Chief Justice | $140,000 | $140,000 |
| Justice | (3) 137,500 | (3) 137,500 |

## NINTH COURT OF APPEALS DISTRICT, BEAUMONT
(Continued)

| | | |
|---|---|---|
| **Items of Appropriation:** | | |
| **A. Goal:** APPELLATE COURT OPERATIONS | | |
| **A.1.1. Strategy:** APPELLATE COURT OPERATIONS | $ 1,657,528 | $ 1,657,527 & UB |
| **Grand Total,** NINTH COURT OF APPEALS DISTRICT, BEAUMONT | $ 1,657,528 | $ 1,657,527 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 1,613,802 | $ 1,613,802 |
| Other Personnel Costs | 28,000 | 30,000 |
| Consumable Supplies | 5,000 | 5,000 |
| Travel | 4,000 | 4,000 |
| Other Operating Expense | 6,726 | 4,725 |
| **Total, Object-of-Expense Informational Listing** | $ 1,657,528 | $ 1,657,527 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 55,318 | $ 55,595 |
| Group Insurance | 165,850 | 167,936 |
| Social Security | 111,956 | 112,515 |
| Benefits Replacement | 8,741 | 8,173 |
| Subtotal, Employee Benefits | $ 341,865 | $ 344,219 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 341,865 | $ 344,219 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Ninth Court of Appeals District, Beaumont. 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 Ninth Court of Appeals District, Beaumont. In order to achieve the objectives and service standards established by this Act, the Ninth Court of Appeals District, Beaumont shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** APPELLATE COURT OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Clearance Rate | 98% | 98% |
| Percentage of Cases Under Submission for Less Than One Year | 98% | 98% |
| Percentage of Cases Pending for Less Than Two Years | 98% | 98% |

## TENTH COURT OF APPEALS DISTRICT, WACO

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 1,230,529 | $ 1,230,529 |
| Other Funds | | |
| Judicial Fund No. 573 | 92,450 | 92,450 |
| Appropriated Receipts | 10,000 | 10,000 |
| Subtotal, Other Funds | $ 102,450 | $ 102,450 |
| **Total, Method of Financing** | $ 1,332,979 | $ 1,332,979 |

**This bill pattern represents an estimated 98.3% of this agency's estimated total available funds for the biennium.**

## TENTH COURT OF APPEALS DISTRICT, WACO
(Continued)

| | | |
|---|---|---|
| **Number of Full-Time-Equivalents (FTE):** | 16.0 | 16.0 |
| **Schedule of Exempt Positions:** | | |
| Chief Justice | $140,000 | $140,000 |
| Justice | (2) 137,500 | (2) 137,500 |
| **Items of Appropriation:** | | |
| **A. Goal:** APPELLATE COURT OPERATIONS | | |
| **A.1.1. Strategy:** APPELLATE COURT OPERATIONS | $ 1,332,979 | $ 1,332,979 & UB |
| **Grand Total,** TENTH COURT OF APPEALS DISTRICT, WACO | $ 1,332,979 | $ 1,332,979 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 1,237,380 | $ 1,237,380 |
| Other Personnel Costs | 18,000 | 18,000 |
| Professional Fees and Services | 1,000 | 1,000 |
| Consumable Supplies | 12,000 | 12,000 |
| Utilities | 2,500 | 2,500 |
| Travel | 12,000 | 12,000 |
| Rent - Machine and Other | 800 | 800 |
| Other Operating Expense | 49,299 | 49,299 |
| **Total, Object-of-Expense Informational Listing** | $ 1,332,979 | $ 1,332,979 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 47,437 | $ 47,674 |
| Group Insurance | 138,801 | 141,078 |
| Social Security | 84,528 | 84,951 |
| Benefits Replacement | 912 | 853 |
| Subtotal, Employee Benefits | $ 271,678 | $ 274,556 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 271,678 | $ 274,556 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Tenth Court of Appeals District, Waco. 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 Tenth Court of Appeals District, Waco. In order to achieve the objectives and service standards established by this Act, the Tenth Court of Appeals District, Waco shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** APPELLATE COURT OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Clearance Rate | 98% | 98% |
| Percentage of Cases Under Submission for Less Than One Year | 98% | 98% |
| Percentage of Cases Pending for Less Than Two Years | 98% | 98% |

## ELEVENTH COURT OF APPEALS DISTRICT, EASTLAND

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 1,243,979 | $ 1,243,978 |

## ELEVENTH COURT OF APPEALS DISTRICT, EASTLAND
(Continued)

| | | |
|---|---|---|
| Other Funds | | |
| Judicial Fund No. 573 | 92,450 | 92,450 |
| Appropriated Receipts | 8,000 | 8,000 |
| Subtotal, Other Funds | $ 100,450 | $ 100,450 |
| **Total, Method of Financing** | $ 1,344,429 | $ 1,344,428 |
| **This bill pattern represents an estimated 94.8% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 17.5 | 17.5 |
| **Schedule of Exempt Positions:** | | |
| Chief Justice | $140,000 | $140,000 |
| Justice | (2) 137,500 | (2) 137,500 |
| **Items of Appropriation:** | | |
| **A. Goal:** APPELLATE COURT OPERATIONS | | |
| **A.1.1. Strategy:** APPELLATE COURT OPERATIONS | $ 1,344,429 | $ 1,344,428 & UB |
| **Grand Total,** ELEVENTH COURT OF APPEALS DISTRICT, EASTLAND | $ 1,344,429 | $ 1,344,428 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 1,230,402 | $ 1,230,402 |
| Other Personnel Costs | 28,560 | 28,560 |
| Consumable Supplies | 6,000 | 6,000 |
| Utilities | 20,000 | 20,000 |
| Travel | 6,000 | 6,000 |
| Rent - Machine and Other | 2,500 | 2,500 |
| Other Operating Expense | 50,967 | 50,966 |
| **Total, Object-of-Expense Informational Listing** | $ 1,344,429 | $ 1,344,428 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 44,030 | $ 44,250 |
| Group Insurance | 142,266 | 143,559 |
| Social Security | 84,751 | 85,175 |
| Benefits Replacement | 8,154 | 7,624 |
| Subtotal, Employee Benefits | $ 279,201 | $ 280,608 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 279,201 | $ 280,608 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Eleventh Court of Appeals District, Eastland. 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 Eleventh Court of Appeals District, Eastland. In order to achieve the objectives and service standards established by this Act, the Eleventh Court of Appeals District, Eastland shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** APPELLATE COURT OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Clearance Rate | 98% | 98% |
| Percentage of Cases Under Submission for Less Than One Year | 98% | 98% |
| Percentage of Cases Pending for Less Than Two Years | 98% | 98% |

## TWELFTH COURT OF APPEALS DISTRICT, TYLER

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 1,271,094 | $ 1,271,093 |
| Other Funds | | |
| Judicial Fund No. 573 | 92,450 | 92,450 |
| Appropriated Receipts | 3,500 | 3,500 |
| Subtotal, Other Funds | $ 95,950 | $ 95,950 |
| **Total, Method of Financing** | $ 1,367,044 | $ 1,367,043 |
| **This bill pattern represents an estimated 94.1% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 16.0 | 16.0 |
| **Schedule of Exempt Positions:** | | |
| Chief Justice | $140,000 | $140,000 |
| Justice | (2) 137,500 | (2) 137,500 |
| **Items of Appropriation:** | | |
| **A. Goal:** APPELLATE COURT OPERATIONS | | |
| **A.1.1. Strategy:** APPELLATE COURT OPERATIONS | $ 1,367,044 | $ 1,367,043 & UB |
| **Grand Total,** TWELFTH COURT OF APPEALS DISTRICT, TYLER | $ 1,367,044 | $ 1,367,043 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 1,239,175 | $ 1,239,175 |
| Other Personnel Costs | 18,360 | 18,360 |
| Consumable Supplies | 12,000 | 12,000 |
| Utilities | 8,500 | 8,500 |
| Travel | 12,500 | 12,500 |
| Rent - Machine and Other | 9,500 | 9,500 |
| Other Operating Expense | 67,009 | 67,008 |
| **Total, Object-of-Expense Informational Listing** | $ 1,367,044 | $ 1,367,043 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 51,920 | $ 52,179 |
| Group Insurance | 155,142 | 158,266 |
| Social Security | 91,630 | 92,088 |
| Benefits Replacement | 3,876 | 3,624 |
| Subtotal, Employee Benefits | $ 302,568 | $ 306,157 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 302,568 | $ 306,157 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Twelfth Court of Appeals District, Tyler. 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 Twelfth Court of Appeals District, Tyler. In order to achieve the objectives and service standards established by this Act, the Twelfth Court of Appeals District, Tyler shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

## TWELFTH COURT OF APPEALS DISTRICT, TYLER
(Continued)

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** APPELLATE COURT OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Clearance Rate | 98% | 98% |
| Percentage of Cases Under Submission for Less Than One Year | 98% | 98% |
| Percentage of Cases Pending for Less Than Two Years | 98% | 98% |

## THIRTEENTH COURT OF APPEALS DISTRICT, CORPUS CHRISTI-EDINBURG

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 2,255,543 | $ 2,255,542 |
| Other Funds | | |
| Judicial Fund No. 573 | 182,900 | 182,900 |
| Appropriated Receipts | 18,000 | 18,000 |
| Interagency Contracts | 36,000 | 36,000 |
| Subtotal, Other Funds | $ 236,900 | $ 236,900 |
| **Total, Method of Financing** | $ 2,492,443 | $ 2,492,442 |
| **This bill pattern represents an estimated 98.8% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 31.5 | 31.5 |
| **Schedule of Exempt Positions:** | | |
| Chief Justice | $140,000 | $140,000 |
| Justice | (5) 137,500 | (5) 137,500 |
| **Items of Appropriation:** | | |
| **A. Goal:** APPELLATE COURT OPERATIONS | | |
| **A.1.1. Strategy:** APPELLATE COURT OPERATIONS | $ 2,492,443 | $ 2,492,442 & UB |
| **Grand Total,** THIRTEENTH COURT OF APPEALS DISTRICT, CORPUS CHRISTI-EDINBURG | $ 2,492,443 | $ 2,492,442 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 2,329,466 | $ 2,329,466 |
| Other Personnel Costs | 37,169 | 37,169 |
| Consumable Supplies | 17,000 | 17,000 |
| Travel | 16,000 | 16,000 |
| Rent - Building | 55 | 55 |
| Rent - Machine and Other | 40,000 | 40,000 |
| Other Operating Expense | 52,753 | 52,752 |
| **Total, Object-of-Expense Informational Listing** | $ 2,492,443 | $ 2,492,442 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 91,537 | $ 91,995 |
| Group Insurance | 239,783 | 241,815 |
| Social Security | 166,742 | 167,576 |
| Benefits Replacement | 6,841 | 6,396 |
| Subtotal, Employee Benefits | $ 504,903 | $ 507,782 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 504,903 | $ 507,782 |

## THIRTEENTH COURT OF APPEALS DISTRICT, CORPUS CHRISTI-EDINBURG
(Continued)

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Thirteenth Court of Appeals District, Corpus Christi-Edinburg. 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 Thirteenth Court of Appeals District, Corpus Christi-Edinburg. In order to achieve the objectives and service standards established by this Act, the Thirteenth Court of Appeals District, Corpus Christi-Edinburg shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** APPELLATE COURT OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Clearance Rate | 98% | 98% |
| Percentage of Cases Under Submission for Less Than One Year | 98% | 98% |
| Percentage of Cases Pending for Less Than Two Years | 98% | 98% |

## FOURTEENTH COURT OF APPEALS DISTRICT, HOUSTON

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 3,427,713 | $ 3,427,711 |
| Other Funds | | |
| Judicial Fund No. 573 | 273,350 | 273,350 |
| Appropriated Receipts | 11,539 | 11,539 |
| Interagency Contracts | 42,500 | 42,500 |
| Subtotal, Other Funds | $ 327,389 | $ 327,389 |
| **Total, Method of Financing** | $ 3,755,102 | $ 3,755,100 |
| **This bill pattern represents an estimated 89.2% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 47.5 | 47.5 |
| **Schedule of Exempt Positions:** | | |
| Chief Justice | $140,000 | $140,000 |
| Justice | (8) 137,500 | (8) 137,500 |
| **Items of Appropriation:** | | |
| **A. Goal:** APPELLATE COURT OPERATIONS | | |
| **A.1.1. Strategy:** APPELLATE COURT OPERATIONS | $ 3,755,102 | $ 3,755,100 & UB |
| **Grand Total,** FOURTEENTH COURT OF APPEALS DISTRICT, HOUSTON | $ 3,755,102 | $ 3,755,100 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 3,535,986 | $ 3,535,985 |
| Other Personnel Costs | 47,184 | 47,184 |
| Professional Fees and Services | 1,362 | 1,362 |
| Consumable Supplies | 16,637 | 16,637 |
| Travel | 8,451 | 8,451 |
| Rent - Building | 45,388 | 45,388 |
| Other Operating Expense | 100,094 | 100,093 |
| **Total, Object-of-Expense Informational Listing** | $ 3,755,102 | $ 3,755,100 |

## FOURTEENTH COURT OF APPEALS DISTRICT, HOUSTON
(Continued)

| | | |
|---|---|---|
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 130,434 | $ 131,086 |
| Group Insurance | 382,521 | 386,881 |
| Social Security | 242,593 | 243,806 |
| Benefits Replacement | 7,297 | 6,823 |
| Subtotal, Employee Benefits | $ 762,845 | $ 768,596 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 762,845 | $ 768,596 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Fourteenth Court of Appeals District, Houston. 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 Fourteenth Court of Appeals District, Houston. In order to achieve the objectives and service standards established by this Act, the Fourteenth Court of Appeals District, Houston shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** APPELLATE COURT OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Clearance Rate | 98% | 98% |
| Percentage of Cases Under Submission for Less Than One Year | 98% | 98% |
| Percentage of Cases Pending for Less Than Two Years | 98% | 98% |

## OFFICE OF COURT ADMINISTRATION, TEXAS JUDICIAL COUNCIL

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 9,749,567 | $ 9,782,224 |
| GR Dedicated - Fair Defense Account No. 5073 | 29,774,951 | 32,512,893 |
| Other Funds | | |
| Appropriated Receipts | 21,894 | 21,894 |
| Interagency Contracts | 4,424,519 | 4,431,110 |
| Subtotal, Other Funds | $ 4,446,413 | $ 4,453,004 |
| **Total, Method of Financing** | $ 43,970,931 | $ 46,748,121 |
| **Other Direct and Indirect Costs Appropriated Elsewhere in this Act** | $ 41,317 | $ 43,450 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 189.6 | 189.6 |
| **Number of FTEs in Riders:** | 2.0 | 2.0 |
| **Schedule of Exempt Positions:** | | |
| Administrative Director, Group 4 | $130,000 | $130,000 |
| **Items of Appropriation:** | | |
| **A. Goal:** PROCESSES AND INFORMATION | | |
| Improve Processes and Report Information. | | |
| **A.1.1. Strategy:** COURT ADMINISTRATION | $ 2,170,308 | $ 2,172,442 & UB |

## OFFICE OF COURT ADMINISTRATION, TEXAS JUDICIAL COUNCIL
(Continued)

| | | |
|---|---|---|
| **A.1.2. Strategy:** INFORMATION TECHNOLOGY | $ 2,704,601 | $ 2,731,716 & UB |
| **A.1.3. Strategy:** DOCKET EQUALIZATION | $ 6,788 | $ 6,788 & UB |
| Equalization of the Courts of Appeals Dockets. | | |
| **A.1.4. Strategy:** ASSIST ADMIN JUDICIAL REGIONS | $ 175,605 | $ 175,605 |
| Assistance to the Administrative Judicial Regions. | | |
| **A.2.1. Strategy:** INDIGENT DEFENSE | $ 29,774,951 | $ 32,512,893 & UB |
| Indigent Defense Standards and Services. | | |
| **Total, Goal A:** PROCESSES AND INFORMATION | $ 34,832,253 | $ 37,599,444 |
| **B. Goal:** SPECIALTY COURT PROGRAMS | | |
| Complete Specialty Court Program Cases. | | |
| **B.1.1. Strategy:** CHILD SUPPORT COURTS PROGRAM | $ 6,459,054 | $ 6,468,024 & UB |
| **B.1.2. Strategy:** CHILD PROTECTION COURTS PROGRAM | $ 2,512,015 | $ 2,510,564 & UB |
| **Total, Goal B:** SPECIALTY COURT PROGRAMS | $ 8,971,069 | $ 8,978,588 |
| **C. Goal:** CERTIFY INDIVIDUALS AND BUSINESSES | | |
| Certify Qualified Individuals and Businesses. | | |
| **C.1.1. Strategy:** COURT REPORTERS CERT BOARD | $ 157,319 | $ 157,518 & UB |
| Court Reporters Certification Board. | | |
| **C.1.2. Strategy:** TEXASONLINE | $ 10,290 | $ 12,571 |
| TexasOnline. Estimated and Nontransferable. | | |
| **C.1.3. Strategy:** GUARDIANS AND PROCESS SERVERS | $ 0 | $ 0 |
| **Total, Goal C:** CERTIFY INDIVIDUALS AND BUSINESSES | $ 167,609 | $ 170,089 |
| **Grand Total,** OFFICE OF COURT ADMINISTRATION, TEXAS JUDICIAL COUNCIL | $ 43,970,931 | $ 46,748,121 |
| **Supplemental Appropriations Made in Riders:** | $ 119,603 | $ 119,714 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 12,428,205 | $ 12,439,506 |
| Other Personnel Costs | 317,373 | 338,220 |
| Professional Fees and Services | 37,174 | 36,039 |
| Consumable Supplies | 61,030 | 61,530 |
| Utilities | 43,189 | 43,189 |
| Travel | 595,671 | 594,707 |
| Rent - Building | 25,627 | 25,627 |
| Rent - Machine and Other | 16,174 | 16,174 |
| Other Operating Expense | 2,056,140 | 2,064,950 |
| Grants | 28,459,951 | 31,197,893 |
| Capital Expenditures | 50,000 | 50,000 |
| **Total, Object-of-Expense Informational Listing** | $ 44,090,534 | $ 46,867,835 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 751,970 | $ 755,730 |
| Group Insurance | 1,254,099 | 1,261,143 |
| Social Security | 968,573 | 973,416 |
| Benefits Replacement | 63,559 | 59,427 |
| Subtotal, Employee Benefits | $ 3,038,201 | $ 3,049,716 |
| Debt Service | | |
| Lease Payments | $ 15,447 | $ 15,486 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 3,053,648 | $ 3,065,202 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Office of Court Administration, Texas Judicial Council. 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 Office of Court Administration, Texas Judicial Council. In order to achieve the objectives and service standards established by this Act, the Office of Court Administration, Texas Judicial Council shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** PROCESSES AND INFORMATION | | |
| **Outcome (Results/Impact):** | | |
| Percent of Entities Reporting Case Statistics Electronically | 55% | 60% |
| Percent of Counties Receiving State Funds for Indigent Defense | 94% | 94% |
| **B. Goal:** SPECIALTY COURT PROGRAMS | | |
| **Outcome (Results/Impact):** | | |
| Child Support Courts Case Disposition Rate | 100% | 100% |
| **B.1.2. Strategy:** CHILD PROTECTION COURTS PROGRAM | | |
| **Output (Volume):** | | |
| Number of Children Who Have Received a Final Order | 4,900 | 4,900 |
| **C. Goal:** CERTIFY INDIVIDUALS AND BUSINESSES | | |
| **Outcome (Results/Impact):** | | |
| Percentage of Licensees with No Recent Violations | 99.7% | 99.7% |
| **C.1.1. Strategy:** COURT REPORTERS CERT BOARD | | |
| **Output (Volume):** | | |
| Number of New Licenses Issued to Individuals | 65 | 65 |

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.

| | 2012 | 2013 |
|---|---|---|
| a. Acquisition of Information Resource Technologies | | |
| (1) FY12-13 Computer Equipment and Software | $ 50,000 | $ 50,000 |
| Total, Capital Budget | $ 50,000 | $ 50,000 |
| Method of Financing (Capital Budget): | | |
| General Revenue Fund | $ 50,000 | $ 50,000 |
| Total, Method of Financing | $ 50,000 | $ 50,000 |

3. **Information Regarding Allocation of Full-Time-Equivalent Positions.** The following data regarding allocation of the "Number of Full-Time-Equivalent Positions (FTE)" is provided for informational purposes only, and should not be construed as a cap on the number of FTEs in any one strategy: Strategy A.1.1, Court Administration (31.5 FTEs); Strategy A.1.2, Information Technology (24.6 FTEs); Strategy A.1.4, Assistance to Administrative Judicial Regions (2.0 FTEs); Strategy A.2.1, Indigent Defense (11.0 FTEs); Strategy B.1.1, Child Support Courts Program (86.5 FTEs); Strategy B.1.2, Child Protection Courts Program (31.0 FTEs); Strategy C.1.1, Court Reporters Certification Board (3.0 FTEs); and, Strategy C.1.3, Guardians and Process Servers (2.0).

4. **Information Services for the Trial Courts.** Out of funds appropriated above in Strategy A.1.2, Information Technology, no less than $1,173,931 shall be dedicated to providing information services for the Trial Courts. In accordance with Government Code § 2175.307 that exempts the Office of Court Administration from certain requirements relating to the disposition of computer equipment, the agency is directed to give preference to a local or state governmental entity in the judicial branch of local or state government when disposing of surplus or salvage computer equipment.

5. **Information Technology Equipment and Services.** From funds appropriated, Office of Court Administration shall provide staff and information technology equipment and services for the Judicial Committee on Information Technology and information technology equipment and services for the appellate courts, Court Reporters Certification Board, Guardianship Certification Board, Process Server Review Board, State Law Library, Office of the State Prosecuting Attorney, State Commission on Judicial Conduct and the Office of Capital Writs subject to funds available within amounts appropriated above for Strategy A.1.2, Information Technology.

6. **District Court Performance Measures.** From funds appropriated, Office of Court Administration shall report data for the district courts on a countywide basis and that the data measure countywide clearance rates for criminal, civil, and juvenile cases and measure age of cases disposed and the backlog index for criminal and civil cases. Further, the Office of Court Administration should revise its reporting system for the trial courts to simplify reporting, improve data collection and compliance, and streamline its annual report of the Texas judicial system.

7. **Appellate Court Performance Measures.** The current performance measures for the appellate courts should continue to be used for caseload management by each court in accordance with uniform data reporting standards approved by the courts of appeals. Further, the appellate courts should continuously find ways to operate efficiently without sacrificing the quality of justice while remaining true to the rule of law. Finally, from funds appropriated, the Office of Court Administration should continue to study whether the statistical data currently reported for appellate court performance measures is presented in a clear, understandable format and what, if any, additional data should be collected.

8. **Interagency Contract for Assigned Judges for Child Protection Courts.** Out of funds appropriated above to Strategy B.1.2, Child Protection Courts Program, the Office of Court Administration may enter into a contract with the Office of the Comptroller for fiscal years 2012 and 2013, for the purpose of reimbursing the Comptroller for amounts expended for judges assigned under Chapter 74, Government Code to hear cases of the Child Protection Courts established pursuant to Subchapter C, Chapter 201, Family Code. It is the intent of the Legislature that any amounts reimbursed under this contract for judges assigned to the Child Protection Courts are in addition to amounts appropriated for the use of assigned judges in Strategy A.1.2, Visiting Judges - Regions in the Judiciary Section, Comptroller's Department.

9. **Indigent Defense.** Included above in Strategy A.2.1, Indigent Defense, is $870,500 in fiscal year 2011 and $870,500 in fiscal year 2013 for the administration of the Task Force on Indigent Defense. The Task Force on Indigent Defense shall have authority to make grants to counties from the Fair Defense Account (General Revenue-Dedicated Account No. 5073), with funds being disbursed by the Comptroller. In no event shall the appropriation made by this section be used to offset the Office of Court Administration's administrative support provided to the Task Force on Indigent Defense. Any unexpended balances in appropriations out of the Fair Defense Account at the end of fiscal year 2012 are hereby appropriated for fiscal year 2013 to the Office of Court Administration, Texas Judicial Council for the same purpose.

10. **Performance Reporting for the Collection Improvement Program.** The Office of Court Administration shall report on an annual basis the following information to the Legislative Budget Board and the Governor: (1) the number of mandatory programs in operation; (2) the number of mandatory programs not in compliance; (3) the number of voluntary programs in operation; (4) the number of new voluntary programs in operation; and (5) information on program revenue that indicates the impact of the collections program on revenue collections in participating programs. The Office of Court Administration should seek to increase the number of voluntary programs by five each fiscal year.

11. **Appropriations Limited to Revenue Collections.** It is the intent of the Legislature that fees, fines and other miscellaneous revenues as authorized and generated by the Court Reporters Certification Board cover, at a minimum, the cost of the appropriations made above in Strategy C.1.1, Court Reporters Certification Board, and Strategy C.1.2, TexasOnline, 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.

12. **Innocence Projects.** Out of amounts appropriated above in Strategy A.2.1, Indigent Defense, $320,000 in each year of the biennium from the General Revenue-Dedicated Fair Defense Account No. 5073 shall be used by the Task Force on Indigent Defense to contract with law schools at the University of Houston, the University of Texas, Texas Tech University, and Texas Southern University for innocence projects. Also out of amounts appropriated above from the Fair Defense Account, $80,000 and 1.0 FTE each fiscal year may be used for the administration and coordination of the innocence projects by the Task Force. Amounts in this provision are in addition to the grant administration allocation of $870,500 each fiscal year in Rider 8, Indigent Defense. It is the intent of the Legislature that the amount of each contract with each university shall be $80,000. Any unexpended balances in the $320,000 in funds designated for innocence projects as of August 31, 2012 are hereby appropriated to Strategy A.2.1, Indigent Defense for the same purpose for the fiscal year beginning September 1, 2012.

13. **Lump Sum Payments for Child Support Courts Program.** Included in amounts appropriated above for Strategy B.1.1, Child Support Courts Program, is $50,000 in fiscal year 2012 and $50,000 in fiscal year 2013 shall be used only for the purpose of paying lump sum termination payments for child support court employees in the event of the employee's separation from state employment in accordance with existing statutes and rules governing these payments. Any unexpended balances in appropriations made for this purpose for fiscal year 2012 are appropriated to the Office of Court Administration in fiscal year 2013 for the same purposes.

14. **Children's Justice Grants to States.** From funds appropriated, the Office of Court Administration shall collaborate with the Texas Center for the Judiciary, the grant administrator designated by the Governor for the Children's Justice Grant to States (CFDA 93.643), in filing a report with the Legislative Budget Board and the Governor within 90 days following August 31 of each fiscal year showing disbursements, the purpose of each disbursement, and compliance with grant conditions.

15. **Contingency Appropriation for Legislation Relating to Certain License Fees.** Contingent upon the enactment of legislation relating to license fees and the allowable use of such fees for process servers, guardians, and court reporters by the Eighty-second Legislature, Regular Session, the Office of Court Administration is appropriated $119,603 in fiscal year 2012 and $119,714 in fiscal year 2013 to implement the provisions of the legislation. The number of "Full-Time-Equivalent Positions" indicated in the agency's bill pattern is increased by 2.0 each fiscal year. Fees, fines and other miscellaneous revenues as authorized by the Process Servers Review Board, the Guardianship Certification Board, and the Court Reporters Certification Board shall cover, at a minimum, the cost of appropriations made in this provision, as well as an amount sufficient to cover "Other Direct and Indirect Costs Appropriated Elsewhere in this Act" (estimated to be $27,783 in fiscal year 2012 and $29,175 in fiscal year 2013). In the event that actual and/or projected revenues are insufficient to offset the costs identified by this provision, the Legislative Budget Board may direct that the Comptroller of Public Accounts to reduce the appropriation authority provided above to be within the amount of revenue expected to be available.

## OFFICE OF CAPITAL WRITS

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| GR Dedicated - Fair Defense Account No. 5073 | $ 922,135 | $ 862,136 |
| **Total, Method of Financing** | $ 922,135 | $ 862,136 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 9.0 | 9.0 |
| **Schedule of Exempt Positions:** | | |
| Executive Director, Group 3 | $130,000 | $130,000 |

## OFFICE OF CAPITAL WRITS
(Continued)

| | | |
|---|---|---|
| **Items of Appropriation:** | | |
| **A. Goal:** DEATH PENALTY REPRESENTATION | | |
| Death Penalty Habeas Representation. | | |
| **A.1.1. Strategy:** DEATH PENALTY REPRESENTATION | $ 922,135 | $ 862,136 & UB |
| Death Penalty Habeas Representation. | | |
| **Grand Total,** OFFICE OF CAPITAL WRITS | $ 922,135 | $ 862,136 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 562,678 | $ 536,547 |
| Other Personnel Costs | 1,440 | 1,680 |
| Professional Fees and Services | 200,000 | 210,000 |
| Consumable Supplies | 5,000 | 7,500 |
| Utilities | 4,000 | 5,000 |
| Travel | 14,700 | 14,700 |
| Rent - Machine and Other | 2,400 | 3,600 |
| Other Operating Expense | 131,917 | 83,109 |
| **Total, Object-of-Expense Informational Listing** | $ 922,135 | $ 862,136 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Office of Capital Writs. 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 Office of Capital Writs. In order to achieve the objectives and service standards established by this Act, the Office of Capital Writs shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** DEATH PENALTY REPRESENTATION | | |
| **Outcome (Results/Impact):** | | |
| Number of Writ Applications for Which Evidentiary Hearings are Granted by the Trial Court | 1 | 3 |
| **A.1.1. Strategy:** DEATH PENALTY REPRESENTATION | | |
| **Efficiencies:** | | |
| Percentage of Writs Filed on a Timely Basis | 100% | 100% |
| **Explanatory:** | | |
| Number of Writ Applications Filed | 3 | 9 |

## OFFICE OF THE STATE PROSECUTING ATTORNEY

| | For the Years Ending August 31, 2012 | August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 359,227 | $ 359,227 |
| Other Funds | | |
| Interagency Contracts | 22,500 | 22,500 |
| Subtotal, Other Funds | $ 22,500 | $ 22,500 |
| **Total, Method of Financing** | $ 381,727 | $ 381,727 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 4.0 | 4.0 |
| **Schedule of Exempt Positions:** | | |
| State Prosecuting Attorney | $125,000 | $125,000 |

## OFFICE OF THE STATE PROSECUTING ATTORNEY
(Continued)

| | | |
|---|---|---|
| **Items of Appropriation:** | | |
| **A. Goal:** REPRESENTATION BEFORE CCA | | |
| Representation of the State before the Court of Criminal Appeals. | | |
| **A.1.1. Strategy:** REPRESENTATION BEFORE CCA | $ 381,727 | $ 381,727 & UB |
| Representation of the State before the Court of Criminal Appeals. | | |
| **Grand Total,** OFFICE OF THE STATE PROSECUTING ATTORNEY | $ 381,727 | $ 381,727 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 365,582 | $ 365,582 |
| Other Personnel Costs | 6,000 | 6,000 |
| Professional Fees and Services | 1,000 | 1,000 |
| Consumable Supplies | 2,261 | 2,261 |
| Travel | 2,500 | 2,500 |
| Rent - Machine and Other | 2,000 | 2,000 |
| Other Operating Expense | 2,384 | 2,384 |
| **Total, Object-of-Expense Informational Listing** | $ 381,727 | $ 381,727 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 18,527 | $ 18,620 |
| Group Insurance | 34,762 | 35,816 |
| Social Security | 29,773 | 29,922 |
| Benefits Replacement | 2,736 | 2,558 |
| Subtotal, Employee Benefits | $ 85,798 | $ 86,916 |
| Debt Service | | |
| Lease Payments | $ 85,788 | $ 86,002 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 171,586 | $ 172,918 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Office of the State Prosecuting Attorney. 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 Office of the State Prosecuting Attorney. In order to achieve the objectives and service standards established by this Act, the Office of the State Prosecuting Attorney shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** REPRESENTATION BEFORE CCA | | |
| **Outcome (Results/Impact):** | | |
| Petitions for Discretionary Review Granted by the Court of Criminal Appeals | 17 | 17 |

## STATE LAW LIBRARY

| | For the Years Ending August 31, 2012 | August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 837,323 | $ 837,323 |

| | | |
|---|---|---|
| Other Funds | | |
| Appropriated Receipts | 18,750 | 18,750 |
| Interagency Contracts | 500 | 500 |
| Subtotal, Other Funds | $ 19,250 | $ 19,250 |
| **Total, Method of Financing** | $ 856,573 | $ 856,573 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 10.5 | 10.5 |
| **Schedule of Exempt Positions:** | | |
| Director, Group 1 | $70,180 | $70,180 |
| **Items of Appropriation:** | | |
| **A. Goal:** ADMINISTRATION AND OPERATIONS | | |
| **A.1.1. Strategy:** ADMINISTRATION AND OPERATIONS | $ 856,573 | $ 856,573 |
| **Grand Total,** STATE LAW LIBRARY | $ 856,573 | $ 856,573 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 489,130 | $ 489,130 |
| Other Personnel Costs | 9,820 | 9,820 |
| Consumable Supplies | 5,000 | 5,000 |
| Rent - Building | 240 | 240 |
| Rent - Machine and Other | 14,500 | 14,500 |
| Other Operating Expense | 229,783 | 229,783 |
| Capital Expenditures | 108,100 | 108,100 |
| **Total, Object-of-Expense Informational Listing** | $ 856,573 | $ 856,573 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 33,541 | $ 33,709 |
| Group Insurance | 69,102 | 69,629 |
| Social Security | 41,292 | 41,498 |
| Benefits Replacement | 912 | 853 |
| Subtotal, Employee Benefits | $ 144,847 | $ 145,689 |
| Debt Service | | |
| Lease Payments | $ 38,552 | $ 38,648 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 183,399 | $ 184,337 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the State Law Library. 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 State Law Library. In order to achieve the objectives and service standards established by this Act, the State Law Library shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** ADMINISTRATION AND OPERATIONS | | |
| **Outcome (Results/Impact):** | | |
| Percentage of Positive Evaluations of Library Service by Library Users | 95% | 95% |

2. **Appropriation of Receipts: Fees and Service Charges.** Appropriations above in Strategy A.1.1, Administration and Operations, include $18,750 in fiscal year 2012 and $18,750 in fiscal year 2013 from collection of fees and service charges. All receipts collected by the State Law Library as fees and service charges, as authorized pursuant to Government Code § 91.011, in excess of such amounts appropriated above, are hereby appropriated to the State Law Library for the biennium beginning September 1, 2011.

3. **Interagency Document Delivery and Library Services.** The State Law Library is hereby authorized to enter into interagency contracts with other state agencies and the courts for providing document delivery and library service. Appropriations above in Strategy A.1.1, Administration and Operations, includes $500 in fiscal year 2012 and $500 in fiscal year 2013 in interagency contracts for document delivery and library services. The State Law Library shall charge an amount for this service equal to the cost to the library for providing this service.

4. **Fee Schedule, Duplication Services.** The State Law Library shall set a fee schedule for duplication services to the inmates of the Texas Department of Criminal Justice at the same amount per page as charged to the general public.

5. **Unexpended Balances.** Any unexpended and unobligated balances remaining in Strategy A.1.1, Administration and Operations, as of August 31, 2012, are hereby appropriated in fiscal year 2013, in an amount not to exceed $50,000, to the State Law Library for the purpose of acquiring legal reference materials.

## STATE COMMISSION ON JUDICIAL CONDUCT

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 948,170 | $ 948,169 |
| **Total, Method of Financing** | $ 948,170 | $ 948,169 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 14.0 | 14.0 |
| **Schedule of Exempt Positions:** | | |
| Executive Director, Group 3 | $110,000 | $110,000 |
| **Items of Appropriation:** | | |
| **A. Goal:** ADMINISTRATION AND ENFORCEMENT | | |
| **A.1.1. Strategy:** ADMINISTRATION AND ENFORCEMENT | $ 948,170 | $ 948,169 & UB |
| **Grand Total,** STATE COMMISSION ON JUDICIAL CONDUCT | $ 948,170 | $ 948,169 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 808,243 | $ 808,243 |
| Other Personnel Costs | 17,280 | 17,280 |
| Professional Fees and Services | 18,575 | 18,575 |
| Consumable Supplies | 6,537 | 6,537 |
| Utilities | 600 | 600 |
| Travel | 54,944 | 54,944 |
| Rent - Building | 2,000 | 2,000 |
| Rent - Machine and Other | 2,600 | 2,600 |
| Other Operating Expense | 37,391 | 37,390 |
| **Total, Object-of-Expense Informational Listing** | $ 948,170 | $ 948,169 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 44,163 | $ 44,383 |
| Group Insurance | 115,462 | 117,494 |
| Social Security | 61,042 | 61,347 |
| Benefits Replacement | 912 | 853 |
| Subtotal, Employee Benefits | $ 221,579 | $ 224,077 |

| | | |
|---|---|---|
| Debt Service | | |
| Lease Payments | $ 57,275 | $ 57,418 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 278,854 | $ 281,495 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the State Commission on Judicial Conduct. 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 State Commission on Judicial Conduct. In order to achieve the objectives and service standards established by this Act, the State Commission on Judicial Conduct shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** ADMINISTRATION AND ENFORCEMENT | | |
| **Outcome (Results/Impact):** | | |
| Percentage of Cases Disposed | 98% | 98% |

2. **Unexpended Balances.** The State Commission on Judicial Conduct is hereby authorized to carry forward unexpended balances from fiscal year 2012 into fiscal year 2013.

3. **Formal Proceedings and Appeals.** Out of the amounts appropriated above in Strategy A.1.1, Administration and Enforcement, $21,375 in fiscal year 2012 and $21,375 in fiscal year 2013 is authorized for the expenses of formal proceedings and appeals initiated under the *Procedural Rules for the Removal or Retirement of Judges* promulgated under Texas Constitution, Article V, Section 1-a, notwithstanding other funds expended by the Commission for that purpose. Any unexpended balance of funds authorized under this provision on August 31, 2012 may be allocated for the same purpose and for purposes other than formal proceedings and appeals for the fiscal year beginning September 1, 2012. Of the above amounts, the State Commission on Judicial Conduct may use an amount not to exceed $20,000 for the one-time purchase of Case Management Software on or before September 1, 2012.

4. **Investigator Travel.** Out of funds appropriated above in Strategy A.1.1. Administration and Enforcement, $5,000 in fiscal year 2012 and $5,000 in fiscal year 2013 shall be used only for the purpose of conducting investigator travel within the State of Texas to investigate possible cases of judicial misconduct.

## JUDICIARY SECTION, COMPTROLLER'S DEPARTMENT

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | | |
| General Revenue Fund | $ 75,372,724 | $ 73,451,559 |
| General Revenue - Insurance Companies Maintenance Tax and Insurance Department Fees | 1,089,794 | 1,158,418 |
| Subtotal, General Revenue Fund | $ 76,462,518 | $ 74,609,977 |
| Other Funds | | |
| State Highway Fund No. 006 | 987,418 | 987,418 |
| Assistant Prosecutor Supplement Fund No. 303 | 3,759,000 | 3,759,000 |
| Criminal Justice Grants | 1,432,227 | 1,432,227 |
| Judicial Fund No. 573 | 59,631,886 | 62,267,915 |
| Interagency Contracts | 207,000 | 207,000 |
| Subtotal, Other Funds | $ 66,017,531 | $ 68,653,560 |
| **Total, Method of Financing** | $ 142,480,049 | $ 143,263,537 |

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

| | | |
|---|---|---|
| **Number of Full-Time-Equivalents (FTE):** | 612.0 | 612.0 |
| **Schedule of Exempt Positions:** | | |
| District Judges and Criminal District Judges (Strategy A.1.1.) | (456) $125,000 | (456) $125,000 |
| District Attorneys, Criminal District Attorneys and County Attorneys (Strategies B.1.1. and B.1.3.) | (7) 100,000 | (7) 100,000 |
| County Attorney Performing the Duties of a District Attorney (B.1.3.) | 71,500 | 71,500 |
| District Attorneys, Criminal District Attorneys and County Attorneys (B.1.2.) | (148) 125,000 | (148) 125,000 |

**Items of Appropriation:**

| | | |
|---|---|---|
| **A. Goal:** JUDICIAL SALARIES AND PAYMENTS | | |
| **A.1.1. Strategy:** DISTRICT JUDGES<br>District Judge Salaries. | $ 57,804,921 | $ 57,804,921 |
| **A.1.2. Strategy:** VISITING JUDGES - REGIONS<br>Per Gov. Code 74.061(c)(d)(h)(i); 24.006(f); and 32.302. | $ 4,722,191 | $ 4,722,190 & UB |
| **A.1.3. Strategy:** VISITING JUDGES - APPELLATE<br>Per Gov. Code 74.061(c)(d). | $ 325,429 | $ 325,428 & UB |
| **A.1.4. Strategy:** LOCAL ADMIN. JUDGE SUPPLEMENT<br>Per Gov. Code 659.012(d). | $ 75,000 | $ 75,000 |
| **A.1.5. Strategy:** DISTRICT JUDGES: TRAVEL<br>Per Gov. Code 24.019. | $ 338,200 | $ 338,200 |
| **A.1.6. Strategy:** JUDICIAL SALARY PER DIEM<br>Per Gov. Code 74.003(c), 74.061 & Assigned District Judges. | $ 191,900 | $ 191,900 |
| **A.1.7. Strategy:** MDL SALARY AND BENEFITS<br>Per Gov. Code 659.0125. | $ 158,000 | $ 158,000 |
| **Total, Goal A:** JUDICIAL SALARIES AND PAYMENTS | $ 63,615,641 | $ 63,615,639 |
| **B. Goal:** PROSECUTOR SALARIES AND PAYMENTS | | |
| **B.1.1. Strategy:** DISTRICT ATTORNEYS: SALARIES<br>Per Gov. Code 41.013. | $ 551,727 | $ 551,727 |
| **B.1.2. Strategy:** PROFESSIONAL PROSECUTORS: SALARIES<br>Per Gov. Code 46.002; 46.003; and 46.005. | $ 18,518,112 | $ 18,518,112 |
| **B.1.3. Strategy:** FELONY PROSECUTORS: SALARIES<br>Per Gov. Code 44.220; 45.175; and 45.280. | $ 271,500 | $ 271,500 |
| **B.1.4. Strategy:** PROSECUTORS: SUBCHAPTER C<br>Per Gov. Code 43.180 (Harris) and 41.201(1). | $ 136,023 | $ 136,023 |
| **B.1.5. Strategy:** FELONY PROSECUTORS: TRAVEL<br>Per Gov. Code 43.004. | $ 178,500 | $ 178,500 |
| **B.1.6. Strategy:** FELONY PROSECUTORS: EXPENSES<br>Felony Prosecutors: Reimbursements for Expenses of Office. | $ 3,973,583 | $ 3,973,583 |
| **B.1.7. Strategy:** TRAVIS CO. ASST. DA SUPPLEMENTS<br>Travis County Assistant District Attorney Salary Supplements. | $ 0 | $ 0 |
| **Total, Goal B:** PROSECUTOR SALARIES AND PAYMENTS | $ 23,629,445 | $ 23,629,445 |
| **C. Goal:** CO.-LEVEL JUDGES SALARY SUPPLEMENTS<br>County-Level Judges Salary Supplement Programs. | | |
| **C.1.1. Strategy:** CONST. CO. JUDGE GR/573 SUPPLEMENT<br>Salary Supplement per Gov. Code 26.006. Estimated. | $ 2,115,000 | $ 2,115,000 |
| **C.1.2. Strategy:** CONST. CO. JUDGE 573 SUPPLEMENT<br>Per Gov. Code 26.006 from Receipts per Gov. Code 51.703(d). Estimated. | $ 1,586,695 | $ 1,586,695 |

| | | |
|---|---|---|
| **C.1.3. Strategy:** STATUTORY CO. JUDGE 573 SUPPLEMENT<br>Per Gov. Code 25.0015 from Receipts per Gov. Code 51.702(d). Estimated. | $ 17,347,421 | $ 17,347,421 |
| **C.1.4. Strategy:** STATUTORY PROBATE JUDGE SUPPLEMENT<br>Per Gov. Code 25.00211 from Receipts per Gov Code 51.704(c). Estimated. | $ 1,587,000 | $ 1,587,000 |
| **Total, Goal C:** CO.-LEVEL JUDGES SALARY SUPPLEMENTS | $ 22,636,116 | $ 22,636,116 |
| **D. Goal:** SPECIAL PROGRAMS | | |
| **D.1.1. Strategy:** ASST. PROSECUTOR LONGEVITY PAY<br>Per Gov. Code 41.255(d). Estimated. | $ 3,759,000 | $ 3,759,000 |
| **D.1.2. Strategy:** COUNTY ATTORNEY SUPPLEMENT<br>Per Gov. Code 46.0031. | $ 5,395,847 | $ 5,395,847 |
| **D.1.3. Strategy:** WITNESS EXPENSES<br>Per Code of Criminal Procedure 24.28 and 35.27. | $ 1,401,250 | $ 1,401,250 |
| **D.1.4. Strategy:** PUBLIC INTEGRITY UNIT, TRAVIS CO<br>Public Integrity Unit, 53rd Judicial District. | $ 3,368,684 | $ 3,523,349 & UB |
| **D.1.5. Strategy:** SPECIAL PROSECUTION UNIT, WALKER CO<br>Special Prosecution Unit, Walker County. | $ 4,747,928 | $ 4,747,928 |
| **D.1.6. Strategy:** DEATH PENALTY REPRESENTATION<br>Death Penalty Habeas Representation. | $ 50,000 | $ UB |
| **D.1.7. Strategy:** NATIONAL CENTER FOR STATE COURTS | $ 388,030 | $ 388,030 & UB |
| **D.1.8. Strategy:** JUROR PAY | $ 9,181,700 | $ 9,181,700 & UB |
| **D.1.9. Strategy:** SEX OFFENDER TREATMT. & SUPERVISION<br>Sex Offender Treatment and Supervision. | $ 4,037,686 | $ 4,766,511 |
| **D.1.10. Strategy:** INDIGENT INMATE DEFENSE<br>Per Code of Criminal Procedure 26.051(i). | $ 50,000 | $ UB |
| **D.1.11. Strategy:** MONTGOMERY CO - 435TH DIST CT STAFF<br>Per Gov. Code 24.579(c). | $ 218,722 | $ 218,722 |
| **Total, Goal D:** SPECIAL PROGRAMS | $ 32,598,847 | $ 33,382,337 |
| **Grand Total,** JUDICIARY SECTION, COMPTROLLER'S DEPARTMENT | $ 142,480,049 | $ 143,263,537 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 86,286,407 | $ 86,438,902 |
| Other Personnel Costs | 2,046,166 | 2,041,441 |
| Professional Fees and Services | 1,165,792 | 1,165,792 |
| Fuels and Lubricants | 37,505 | 37,655 |
| Consumable Supplies | 63,500 | 65,000 |
| Utilities | 48,500 | 48,693 |
| Travel | 621,583 | 623,083 |
| Rent - Building | 56,270 | 56,270 |
| Rent - Machine and Other | 25,186 | 25,236 |
| Other Operating Expense | 6,603,149 | 7,335,474 |
| Grants | 45,525,991 | 45,425,991 |
| **Total, Object-of-Expense Informational Listing** | $ 142,480,049 | $ 143,263,537 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 1,162,383 | $ 1,168,195 |
| Group Insurance | 7,714,593 | 7,892,830 |

| | | |
|---|---|---|
| Social Security | 5,589,816 | 5,617,765 |
| Benefits Replacement | 251,544 | 235,194 |
| Subtotal, Employee Benefits | $ 14,718,336 | $ 14,913,984 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 14,718,336 | $ 14,913,984 |

1. **Appropriation Source.** Pursuant to Government Code § 21.006, all revenues to, and fund balances in, the Judicial Fund No. 573, which are not deposited into the Basic Civil Legal Services Account or the Supreme Court Support Account, are hereby appropriated to the Judiciary Section, Comptroller's Department for payment of judicial and prosecutor salaries. In the event that revenues into Fund No. 573 during a fiscal year exceed the amount identified in the Method of Financing as being appropriated out of Fund No. 573 in this Act for that fiscal year the difference shall be appropriated to the Judiciary Section, Comptroller's Department and the General Revenue Fund appropriation for that fiscal year shall be reduced by a like amount (estimated to be $0).

2. **Salary Limitation, District Judges.** Funds appropriated above in Strategy A.1.1, District Judges shall be expended for the payment of the state salary for each district judge. Unless otherwise provided by law, in no event shall the aggregate, excluding any county supplement, of the state paid salary and any service retirement annuity paid pursuant to Government Code, Chapter 834 exceed the base salary for any district court judge during any twelve month period. If a district judge draws a salary as a district judge and a retirement annuity pursuant to Government Code, Chapter 834, and the combined amounts exceed the annual base salary for a district judge, the amount expended out of Strategy A.1.1, District Judges for the state salary of that district judge shall be reduced by an amount which will bring the total amount received by the judge to the base salary paid a district judge for a 12 month period. This provision does not apply to either retired or former judges or justices called to duty as visiting judges pursuant to Government Code, Chapters 74 and 75 and § 24.604 of the Government Code.

3. **Public Integrity Unit: Appropriation Source, Unexpended Balances, and Performance Reporting.** Out of the funds appropriated above in Strategy D.1.4, Public Integrity Unit, Travis County, the following amounts are appropriated specifically to the Public Integrity Unit for the following purposes:

| | For the Years Ending August 31, 2012 | August 31, 2013 |
|---|---|---|
| Motor Fuel Tax Fraud Investigations | $ 987,418 | $ 987,418 & UB |
| Method of Financing, State Highway Fund No. 006 | | |
| Insurance Fraud Investigations | 1,089,794 | $ 1,158,418 & UB |
| Method of Financing, General Revenue Fund - Insurance Companies Maintenance Tax and Insurance Department Fees | | |
| General State Government Investigations | 1,291,472 | 1,377,513 & UB |
| Method of Financing, General Revenue Fund | | |
| Total, Method of Financing | $ 3,368,684 | $ 3,523,349 & UB |

In no event shall the funds granted to the Public Integrity Unit exceed the amounts specified, nor shall funds appropriated be expended to pay Travis County for costs of housing the Public Integrity Unit in a county-owned building. In no event shall any funds appropriated above out of Judicial Fund No. 573 be allocated to the Public Integrity Unit. Included in amounts appropriated above is $5,616 each fiscal year authorized under Government Code §43.132 from the General Revenue Fund ($2,149) the General Revenue - Insurance Companies Maintenance Tax and Insurance Department Fees ($1,824) and the State Highway Fund No. 6 ($1,643) to pay two

annual salary supplements to Travis County Assistant District Attorneys employed by the Public Integrity Unit at $2,808 each. Any unexpended balances from appropriations made to the Public Integrity Unit for fiscal year 2012 are appropriated to the Public Integrity Unit for fiscal year 2013 for the same purposes.

The Public Integrity Unit shall submit a report each January 1 to the Legislative Budget Board and the Governor for the preceding fiscal year ending August 31. The report must be in a format prescribed by the Legislative Budget Board and the Governor and must include annual statistical information on fraud investigations of the Public Integrity Unit.

In Strategy D.1.4, Public Integrity Unit, Judiciary Section, Comptroller's Department, warrants shall be drawn as necessary to reimburse the District Attorney of the 53rd Judicial District for salary and expenses previously incurred. The District Attorney shall submit a voucher containing an itemized statement of expenses to substantiate each claim. This appropriation shall be allocated in three equal installments over the fiscal year. Any unencumbered, unexpended balance existing in a previous allocation period may be used in a subsequent period provided that period occurs within the same biennium.

4. **Special Prosecution Unit: Appropriation Source, Unexpended Balances and Performance Reporting.** Out of the funds appropriated above in Strategy D.1.5, Special Prosecution Unit, Walker County and under the authority of Article 104.003, Code of Criminal Procedure, and Article V, § 21 of the Texas Constitution, Walker County, the following amounts are appropriated to the Special Prosecution Unit for the payment of salaries and other necessary expenses for the operation of the Special Prosecution Unit for the following purposes:

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| Criminal Division | $ 1,655,093 | $ 1,655,093 |
| Civil Division | 2,315,730 | 2,315,730 |
| Juvenile Division | 777,105 | 777,105 |
| | $ 4,747,928 | 4,747,928 |
| Method of Financing | | |
| General Revenue | $ 3,315,701 | $ 3,315,701 |
| | | &UB |
| Criminal Justice Division Grants | $ 1,432,227 | $ 1,432,227 |
| Total, Method of Financing | $ 4,747,928 | $ 4,747,928 |

Funds for the Criminal Division are to be used for the investigation and prosecution of felony offenses committed by prisoners of the Texas Department of Criminal Justice; and, for the investigation and prosecution of other felonies and misdemeanors committed by agency employees and others when criminal conduct affects the operation of the agency in the various counties of the State where Texas Department of Criminal Justice facilities are located. Funds for the Civil Division are to be used for the civil commitment of sexually violent predators. Funds for the Juvenile Division are to be used for the prosecution of criminal offenses or delinquent conduct committed in facilities of the Texas Youth Commission.

The funds appropriated above in Strategy D.1.5, Special Prosecution Unit, Walker County shall be used to employ the services of legal and support staff plus the payment of their necessary capital and operating expenses in carrying out the purposes of the Special Prosecution Unit as established by its Board of Directors. Funds shall not be used to pay any county for costs of housing the Special Prosecution Unit in a county-owned building.

Walker County is the designated agency to administer the funds provided for the support of the Special Prosecution Unit. Walker County shall submit a voucher containing an itemized statement of expenses to include salaries, fringe benefits and authorized expenses incurred to the Judiciary Section, Comptroller's Department each month of the fiscal year. Such vouchers shall be reviewed by the Walker County Auditor's Office to ensure compliance with applicable state and county regulation concerning the expenditures of public funds. Upon receipt of said vouchers, the Judiciary Section, Comptroller's Department shall issue warrants each month to reimburse Walker

County. The total reimbursement each year shall not exceed the amount appropriated, and in no event shall amounts appropriated be expended to reimburse Walker County or other counties for lease space in county-owned buildings.

Any unexpended balances from appropriations out of the General Revenue Fund made to the Special Prosecution Unit for fiscal year 2012 are appropriated to the Special Prosecution Unit in fiscal year 2013 for the same purposes.

The Special Prosecution Unit shall submit a report each January 1 to the Legislative Budget Board and the Governor for the preceding fiscal year ending August 31. The report must be in a format prescribed by the Legislative Budget Board and the Governor and must include annual statistical information on activities of the Special Prosecution Unit.

5. **Witness Expenses.** The appropriation made above to the Judiciary Section, Comptroller's Department for the payment of witness expenses under the Code of Criminal Procedure is based on legislative intent that such expenses are not paid at rates that exceed the maximum rates provided by law for state employees.

6. **Felony Prosecutors: Expenses.** For the payment of salaries of assistant district attorneys, investigators and/or secretarial help and expenses, including travel for these personnel as determined by the prosecutors designated in Strategies B.1.l, B.1.2, B.l.3, and B.1.4. Reimbursement shall be limited to expenses for supplies or items that would normally be consumed or utilized within the fiscal year for which the funds in this item are designated. Payments shall not exceed $11,083 per year in single-county districts with populations over 50,000 in Strategy B.1.4; $22,500 per year in districts with populations over 50,000; or, $27,500 per year in districts with populations under 50,000 for those district attorneys, criminal district attorneys and county attorneys performing the duties of a district attorney both prohibited and not prohibited from the private practice of law per Government Code, Chapter 46; and shall be made available in three equal installments issued on the first day of September, January and May of each fiscal year. These payments shall be made directly to the district attorney, criminal district attorney, or county attorney for the purposes of disbursement as required by the attorney. The attorney receiving these payments shall be responsible to the Comptroller for accounting for all expenditures of these funds.

7. **Administration of Visiting Judge Strategies.** From funds appropriated, the Judiciary Section, Comptroller's Department shall maintain a system to account for all expenditures in each fiscal year made for the services of 1) visiting former judges serving in the judicial regions, 2) visiting former judges serving in the appellate courts, 3) visiting retired judges serving in the judicial regions, and 4) visiting retired judges serving in the appellate courts.

8. **Interagency Contract for Sex Offender Treatment and Supervision.** Out of amounts appropriated above to Strategy D.1.9, Sex Offender Treatment and Supervision, the Judiciary Section, Comptroller's Department shall enter into a contract in the amounts of $4,037,686 in fiscal year 2012 and $4,766,511 in fiscal year 2013 with the Department of State Health Services for persons under civil commitment as sex offenders requiring continued treatment and supervision.

9. **Longevity Pay.** Out of the amounts appropriated above in Strategy A.1.1, District Judge Salaries, an estimated $321,618 in fiscal year 2012 and an estimated $321,618 in fiscal year 2013 is provided to fund longevity pay for district judges under the provisions of Government Code § 659.0445.

## RETIREMENT AND GROUP INSURANCE

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund, estimated | $ 47,248,637 | $ 49,050,312 |
| General Revenue Dedicated Accounts, estimated | 88,074 | 95,192 |

## RETIREMENT AND GROUP INSURANCE
(Continued)

| | | |
|---|---|---|
| Other Special State Funds, estimated | 1,641,569 | 1,778,464 |
| **Total, Method of Financing** | $ 48,978,280 | $ 50,923,968 |
| **Items of Appropriation:** | | |
| **A. Goal:** EMPLOYEES RETIREMENT SYSTEM | | |
| **A.1.1. Strategy:** RETIREMENT CONTRIBUTIONS<br>Retirement Contributions. Estimated. | $ 3,529,287 | $ 3,823,394 |
| **A.1.2. Strategy:** GROUP INSURANCE<br>Group Insurance Contributions. Estimated. | $ 14,151,813 | $ 15,465,721 |
| **A.1.3. Strategy:** JUDICIAL RETIREMENT SYSTEM - PLAN 2<br>Judicial Retirement System - Plan 2. Estimated. | $ 4,052,070 | $ 4,389,743 |
| **A.1.4. Strategy:** JUDICIAL RETIREMENT SYSTEM - PLAN 1<br>Judicial Retirement System - Plan 1. Estimated. | $ 27,245,110 | $ 27,245,110 |
| **Total, Goal A:** EMPLOYEES RETIREMENT SYSTEM | $ 48,978,280 | $ 50,923,968 |
| **Grand Total,** RETIREMENT AND GROUP INSURANCE | $ 48,978,280 | $ 50,923,968 |

## SOCIAL SECURITY AND BENEFIT REPLACEMENT PAY

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund, estimated | $ 7,313,475 | $ 7,320,722 |
| General Revenue Dedicated Accounts, estimated | 47,916 | 48,028 |
| Other Special State Funds, estimated | 2,674,679 | 2,687,144 |
| **Total, Method of Financing** | $ 10,036,070 | $ 10,055,894 |
| **Items of Appropriation:** | | |
| **A. Goal:** SOCIAL SECURITY/BENEFIT REPLACEMENT<br>Comptroller - Social Security. | | |
| **A.1.1. Strategy:** STATE MATCH -- EMPLOYER<br>State Match — Employer. Estimated. | $ 9,602,413 | $ 9,650,424 |
| **A.1.2. Strategy:** BENEFIT REPLACEMENT PAY<br>Benefit Replacement Pay. Estimated. | $ 433,657 | $ 405,470 |
| **Total, Goal A:** SOCIAL SECURITY/BENEFIT REPLACEMENT | $ 10,036,070 | $ 10,055,894 |
| **Grand Total,** SOCIAL SECURITY AND BENEFIT REPLACEMENT PAY | $ 10,036,070 | $ 10,055,894 |

## LEASE PAYMENTS

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 2,280,068 | $ 2,285,746 |
| **Total, Method of Financing** | $ 2,280,068 | $ 2,285,746 |

## LEASE PAYMENTS
(Continued)

| | | |
|---|---|---|
| **Items of Appropriation:** | | |
| **A. Goal:** FINANCE CAPITAL PROJECTS | | |
| **A.1.1. Strategy:** LEASE PAYMENTS | $ 2,280,068 | $ 2,285,746 & UB |
| To TFC for Payment to TPFA. | | |
| **Grand Total,** LEASE PAYMENTS | $ 2,280,068 | $ 2,285,746 |

## SPECIAL PROVISIONS - JUDICIARY

**Sec.2. Systems Compatibility.** No funds shall be utilized to purchase information technology unless it interfaces with other courts and with the Office of Court Administration and complies with the plans filed with the Legislative Budget Board.

**Sec.3. Judicial Internship Program.** It is the intent of the Legislature that the Judicial Branch cooperate with law schools to establish a judicial internship program for Texas appellate and trial courts. All of the employees and officials of the Judicial Branch of government are encouraged to work with the Texas Judicial Council in the development of the judicial internship program.

**Sec.4. Appellate Court Exemptions.** The following provisions of Article IX of this Act do not apply to the appellate courts:

a. Article IX, § 5.08, Limitation on Travel Expenditures
b. Article IX, § 6.10, Limitation on State Employment Levels
c. Article IX, § 6.13, Performance Rewards and Penalties
d. Article IX, §14.03, Limit on Expenditures - Capital Budget

**Sec.5. Appropriation: Unexpended Balances Between Fiscal Years within the Biennium.** Any unexpended balances from appropriations made to the appellate courts for fiscal year 2012 are hereby appropriated to the same court for fiscal year 2013 for the same purposes.

**Sec.6. Intermediate Appellate Court Local Funding Information.** The Office of Court Administration shall assist the appellate courts in the submission of a report for local funding information each January 1 to the Legislative Budget Board and the Governor for the preceding fiscal year ending August 31. The report must be in a format prescribed by the Legislative Budget Board and the Governor.

**Sec.7. Appellate Court Salary Limits.** It is the intent of the Legislature that no intermediate appellate court may pay more than one chief staff attorney promoted or hired after September 1, 2011, more than $92,400 annually under this provision. Further, it is the intent of the Legislature that no intermediate appellate court may pay other permanent legal staff hired or promoted after September 1, 2011 more than $79,750 annually. This provision does not apply to law clerk positions at any appellate court.

**Sec.8. Interagency Contracts for Assigned Judges for Appellate Courts.** Out of funds appropriated in this Article to Strategies A.1.1, Appellate Court Operations, the Supreme Court of Texas, the Court of Criminal Appeals, or any of the 14 Courts of Appeals may enter into a contract with the Office of the Comptroller for fiscal years 2012 and 2013, for the purpose of reimbursing the Comptroller for amounts expended for judges assigned under Chapter 74, Government Code to hear cases of the appellate courts. It is the intent of the Legislature that any amounts reimbursed under this contract for judges assigned to the appellate courts are in addition to amounts appropriated for the use of assigned judges in Strategy A.1.3, Visiting Judges - Appellate in the Judiciary Section, Comptroller's Department.

**Sec.9. Appellate Court Transfer Authority.** The Chief Justice of the Supreme Court of Texas, the Presiding Judge of the Court of Criminal Appeals, or the Chair of the Council of Chief Justices is authorized to transfer funds between appellate courts, notwithstanding any other provision in this Act and subject to prior approval of any transfer of funds by the Legislative Budget Board and the Governor. Any such transfer shall be made for the purpose of efficient and effective appellate court operations and management of court caseloads. It is the intent of the Legislature that transfers made under this provision are addressed by the Legislative Budget Board and the Governor in reviewing amounts requested in the appellate courts' Legislative Appropriations Request for the 2014-15 biennium.

**Sec.10. Schedule of Exempt Positions.** Notwithstanding other provisions of this bill, including Article IX, § 3.05 setting maximum salaries for exempt positions, the Chief Justice of the Supreme Court of Texas may set the rate of compensation for the Administrative Director of the Office of Court Administration in an amount not to exceed the Maximum Salary but no less than the Minimum Salary for the appropriate salary group for the Administrative Director as listed in the bill pattern for the Office of Court Administration, Schedule of Exempt Positions. Any salary increase from appropriated funds within the limits provided by this provision must be in writing; signed by the Chief Justice of the Supreme Court of Texas; and submitted to the Governor, the Legislative Budget Board and the Comptroller.

**Sec. 11. Contingency Appropriation for Senate Bill 726.** Contingent on passage of Senate Bill 726 or similar legislation relating to the establishment of the judicial access and improvement account to provide funding for basic civil legal services and indigent defense through certain county service fees and court costs, by the Eighty-second Legislature, Regular Session, included in amounts appropriated elsewhere in Article IV and elsewhere in this Act, there is appropriated out of revenue generated due to implementation of provisions of the Senate Bill 726 or similar legislation the following:

a. $2,437,944 in fiscal year 2012 and $5,175,887 in fiscal year 2013 to the Office of Court Administration in Strategy A.2.1, Indigent Defense from the General Revenue-Dedicated Fair Defense Account No. 5073 to restore grants to counties ($2,350,894 in fiscal year 2012 and $5,088,837 in fiscal year 2013) and grant administration ($87,050 each fiscal year, including 1.0 FTE). This appropriation is contingent upon revenues being generated during the 2012-13 biennium that are sufficient to cover, at a minimum, program costs related to appropriations made in this subsection and "Other Direct and Indirect Costs" appropriated elsewhere in this Act, estimated to be $14,627 in fiscal year 2012 and $14,627 in fiscal year 2013.

b. $7,227,575 in each fiscal year to the Supreme Court of Texas in Strategy B.1.1, Basic Civil Legal Services from Judicial Fund No. 573.

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 the Comptroller of Public Accounts to reduce the appropriation authority provided above to be within the amount of revenue expected to be available.

Any unexpended balances remaining as of August 31,2012, out of appropriations herein are hereby appropriated to the respective agency or court for the fiscal year beginning September 1, 2012, for the same purposes.

## RECAPITULATION - ARTICLE IV
## THE JUDICIARY
## (General Revenue)

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| Supreme Court of Texas | $ 5,017,155 | $ 4,924,655 |
| Court of Criminal Appeals | 4,630,074 | 4,630,074 |
| First Court of Appeals District, Houston | 3,413,430 | 3,413,429 |
| Second Court of Appeals District, Fort Worth | 2,560,772 | 2,560,771 |
| Third Court of Appeals District, Austin | 2,244,785 | 2,244,786 |
| Fourth Court of Appeals District, San Antonio | 2,602,630 | 2,602,628 |
| Fifth Court of Appeals District, Dallas | 4,684,939 | 4,684,938 |
| Sixth Court of Appeals District, Texarkana | 1,248,008 | 1,248,007 |
| Seventh Court of Appeals District, Amarillo | 1,531,631 | 1,531,631 |
| Eighth Court of Appeals District, El Paso | 1,248,513 | 1,248,513 |
| Ninth Court of Appeals District, Beaumont | 1,526,928 | 1,526,927 |
| Tenth Court of Appeals District, Waco | 1,230,529 | 1,230,529 |
| Eleventh Court of Appeals District, Eastland | 1,243,979 | 1,243,978 |
| Twelfth Court of Appeals District, Tyler | 1,271,094 | 1,271,093 |
| Thirteenth Court of Appeals District, Corpus Christi-Edinburg | 2,255,543 | 2,255,542 |
| Fourteenth Court of Appeals District, Houston | 3,427,713 | 3,427,711 |
| Office of Court Administration, Texas Judicial Council | 9,749,567 | 9,782,224 |
| Contingency Appropriations | 119,603 | 119,714 |
| Total | 9,869,170 | 9,901,938 |
| Office of the State Prosecuting Attorney | 359,227 | 359,227 |
| State Law Library | 837,323 | 837,323 |
| State Commission on Judicial Conduct | 948,170 | 948,169 |
| Judiciary Section, Comptroller's Department | 76,462,518 | 74,609,977 |
| Subtotal, Judiciary | $ 128,614,131 | $ 126,701,846 |
| Retirement and Group Insurance | 47,248,637 | 49,050,312 |
| Social Security and Benefit Replacement Pay | 7,313,475 | 7,320,722 |
| Subtotal, Employee Benefits | $ 54,562,112 | $ 56,371,034 |
| Lease Payments | 2,280,068 | 2,285,746 |
| TOTAL, ARTICLE IV - THE JUDICIARY | $ 185,456,311 | $ 185,358,626 |

## RECAPITULATION - ARTICLE IV
## THE JUDICIARY
## (General Revenue - Dedicated)

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| Office of Court Administration, Texas Judicial Council | $ 29,774,951 | $ 32,512,893 |
| Office of Capital Writs | 922,135 | 862,136 |
| Subtotal, Judiciary | $ 30,697,086 | $ 33,375,029 |
| Retirement and Group Insurance | 88,074 | 95,192 |
| Social Security and Benefit Replacement Pay | 47,916 | 48,028 |
| Subtotal, Employee Benefits | $ 135,990 | $ 143,220 |
| TOTAL, ARTICLE IV - THE JUDICIARY | $ 30,833,076 | $ 33,518,249 |

## RECAPITULATION - ARTICLE IV
## THE JUDICIARY
## (Federal Funds)

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| Supreme Court of Texas | $ 1,800,000 | $ 1,800,000 |
| Subtotal, Judiciary | $ 1,800,000 | $ 1,800,000 |
| TOTAL, ARTICLE IV - THE JUDICIARY | $ 1,800,000 | $ 1,800,000 |

## RECAPITULATION - ARTICLE IV
## THE JUDICIARY
## (Other Funds)

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| Supreme Court of Texas | $ 21,667,301 | $ 21,667,301 |
| Court of Criminal Appeals | 8,896,435 | 8,896,435 |
| First Court of Appeals District, Houston | 324,550 | 324,550 |
| Second Court of Appeals District, Fort Worth | 277,050 | 277,050 |
| Third Court of Appeals District, Austin | 234,900 | 234,900 |
| Fourth Court of Appeals District, San Antonio | 266,050 | 266,050 |
| Fifth Court of Appeals District, Dallas | 425,950 | 425,950 |
| Sixth Court of Appeals District, Texarkana | 96,450 | 96,450 |
| Seventh Court of Appeals District, Amarillo | 130,600 | 130,600 |
| Eighth Court of Appeals District, El Paso | 125,450 | 125,450 |
| Ninth Court of Appeals District, Beaumont | 130,600 | 130,600 |
| Tenth Court of Appeals District, Waco | 102,450 | 102,450 |
| Eleventh Court of Appeals District, Eastland | 100,450 | 100,450 |
| Twelfth Court of Appeals District, Tyler | 95,950 | 95,950 |
| Thirteenth Court of Appeals District, Corpus Christi-Edinburg | 236,900 | 236,900 |
| Fourteenth Court of Appeals District, Houston | 327,389 | 327,389 |
| Office of Court Administration, Texas Judicial Council | 4,446,413 | 4,453,004 |
| Office of the State Prosecuting Attorney | 22,500 | 22,500 |
| State Law Library | 19,250 | 19,250 |
| Judiciary Section, Comptroller's Department | 66,017,531 | 68,653,560 |
| Subtotal, Judiciary | $ 103,944,169 | $ 106,586,789 |
| Retirement and Group Insurance | 1,641,569 | 1,778,464 |
| Social Security and Benefit Replacement Pay | 2,674,679 | 2,687,144 |
| Subtotal, Employee Benefits | $ 4,316,248 | $ 4,465,608 |
| Less Interagency Contracts | $ 7,464,519 | $ 7,471,110 |
| TOTAL, ARTICLE IV - THE JUDICIARY | $ 100,795,898 | $ 103,581,287 |

## RECAPITULATION - ARTICLE IV
## THE JUDICIARY
## (All Funds)

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| Supreme Court of Texas | $ 28,484,456 | $ 28,391,956 |
| Court of Criminal Appeals | 13,526,509 | 13,526,509 |
| First Court of Appeals District, Houston | 3,737,980 | 3,737,979 |
| Second Court of Appeals District, Fort Worth | 2,837,822 | 2,837,821 |
| Third Court of Appeals District, Austin | 2,479,685 | 2,479,686 |
| Fourth Court of Appeals District, San Antonio | 2,868,680 | 2,868,678 |
| Fifth Court of Appeals District, Dallas | 5,110,889 | 5,110,888 |
| Sixth Court of Appeals District, Texarkana | 1,344,458 | 1,344,457 |
| Seventh Court of Appeals District, Amarillo | 1,662,231 | 1,662,231 |
| Eighth Court of Appeals District, El Paso | 1,373,963 | 1,373,963 |
| Ninth Court of Appeals District, Beaumont | 1,657,528 | 1,657,527 |
| Tenth Court of Appeals District, Waco | 1,332,979 | 1,332,979 |
| Eleventh Court of Appeals District, Eastland | 1,344,429 | 1,344,428 |
| Twelfth Court of Appeals District, Tyler | 1,367,044 | 1,367,043 |
| Thirteenth Court of Appeals District, Corpus Christi-Edinburg | 2,492,443 | 2,492,442 |
| Fourteenth Court of Appeals District, Houston | 3,755,102 | 3,755,100 |
| Office of Court Administration, Texas Judicial Council | 43,970,931 | 46,748,121 |
| Contingency Appropriations | 119,603 | 119,714 |
| Total | 44,090,534 | 46,867,835 |
| Office of Capital Writs | 922,135 | 862,136 |
| Office of the State Prosecuting Attorney | 381,727 | 381,727 |
| State Law Library | 856,573 | 856,573 |
| State Commission on Judicial Conduct | 948,170 | 948,169 |
| Judiciary Section, Comptroller's Department | 142,480,049 | 143,263,537 |
| Subtotal, Judiciary | $ 265,055,386 | $ 268,463,664 |
| Retirement and Group Insurance | 48,978,280 | 50,923,968 |
| Social Security and Benefit Replacement Pay | 10,036,070 | 10,055,894 |
| Subtotal, Employee Benefits | $ 59,014,350 | $ 60,979,862 |
| Lease Payments | 2,280,068 | 2,285,746 |
| Less Interagency Contracts | $ 7,464,519 | $ 7,471,110 |
| TOTAL, ARTICLE IV - THE JUDICIARY | $ 318,885,285 | $ 324,258,162 |
| Number of Full-Time-Equivalents (FTE) | 1,384.7 | 1,384.7 |

# 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, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 13,583,026 | $ 12,883,025 |
| Federal Funds | | |
| Adjutant General Federal Fund No. 449 | 43,289,349 | 43,289,348 |
| Federal Funds | 270,000 | 270,000 |
| Subtotal, Federal Funds | $ 43,559,349 | $ 43,559,348 |
| Other Funds | | |
| Appropriated Receipts | 258,000 | 258,000 |
| Current Fund Balance | 5,000,000 | 5,000,000 |
| Subtotal, Other Funds | $ 5,258,000 | $ 5,258,000 |
| **Total, Method of Financing** | $ 62,400,375 | $ 61,700,373 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 663.0 | 663.0 |
| **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 | $ 1,000,000 | $ 300,000 |
| Respond to Disaster Relief/Emergency Missions. | | |
| **A.1.2. Strategy:** STATE MISSIONS AND TRAINING | $ 863,788 | $ 863,788 |
| Homeland Security, Humanitarian, and Preparedness Training/Response. | | |
| **A.1.3. Strategy:** TEXAS STATE GUARD | $ 425,000 | $ 425,000 |
| **Total, Goal A:** OPERATIONS RESPONSE | $ 2,288,788 | $ 1,588,788 |
| **B. Goal:** OPERATIONS SUPPORT | | |
| Provide Adequate Facilities for Operations, Training, and Maintenance. | | |
| **B.1.1. Strategy:** FACILITIES MAINTENANCE | $ 25,455,240 | $ 25,455,240 |
| **B.1.2. Strategy:** NEW FACILITY CONSTRUCTION | $ 0 | $ 0 |
| **B.1.3. Strategy:** DEBT SERVICE | $ 2,298,936 | $ 2,290,854 |
| **B.1.4. Strategy:** UTILITIES | $ 7,496,332 | $ 7,496,332 |
| Pay All Utilities. | | |
| **B.2.1. Strategy:** TRUCK REBUILD PROGRAM | $ 14,138,878 | $ 14,138,878 |
| **B.2.2. Strategy:** FIREFIGHTERS - ELLINGTON AFB | $ 1,616,183 | $ 1,616,183 |
| **Total, Goal B:** OPERATIONS SUPPORT | $ 51,005,569 | $ 50,997,487 |

| | | |
|---|---|---|
| **C. Goal:** COMMUNITY SUPPORT | | |
| Community Support and Involvement. | | |
| **C.1.1. Strategy:** YOUTH EDUCATION PROGRAMS | $ 3,431,255 | $ 3,431,254 |
| Train Youth in Specialized Education Programs. | | |
| **C.1.2. Strategy:** ENVIRONMENTAL CLEAN-UP | $ 2,346,143 | $ 2,346,143 |
| Conduct Clean-up and Compliance Activities. | | |
| **C.1.3. Strategy:** STATE MILITARY TUITION ASSISTANCE | $ 1,000,000 | $ 1,000,000 |
| **Total, Goal C:** COMMUNITY SUPPORT | $ 6,777,398 | $ 6,777,397 |
| **D. Goal:** INDIRECT ADMINISTRATION | | |
| **D.1.1. Strategy:** INDIRECT ADMINISTRATION | $ 2,328,620 | $ 2,336,701 |
| **Grand Total,** ADJUTANT GENERAL'S DEPARTMENT | $ 62,400,375 | $ 61,700,373 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 26,002,326 | $ 25,713,587 |
| Other Personnel Costs | 877,068 | 878,108 |
| Professional Fees and Services | 4,409,440 | 4,409,473 |
| Fuels and Lubricants | 98,948 | 96,898 |
| Consumable Supplies | 302,203 | 302,209 |
| Utilities | 8,971,544 | 8,971,544 |
| Travel | 443,634 | 443,579 |
| Rent - Building | 2,154,087 | 2,146,305 |
| Rent - Machine and Other | 1,041,476 | 791,974 |
| Other Operating Expense | 16,184,965 | 16,043,608 |
| Client Services | 1,000,000 | 1,000,000 |
| Food for Persons - Wards of State | 16,566 | 4,970 |
| Capital Expenditures | 898,118 | 898,118 |
| **Total, Object-of-Expense Informational Listing** | $ 62,400,375 | $ 61,700,373 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 1,489,955 | $ 1,497,404 |
| Group Insurance | 4,184,646 | 4,225,977 |
| Social Security | 2,112,391 | 2,122,953 |
| Benefits Replacement | 91,494 | 85,547 |
| Subtotal, Employee Benefits | $ 7,878,486 | $ 7,931,881 |
| Debt Service | | |
| TPFA GO Bond Debt Service | $ 1,884,515 | $ 2,498,534 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 9,763,001 | $ 10,430,415 |

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.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** OPERATIONS RESPONSE | | |
| **A.1.1. Strategy:** STATE ACTIVE DUTY - DISASTER | | |
| **Output (Volume):** | | |
| Number Texas National Guard Members | 21,000 | 21,000 |

| | | |
|---|---|---|
| **B. Goal:** OPERATIONS SUPPORT | | |
| **Outcome (Results/Impact):** | | |
| Percent of Facilities That Comply with Texas Accessibility Standards | 17% | 17% |
| **B.1.1. Strategy:** FACILITIES MAINTENANCE | | |
| **Efficiencies:** | | |
| Average Maintenance Cost Per Square Foot of All Buildings | 3.3 | 3.3 |
| **Explanatory:** | | |
| Number of Facilities Maintained | 620 | 620 |
| **B.1.4. Strategy:** UTILITIES | | |
| **Efficiencies:** | | |
| Utilities Cost Per Square Foot, All Buildings | 1.19 | 1.19 |
| **C. Goal:** COMMUNITY SUPPORT | | |
| **Outcome (Results/Impact):** | | |
| Percent of Students Completing Specialized Education Programs | 94% | 94% |

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.

| | 2012 | 2013 |
|---|---|---|
| a. Repair or Rehabilitation of Buildings and Facilities | | |
| (1) General Repair and Rehabilitation at Readiness Centers, Training Sites, Army Aviation Support Facilities and Facility Maintenance Shops | $ 1,146,600 | $ 1,146,600 |
| b. Acquisition of Capital Equipment and Items | | |
| (1) Maintenance Department Equipment | $ 126,112 | $ 126,112 |
| Total, Capital Budget | $ 1,272,712 | $ 1,272,712 |
| Method of Financing (Capital Budget): | | |
| General Revenue Fund | $ 614,612 | $ 614,612 |
| Adjutant General Federal Fund No. 449 | 573,000 | 573,000 |
| Current Fund Balance | 85,100 | 85,100 |
| Total, Method of Financing | $ 1,272,712 | $ 1,272,712 |

3. **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.

4. **Transferability.** Notwithstanding the General Provisions of this act, 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. **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.

6. **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.

7. **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.

8. **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, § 11.04 of this Act. Fees for employee housing are hereby appropriated to be used for maintaining employee housing.

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

10. **Appropriation - Billet Receipts.** Any billet receipts in excess of $258,000 in fiscal year 2012 and $258,000 in fiscal year 2013 (included in Appropriated Receipts above) are hereby appropriated for use in Strategy B.1.1, Facilities Maintenance (estimated to be $0).

11. **Unexpended Balances, Payments to National Guard for State Active Duty.** Any unexpended balances as of August 31, 2012, 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, 2012.

12. **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.

13. **Unexpended Balances Bond Proceeds.** Included in the amounts appropriated above are unexpended and unobligated balances of general obligation bond proceeds that have been approved under the provisions of Article IX, Section 17.11 of Senate Bill 1, Eight-first Legislature, Regular Session, 2009, remaining as of August 31, 2011, (estimated to be $0), for repair and rehabilitation of existing facilities, for the 2012-13 biennium in Strategy B.1.1 Facilities Maintenance.

    Also included in the amounts appropriated above are unexpended and unobligated balances of general obligation bond proceeds that have been approved under the provisions of Article IX, Section 19.70 and 19.71 of House Bill 1, Eightieth Legislature, Regular Session, 2007, remaining as of August 31, 2011 (estimated to be $0), for repair and rehabilitation of existing facilities, for the 2012-13 biennium.

    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 balances in general obligation bond proceeds described herein and remaining as of August 31, 2012 are hereby appropriated for the same purposes for the fiscal year beginning September 1, 2012.

14. **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.

15. **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.

**16. 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.

**17. 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.

**18. Disposition of State-owned Property.** Contingent upon sufficient funds from the sale of state-owned properties, appropriations above include $5,000,000 in fiscal year 2012 and $5,000,000 in fiscal year 2013 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 2012 into fiscal year 2013 for the same purpose.
purpose.

**19. 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.

**20. 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.

**21. 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.

**22. 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.

**23. 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.

**24. 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; and

(2) Have any emergency leave for more than three (3) days or twenty four (24) working hours for reasons other than death in the immediate family, state active duty prescribed pursuant to Government Code, Section 431.0825, or for the closure of a facility because of natural or manmade disaster be pre-approved by the Governor's Office.

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

**25. 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.

**26. Unexpended Balances, State Military Tuition Assistance Program.** All unexpended balances of the State Military Tuition Assistance Program as of August 31, 2012, are appropriated for the same purpose for use during the fiscal year beginning September 1, 2012.

**27. 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.

**28. Seaborne/ChalleNGe Youth Education Program.** In addition to funds appropriated above in Strategy C.1.1, Youth Education Programs, funds are appropriated from the Foundation School Fund No. 193 (estimated to be $0) for each fiscal year of the biennium. In the event the available amount from the Foundation School Fund No. 193 is greater than $175,000 in either 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.

## ALCOHOLIC BEVERAGE COMMISSION

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 41,496,046 | $ 41,786,081 |
| Federal Funds | 419,500 | 419,500 |
| Other Funds | | |
| Appropriated Receipts | 5,000 | 5,000 |
| Criminal Justice Grants | 140,000 | 140,000 |
| Subtotal, Other Funds | $ 145,000 | $ 145,000 |
| **Total, Method of Financing** | $ 42,060,546 | $ 42,350,581 |
| **Other Direct and Indirect Costs Appropriated Elsewhere in this Act** | $ 11,115,404 | $ 11,779,581 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 631.8 | 631.8 |

| | | | | |
|---|---|---|---|---|
| **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 | $ | 22,194,506 | $ | 22,326,448 |
| **B. Goal:** LICENSING AND INVESTIGATION | | | | |
| Process Applications and Issue Alcoholic Beverage Licenses & Permits. | | | | |
| **B.1.1. Strategy:** LICENSING AND INVESTIGATION | $ | 4,095,631 | $ | 4,159,785 |
| **C. Goal:** COLLECT FEES AND TAXES | | | | |
| Ensure Compliance with Fees & Taxes. | | | | |
| **C.1.1. Strategy:** COMPLIANCE MONITORING | $ | 6,077,592 | $ | 6,161,437 |
| Conduct Inspections and Monitor Compliance. | | | | |
| **C.2.1. Strategy:** PORTS OF ENTRY | $ | 4,637,756 | $ | 4,660,412 |
| Nontransferable. | | | | |
| **Total, Goal C:** COLLECT FEES AND TAXES | $ | 10,715,348 | $ | 10,821,849 |
| **D. Goal:** INDIRECT ADMINISTRATION | | | | |
| **D.1.1. Strategy:** CENTRAL ADMINISTRATION | $ | 1,989,902 | $ | 1,990,149 |
| **D.1.2. Strategy:** INFORMATION RESOURCES | $ | 2,425,228 | $ | 2,412,419 |
| **D.1.3. Strategy:** OTHER SUPPORT SERVICES | $ | 639,931 | $ | 639,931 |
| **Total, Goal D:** INDIRECT ADMINISTRATION | $ | 5,055,061 | $ | 5,042,499 |
| **Grand Total,** ALCOHOLIC BEVERAGE COMMISSION | $ | 42,060,546 | $ | 42,350,581 |
| **Supplemental Appropriations Made in Riders:** | $ | 250,000 | $ | 250,000 |
| **Object-of-Expense Informational Listing:** | | | | |
| Salaries and Wages | $ | 32,118,756 | $ | 32,456,562 |
| Other Personnel Costs | | 1,103,777 | | 1,103,955 |
| Professional Fees and Services | | 875,429 | | 856,405 |
| Fuels and Lubricants | | 562,218 | | 562,218 |
| Consumable Supplies | | 277,458 | | 277,458 |
| Utilities | | 427,916 | | 426,261 |
| Travel | | 689,689 | | 689,709 |
| Rent - Building | | 1,861,530 | | 1,859,921 |
| Rent - Machine and Other | | 131,643 | | 131,733 |
| Other Operating Expense | | 3,312,243 | | 3,322,823 |
| Grants | | 108,000 | | 108,000 |
| Capital Expenditures | | 841,887 | | 805,536 |
| **Total, Object-of-Expense Informational Listing** | $ | 42,310,546 | $ | 42,600,581 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | | | |
| Employee Benefits | | | | |
| Retirement | $ | 1,805,918 | $ | 1,814,948 |
| Group Insurance | | 6,336,464 | | 6,461,951 |
| Social Security | | 2,345,485 | | 2,357,212 |
| Benefits Replacement | | 146,083 | | 136,587 |
| Subtotal, Employee Benefits | $ | 10,633,950 | $ | 10,770,698 |
| Debt Service | | | | |
| Lease Payments | $ | 52,047 | $ | 54,458 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ | 10,685,997 | $ | 10,825,156 |

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.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** REGULATE DISTRIBUTION | | |
| **Outcome (Results/Impact):** | | |
| Percentage of Licensed Establishments Inspected Annually | 79.45% | 79.45% |
| **A.1.1. Strategy:** ENFORCEMENT | | |
| **Output (Volume):** | | |
| Number of Inspections Conducted by Enforcement Agents | 103,954 | 103,954 |
| **Efficiencies:** | | |
| Average Cost Per Enforcement Inspection | 205.01 | 206.15 |
| **B. Goal:** LICENSING AND INVESTIGATION | | |
| **B.1.1. Strategy:** LICENSING AND INVESTIGATION | | |
| **Output (Volume):** | | |
| Number of Licenses/Permits Issued | 76,776 | 61,976 |
| **Efficiencies:** | | |
| Average Cost Per License/Permit Processed | 48.01 | 58.13 |
| **C. Goal:** COLLECT FEES AND TAXES | | |
| **C.2.1. Strategy:** PORTS OF ENTRY | | |
| **Output (Volume):** | | |
| Number of Alcoholic Beverage Containers and Cigarette Packages Stamped | 2,784,661 | 2,784,661 |

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.

| | 2012 | 2013 |
|---|---|---|
| a. Acquisition of Information Resource Technologies | | |
| (1) Computer Equipment - Leased | $ 446,890 | $ 446,890 |
| (2) Hardware/Software Acquisitions | 370,457 | 370,457 |
| (3) Data Center Consolidation | $ 623,928 | $ 604,904 |
| Total, Acquisition of Information Resource Technologies | $ 1,441,275 | $ 1,422,251 |
| b. Transportation Items | | |
| (1) Fleet Acquisition-Replacement Vehicles | $ 385,875 | $ 385,875 |
| c. Acquisition of Capital Equipment and Items | | |
| (1) Public Safety Equipment - Replacement | $ 179,419 | $ 179,419 |
| Total, Capital Budget | $ 2,006,569 | $ 1,987,545 |
| Method of Financing (Capital Budget): | | |
| General Revenue Fund | $ 2,006,569 | $ 1,987,545 |
| Total, Method of Financing | $ 2,006,569 | $ 1,987,545 |

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.

9. **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 2013 to fiscal year 2012 , 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 2012 exceeds $3.19 per gallon.

   b. A request to transfer appropriations for fiscal year 2013 to fiscal year 2012 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 $3.19 per gallon during the first six months of fiscal year 2012 .

   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.

10. **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).

11. **Contingency Rider.** If legislation is not enacted by the Eighty-second Legislature, Regular Session, to remove Texas Alcoholic Beverage Code § 5.56: Funding of Texas Wine Marketing Assistance Program, the Texas Alcoholic Beverage Commission is hereby appropriated (in addition to the amounts above) $250,000 in General Revenue in fiscal year 2012 and $250,000 in General Revenue in fiscal year 2013 in strategy D.1.1. Central Administration to transfer to the Texas Department of Agriculture for the Texas Wine Marketing Assistance Program.

**12. Contingent Revenue: Fee Increases.** Included in the amounts appropriated above in Strategy A.1.1, Enforcement, B.1.1, Licensing and Investigation, C.2.1, Ports of Entry, D.1.1, Central Administration, and D.1.2, Information Resources, is $3,149,808 in fiscal year 2012 and $3,181,383 in fiscal year 2013 out of the General Revenue Fund. These appropriations are contingent upon the Texas Alcoholic Beverage Commission increasing revenue through surcharges pursuant to the Texas Alcoholic Beverage Code 5.50 (b) by $7,000,000 during the 2012-13 biennium 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 45.2 FTEs in fiscal year 2012, and 45.2 FTEs in fiscal year 2013.

**13. Clothing Provisions.**

a. A commissioned officer who received a $1,200 clothing allowance pursuant to the General Appropriations Act during the 2010-11 biennium shall receive a $1,200 clothing allowance in the 2012-13 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.

## DEPARTMENT OF CRIMINAL JUSTICE

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | | |
| General Revenue Fund | $ 2,837,485,612 | $ 2,837,604,977 |
| Education and Recreation Program Receipts | 97,311,410 | 97,311,409 |
| Texas Correctional Industries Receipts | 4,998,079 | 4,998,079 |
| Subtotal, General Revenue Fund | $ 2,939,795,101 | $ 2,939,914,465 |
| General Revenue Fund - Dedicated | | |
| Private Sector Prison Industry Expansion Account No. 5060 | 292,949 | 292,950 |
| Operators and Chauffeurs License Account No. 099 | 225,000 | 225,000 |
| Subtotal, General Revenue Fund - Dedicated | $ 517,949 | $ 517,950 |
| Federal Funds for Incarcerated Aliens | 18,246,048 | 18,246,048 |
| Other Funds | | |
| Interagency Contracts - Texas Correctional Industries | 45,524,197 | 45,524,197 |
| Appropriated Receipts | 23,828,673 | 10,828,671 |
| Bond Proceeds - General Obligation Bonds | 10,000,000 | 40,000,000 |
| Subtotal, Other Funds | $ 79,352,870 | $ 96,352,868 |
| **Total, Method of Financing** | $ 3,037,911,968 | $ 3,055,031,331 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 40,071.4 | 40,071.4 |

| | | |
|---|---|---|
| **Schedule of Exempt Positions:** | | |
| Executive Director, Group 8 | $186,300 | $186,300 |
| Presiding Officer, Board of Pardons and 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.1.1. Strategy:** BASIC SUPERVISION | $ 110,355,121 | $ 109,969,834 |
| **A.1.2. Strategy:** DIVERSION PROGRAMS | $ 120,302,857 | $ 121,102,859 |
| **A.1.3. Strategy:** COMMUNITY CORRECTIONS | $ 35,449,203 | $ 37,049,203 |
| **A.1.4. Strategy:** TRMT ALTERNATIVES TO INCARCERATION | $ 11,129,346 | $ 11,129,346 |
| Treatment Alternatives to Incarceration Program. | | |
| **Total, Goal A:** PROVIDE PRISON DIVERSIONS | $ 277,236,527 | $ 279,251,242 |
| **B. Goal:** SPECIAL NEEDS OFFENDERS | | |
| **B.1.1. Strategy:** SPECIAL NEEDS PROJECTS | $ 18,929,946 | $ 18,929,944 |
| **C. Goal:** INCARCERATE FELONS | | |
| **C.1.1. Strategy:** CORRECTIONAL SECURITY OPERATIONS | $ 1,061,814,681 | $ 1,061,814,682 |
| **C.1.2. Strategy:** CORRECTIONAL SUPPORT OPERATIONS | $ 83,429,981 | $ 83,429,978 |
| **C.1.3. Strategy:** OFFENDER SERVICES | $ 13,091,729 | $ 13,091,727 |
| **C.1.4. Strategy:** INSTITUTIONAL GOODS | $ 158,901,669 | $ 158,901,669 |
| **C.1.5. Strategy:** INSTITUTIONAL SERVICES | $ 173,584,637 | $ 173,584,637 |
| **C.1.6. Strategy:** INST'L OPERATIONS & MAINTENANCE | $ 194,013,201 | $ 194,013,201 |
| Institutional Operations and Maintenance. | | |
| **C.1.7. Strategy:** UNIT AND PSYCHIATRIC CARE | $ 242,353,900 | $ 242,353,900 |
| Managed Health Care - Unit and Psychiatric Care. | | |
| **C.1.8. Strategy:** HOSPITAL AND CLINICAL CARE | $ 135,308,807 | $ 135,308,806 |
| Managed Health Care-Hospital and Clinical Care. | | |
| **C.1.9. Strategy:** MANAGED HEALTH CARE-PHARMACY | $ 51,500,000 | $ 51,500,000 |
| **C.1.10. Strategy:** HEALTH SERVICES | $ 4,588,266 | $ 4,588,267 |
| **C.1.11. Strategy:** CONTRACTED TEMPORARY CAPACITY | $ 15,000,000 | $ 0 |
| Provide for Contract Correctional Beds. | | |
| **C.1.12. Strategy:** CONTRACT PRISONS/PRIVATE ST JAILS | $ 120,434,291 | $ 122,675,776 |
| Contract Prisons and Privately Operated State Jails. | | |
| **C.1.13. Strategy:** RESIDENTIAL PRE-PAROLE FACILITIES | $ 36,102,192 | $ 36,903,915 |
| **C.2.1. Strategy:** TEXAS CORRECTIONAL INDUSTRIES | $ 66,206,252 | $ 66,206,250 |
| **C.2.2. Strategy:** ACADEMIC/VOCATIONAL TRAINING | $ 1,363,883 | $ 1,363,883 |
| Academic and Vocational Training. | | |
| **C.2.3. Strategy:** PROJECT RIO | $ 0 | $ 0 |
| **C.2.4. Strategy:** TREATMENT SERVICES | $ 18,987,142 | $ 18,987,142 |
| **C.2.5. Strategy:** SUBSTANCE ABUSE FELONY PUNISHMENT | $ 57,418,787 | $ 57,418,789 |
| Substance Abuse Treatmt - Substance Abuse Felony Punishment Facilities. | | |
| **C.2.6. Strategy:** IN-PRISON SA TREATMT & COORDINATION | $ 34,943,615 | $ 34,943,615 |
| Substance Abuse Treatment - In-Prison Treatment and Coordination. | | |
| **Total, Goal C:** INCARCERATE FELONS | $ 2,469,043,033 | $ 2,457,086,237 |
| **D. Goal:** ENSURE ADEQUATE FACILITIES | | |
| Ensure and Maintain Adequate Facilities. | | |
| **D.1.1. Strategy:** FACILITIES CONSTRUCTION | $ 10,000,000 | $ 40,000,000 |
| Construction and Repair of Facilities. | | |
| **D.1.2. Strategy:** LEASE-PURCHASE OF FACILITIES | $ 8,698,350 | $ 5,263,225 |
| Provide for Lease-purchase of Facilities. | | |
| **Total, Goal D:** ENSURE ADEQUATE FACILITIES | $ 18,698,350 | $ 45,263,225 |

| | | |
|---|---|---|
| **E. Goal:** BOARD OF PARDONS AND PAROLES | | |
| **E.1.1. Strategy:** BOARD OF PARDONS AND PAROLES | $ 18,281,852 | $ 18,281,852 |
| **E.1.2. Strategy:** REVOCATION PROCESSING | $ 7,116,158 | $ 7,116,160 |
| **Total, Goal E:** BOARD OF PARDONS AND PAROLES | $ 25,398,010 | $ 25,398,012 |
| **F. Goal:** OPERATE PAROLE SYSTEM | | |
| **F.1.1. Strategy:** PAROLE RELEASE PROCESSING | $ 6,191,160 | $ 6,191,161 |
| **F.2.1. Strategy:** PAROLE SUPERVISION | $ 99,949,870 | $ 100,424,995 |
| **F.2.2. Strategy:** HALFWAY HOUSE FACILITIES | $ 23,562,763 | $ 23,584,207 |
| **F.2.3. Strategy:** INTERMEDIATE SANCTION FACILITIES | $ 25,857,720 | $ 25,857,718 |
| **Total, Goal F:** OPERATE PAROLE SYSTEM | $ 155,561,513 | $ 156,058,081 |
| **G. Goal:** INDIRECT ADMINISTRATION | | |
| **G.1.1. Strategy:** CENTRAL ADMINISTRATION | $ 27,095,647 | $ 27,095,649 |
| **G.1.2. Strategy:** CORRECTIONAL TRAINING | $ 5,239,742 | $ 5,239,741 |
| **G.1.3. Strategy:** INSPECTOR GENERAL | $ 9,806,684 | $ 9,806,684 |
| **G.1.4. Strategy:** VICTIM SERVICES | $ 1,411,600 | $ 1,411,600 |
| **G.1.5. Strategy:** INFORMATION RESOURCES | $ 29,490,916 | $ 29,490,916 |
| **Total, Goal G:** INDIRECT ADMINISTRATION | $ 73,044,589 | $ 73,044,590 |
| **Grand Total,** DEPARTMENT OF CRIMINAL JUSTICE | $ 3,037,911,968 | $ 3,055,031,331 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 1,390,692,441 | $ 1,391,167,696 |
| Other Personnel Costs | 56,511,156 | 56,511,150 |
| Professional Fees and Services | 472,995,639 | 472,995,642 |
| Fuels and Lubricants | 11,018,999 | 11,018,999 |
| Consumable Supplies | 17,170,284 | 17,170,268 |
| Utilities | 123,526,606 | 123,526,591 |
| Travel | 8,252,253 | 8,252,232 |
| Rent - Building | 13,852,075 | 13,852,060 |
| Rent - Machine and Other | 6,331,847 | 6,331,820 |
| Other Operating Expense | 519,106,934 | 507,171,562 |
| Client Services | 51,525,942 | 51,525,942 |
| Food for Persons - Wards of State | 92,766,058 | 92,766,056 |
| Grants | 243,858,419 | 245,873,131 |
| Capital Expenditures | 30,303,315 | 56,868,182 |
| **Total, Object-of-Expense Informational Listing** | $ 3,037,911,968 | $ 3,055,031,331 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 77,949,420 | $ 78,339,168 |
| Group Insurance | 288,969,232 | 292,076,236 |
| Social Security | 102,946,349 | 103,461,081 |
| Benefits Replacement | 8,123,105 | 7,595,103 |
| Subtotal, Employee Benefits | $ 477,988,106 | $ 481,471,588 |
| Debt Service | | |
| TPFA GO Bond Debt Service | $ 151,011,901 | $ 134,800,582 |
| Lease Payments | 607,261 | 607,259 |
| Subtotal, Debt Service | $ 151,619,162 | $ 135,407,841 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 629,607,268 | $ 616,879,429 |

1. **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.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** PROVIDE PRISON DIVERSIONS | | |
| **A.1.1. Strategy:** BASIC SUPERVISION | | |
| **Output (Volume):** | | |
| Average Number of Felony Offenders under Direct Supervision | 173,558 | 173,810 |
| **Efficiencies:** | | |
| Average Monthly Caseload | 76 | 76 |
| **A.1.2. Strategy:** DIVERSION PROGRAMS | | |
| **Output (Volume):** | | |
| Number of Residential Facility Beds Grant-funded | 2,920 | 2,920 |
| **A.1.3. Strategy:** COMMUNITY CORRECTIONS | | |
| **Output (Volume):** | | |
| Number of Residential Facility Beds Funded through Community Corrections | 255 | 255 |
| **B. Goal:** SPECIAL NEEDS OFFENDERS | | |
| **Outcome (Results/Impact):** | | |
| Offenders with Special Needs Three-year Reincarceration Rate | 23% | 23% |
| **B.1.1. Strategy:** SPECIAL NEEDS PROJECTS | | |
| **Output (Volume):** | | |
| Number of Special Needs Offenders Served Through the Continuity of Care Programs | 26,190 | 26,190 |
| **C. Goal:** INCARCERATE FELONS | | |
| **Outcome (Results/Impact):** | | |
| Three-year Recidivism Rate | 26% | 26% |
| Number of Offenders Who Have Escaped from Incarceration | 0 | 0 |
| Turnover Rate of Correctional Officers | 18% | 18% |
| Average Number of Offenders under Correctional Managed Health Care | 152,897 | 153,788 |
| Medical Care Cost Per Offender Day | 7.67 | 7.65 |
| **C.1.1. Strategy:** CORRECTIONAL SECURITY OPERATIONS | | |
| **Output (Volume):** | | |
| Average Number of Offenders Incarcerated | 140,763 | 142,654 |
| **C.1.7. Strategy:** UNIT AND PSYCHIATRIC CARE | | |
| **Output (Volume):** | | |
| Psychiatric Inpatient Average Daily Census | 1,963 | 1,963 |
| **C.1.11. Strategy:** CONTRACTED TEMPORARY CAPACITY | | |
| **Explanatory:** | | |
| Average Number of Offenders in Contractual Correctional Bed Capacity | 1,000 | 0 |
| **C.1.12. Strategy:** CONTRACT PRISONS/PRIVATE ST JAILS | | |
| **Output (Volume):** | | |
| Average Number of Offenders in Contract Prisons and Privately Operated State Jails | 11,890 | 11,890 |
| **C.1.13. Strategy:** RESIDENTIAL PRE-PAROLE FACILITIES | | |
| **Output (Volume):** | | |
| Average Number of Pre-parole Transferees in Pre-parole Transfer Facilities | 2,277 | 2,277 |
| Average Number of Offenders in Work Program Facilities | 500 | 500 |
| **C.2.1. Strategy:** TEXAS CORRECTIONAL INDUSTRIES | | |
| **Output (Volume):** | | |
| Number of Offenders Assigned to the Texas Correctional Industries Program | 5,700 | 5,700 |
| **C.2.4. Strategy:** TREATMENT SERVICES | | |
| **Output (Volume):** | | |
| Number of Sex Offenders Receiving Subsidized Psychological Counseling While on Parole/Mandatory Supervision | 2,627 | 2,627 |
| **C.2.5. Strategy:** SUBSTANCE ABUSE FELONY PUNISHMENT | | |
| **Output (Volume):** | | |
| Number of Offenders Completing Treatment in Substance Abuse Felony Punishment Facilities | 7,968 | 7,968 |

| | | |
|---|---|---|
| **E. Goal:** BOARD OF PARDONS AND PAROLES | | |
| **E.1.1. Strategy:** BOARD OF PARDONS AND PAROLES | | |
| **Output (Volume):** | | |
| Number of Parole Cases Considered | 92,000 | 92,000 |
| Number of Parole Cases Processed | 42,645 | 42,645 |
| **F. Goal:** OPERATE PAROLE SYSTEM | | |
| **Outcome (Results/Impact):** | | |
| Releasee Annual Revocation Rate | 8.2 | 8.2 |
| **F.2.1. Strategy:** PAROLE SUPERVISION | | |
| **Output (Volume):** | | |
| Average Number of Offenders Under Active Parole Supervision | 81,663 | 82,280 |
| **Efficiencies:** | | |
| Average Monthly Caseload | 62 | 62 |
| **F.2.2. Strategy:** HALFWAY HOUSE FACILITIES | | |
| **Output (Volume):** | | |
| Average Number of Releasees in Halfway Houses | 1,607 | 1,607 |
| **F.2.3. Strategy:** INTERMEDIATE SANCTION FACILITIES | | |
| **Output (Volume):** | | |
| Average Number of Parolees and Probationers in Intermediate Sanction Facilities | 1,705 | 1,705 |

**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.

| | 2012 | 2013 |
|---|---|---|
| a. Construction of Buildings and Facilities | | |
| (1) Lease-Purchase of Facilities | $ 8,698,350 | $ 5,263,225 |
| b. Repair or Rehabilitation of Buildings and Facilities | | |
| (1) Repair and Rehabilitation of Facilities | 10,000,000 | 40,000,000 |
| c. Acquisition of Information Resource Technologies | | |
| (1) Data Center Consolidation | 17,109,379 | 17,109,379 |
| d. Transportation Items | | |
| (1) Vehicles, Scheduled Replacements | 1,071,875 | 1,071,875 |
| e. Acquisition of Capital Equipment and Items | | |
| (1) Agricultural Operations | 447,042 | 447,041 |
| (2) Correctional Security Equipment | 5,000,000 | 5,000,000 |
| (3) Replacement of Operational Support Equipment | 2,530,615 | 2,530,612 |
| (4) Equipment Replacements for Industrial Operations | 917,210 | 917,210 |
| Total, Acquisition of Capital Equipment and Items | $ 8,894,867 | $ 8,894,863 |
| Total, Capital Budget | $ 45,774,471 | $ 72,339,342 |
| Method of Financing (Capital Budget): | | |
| General Revenue Fund | | |
| General Revenue Fund | $ 34,857,261 | $ 31,422,132 |
| Texas Correctional Industries Receipts | 227,471 | 227,471 |
| Subtotal, General Revenue Fund | $ 35,084,732 | $ 31,649,603 |

| | | |
|---|---|---|
| Bond Proceeds - General Obligation Bonds | 10,000,000 | 40,000,000 |
| Interagency Contracts - Texas Correctional Industries | 689,739 | 689,739 |
| Total, Method of Financing | $ 45,774,471 | $ 72,339,342 |

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, 2011, are considered encumbered and may be carried forward to fiscal year 2012.

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. No compression raise may be granted as a result of the salary adjustment authorized in this article.

**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 2012 and $4,307 in fiscal year 2013 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.

**12. Appropriation: State-owned Housing Authorized.**

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, § 11.04, 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 2012 and $750,000 in fiscal year 2013 are hereby appropriated to the department for the same purpose.

d. The state-owned housing, excluding Bachelor's Officers Quarters, at the Department of Criminal Justice shall be a cost recovery program. The total fees charged to employees shall at least cover the cost of maintenance and utilities.

**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 2012 and $950,000 in fiscal year 2013 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 a 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, 2011, 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, 2011, 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 $5,708,349 in fiscal year 2012 and $5,708,350 in fiscal year 2013 are hereby appropriated to the department for agricultural operations. Any unexpended balance up to $2,000,000 remaining from revenues on August 31, 2011, and August 31, 2012, is appropriated to allow for continuity of agricultural production and sales cycles which do not conform to fiscal years (fiscal year 2011 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.** In addition to the amounts appropriated above, all funds received under Chapter 59, Code of Criminal Procedure, and Chapter 71, Property Code, by the Texas Department of Criminal Justice are appropriated 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 2011 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 2012 and $49,199,928 in fiscal year 2013 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, 2011, and August 31, 2012, 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 2011 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 2012 are hereby appropriated to the Department for fiscal year 2013 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 2013 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 2012 and $30,545 in fiscal year 2013 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. 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.

**32. 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.

**33. 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, 2011, 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 $97,311,410 in fiscal year 2012 and $97,311,409 in fiscal year 2013 are hereby appropriated to the department subject to the above-cited provisions.

**34. 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 2012 and $10,046 in fiscal year 2013 are hereby appropriated to the department for the same purpose.

**35. 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 2012 and $8,502,000 in fiscal year 2013 are hereby appropriated to the department for parole supervision.

**36. 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.

**37. 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 2013 to fiscal year 2012, 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 2012 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, Managed Health Care - Unit and Psychiatric Care, C.1.8, Managed Health Care - Hospital and Clinical Care, and C.1.9, Managed Health Care - Pharmacy.

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.

**38. 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.

**39. 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.

**40. 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.

**41. 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.

**42. 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.

**43. Appropriation: Unexpended Balances Bonds Proceeds.** Included in the amounts appropriated above are unexpended and unobligated balances of general obligation bond proceeds that have been approved under the provisions of Article IX, Section 17.11 of Senate Bill 1, Eighty-first Legislature, Regular Session, 2009, remaining as of August 31, 2011, (estimated to be $0), for repair and rehabilitation of existing facilities, for the 2012-13 biennium in Strategy D.1.1, Facilities Construction. Unexpended balances appropriated for the 2012-13 biennium shall not be used for the conversion of the Marlin Correctional Mental Health Facility or for construction of additional facilities.

Also included in the amounts appropriated above are unexpended and unobligated balances of general obligation bond proceeds that have been approved under the provisions of Article IX, Sections 19.70 and 19.71 of House Bill 1, Eightieth Legislature, Regular Session, 2007, remaining as of August 31, 2011, (estimated to be $0) for repair and rehabilitation of existing facilities, for the 2012-13 biennium in Strategy D.1.1, Facilities Construction. Unexpended balances appropriated for the 2012-13 biennium shall not be used for the conversion of the Marlin Correctional Mental Health Facility or for construction of additional facilities.

All projects funded herein with general obligation bond proceeds are subject to approval by the Legislative Budget Board prior to the issuance of the bond proceeds by the Texas Public Finance Authority. Any unexpended balances in general obligation bond proceeds described herein and remaining as of August 31, 2012, are hereby appropriated for the same purposes for the fiscal year beginning September 1, 2012.

**44. 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 2010-11 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 $13,000,000 shall be redistributed by TDCJ for the benefit of the community supervision and corrections system (estimated to be $0).

**45. 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.

**46. Interagency Contract for Legal Services.** Out of funds appropriated above, $1.3 million for each fiscal year of the 2012-13 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.

**47. 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.

**48. 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 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.

**49. 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.

**50. Medically Recommended Intensive Supervision.** From funds appropriated above, the Department of Criminal Justice (TDCJ) shall maintain an automated report to assist in identifying offenders eligible for medically recommended intensive supervision (MRIS). TDCJ shall maintain 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.

**51. Unexpended Balance Authority for Special Needs Projects.** Any unexpended balances as of August 31, 2012, 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, 2012, for the same purpose.

**52. 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.

**53. 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.

**54. Parole Process Delays Study.** From funds appropriated above in Strategy E.1.1, Board of Pardons and Paroles, the Board of Pardons and Paroles and the Texas Department of Criminal

Justice shall conduct a study to evaluate and identify process inefficiencies related to parole review and offender release that is contingent upon successful completion of an assigned rehabilitation program. A report including the results of the study shall be submitted to the Legislative Budget Board and the Governor's Office not later than January 1, 2012. The report shall include recommendations and strategies to better align parole votes, program start dates, and offender releases.

Not later than December 1, 2012, the Board of Pardons and Paroles and the Department of Criminal Justice shall submit to the Legislative Budget Board and the Governor's Office an update to include actions, if any, implemented since the initial report. The update shall include savings associated with any actions taken to reduce delays in releasing paroled offenders who have completed an assigned rehabilitation program.

**55. Correctional Managed Health Care.** The use of appropriated funds to the Department of Criminal Justice for managed health care for offenders in custody shall be governed by the specific limitations included in this rider.

a. Managed Health Care Staff Loan Repayment

1. None of the funds appropriated above shall be used for loan repayment assistance for medical and mental health care staff without prior approval of the Legislative Budget Board.

b. Correctional Managed Health Care Committee

1. From funds appropriated above in Strategy C.1.7, Managed Health Care - Unit and Psychiatric Care, the Department of Criminal Justice shall pay salaries, operating expenses, and travel expenses for staff of the Correctional Managed Health Care Committee.

2. From funds appropriated above, the Department of Criminal Justice may provide reimbursement of travel expenses incurred by the members of the Correctional Managed Health Care Committee with prior approval of the Legislative Budget Board.

c. Strategy C.1.7, Managed Health Care - Unit and Psychiatric Care

1. Together with the Texas Tech University Health Sciences Center and the University of Texas Medical Branch, the Department of Criminal Justice shall approve a staffing model and services by unit that conforms to the available annual appropriation in Strategy C.1.7, Managed Health Care - Unit and Psychiatric Care, before the beginning of each fiscal year.

2. Texas Tech University Health Sciences Center and the University of Texas Medical Branch shall provide unit medical and psychiatric care based on the jointly developed staffing model and services approved by the Department of Criminal Justice.

3. To the extent possible, the Department of Criminal Justice shall maintain at least one Correctional Officer or other staff that is a licensed health care professional on duty per unit at all times.

d. Strategy C.1.8, Managed Health Care - Hospital and Clinical Care

1. The University of Texas Medical Branch shall provide inpatient and outpatient hospital services and physician services at the University of Texas Medical Branch Hospital Galveston for offenders in the custody of the Department of Criminal Justice. Inpatient and applicable hospital outpatient services shall be reimbursed at an amount no greater than the University of Texas Medical Branch's Medicaid Tax Equity and Fiscal Responsibility Act (TEFRA) rates. Hospital outpatient services not subject to Medicaid TEFRA reimbursements shall be reimbursed at an amount not to exceed the published Medicaid fee schedules for such services. Physician services shall be reimbursed at a rate not to exceed cost.

2. The Texas Tech University Health Sciences Center and the University of Texas Medical Branch shall provide inpatient and outpatient hospital services through contract hospital providers for offenders in the custody of the Department of Criminal

Justice at a rate not to exceed 100% of what would be paid for similar services according to the Medicare reimbursement methodology.

3. The Department of Criminal Justice may pay a rate in excess of Medicare reimbursement rates only after receiving prior written approval from the Legislative Budget Board.

4. The Department of Criminal Justice may provide for a medical review of the appropriateness of non-emergency medical procedures provided by the University of Texas Medical Branch Hospital Galveston.

5. The University of Texas Medical Branch will maintain at least 100 inpatient beds at Hospital Galveston to be staffed based on average weekday census.

e. Transferability

1. The Department of Criminal Justice shall not transfer any funds between Strategies C.1.7, Managed Health Care - Unit and Psychiatric Care; C.1.8, Managed Health Care - Hospital and Clinical Care, and C.1.9, Managed Health Care - Pharmacy, without prior approval of the Legislative Budget Board. The request shall be considered approved unless the Legislative Budget Board issues a written disapproval within thirty calendar days of receipt of the recommendation prepared by Legislative Budget Board staff.

2. This transferability limitation extends to the Texas Tech University Health Sciences Center and the University of Texas Medical Branch upon receipt of funding from the Department of Criminal Justice.

f. Reimbursement to Institutions

1. At the beginning of each quarter, the Department of Criminal Justice shall prepay Texas Tech University Health Sciences Center and the University of Texas Medical Branch one quarter of the annual appropriation for services to be rendered under contract.

2. The Department of Criminal Justice shall reimburse the Texas Tech University Health Sciences Center and the University of Texas Medical Branch for actual costs, including indirect administrative services based on generally accepted accounting principles. The total reimbursements shall not exceed amounts appropriated above in Strategies C.1.7, Managed Health Care - Unit and Psychiatric Care, C.1.8, Managed Health Care - Hospital and Clinical Care, and C.1.9, Managed Health Care - Pharmacy, unless prior approval is provided by the Legislative Budget Board.

g. Reporting Requirements

1. The Department of Criminal Justice is required to submit quarterly to the Legislative Budget Board and the Office of the Governor a report detailing:

   i. correctional managed health care actual and projected expenditures for unit and psychiatric care, hospital and clinical care, and pharmacy;

   ii. health care utilization and acuity data; and

   iii. other health care information determined by the Office of the Governor and the Legislative Budget Board.

2. The Texas Tech University Health Sciences Center and the University of Texas Medical Branch shall provide the Department of Criminal Justice with necessary documentation to fulfill the reporting requirements contained in this section.

h. Managed Health Care Operational Shortfalls

1. If deemed necessary by the Department of Criminal Justice, appropriations may be transferred into Strategies C.1.7, Managed Health Care - Unit and Psychiatric Care, C.1.8, Managed Health Care - Hospital and Clinical Care, and C.1.9, Managed Health Care - Pharmacy, with prior approval of the Legislative Budget Board. The request

shall be considered approved unless the Legislative Budget Board issues a written disapproval within thirty calendar days of receipt of the recommendation prepared by Legislative Budget Board staff.

2. In addition to transfer authority provided elsewhere in this Act, the Department of Criminal Justice may transfer appropriations made in Strategies C.1.7, Managed Health Care - Unit and Psychiatric Care, C.1.8, Managed Health Care - Hospital and Clinical Care, and C.1.9, Managed Health Care - Pharmacy, for fiscal year 2013 to fiscal year 2012 with prior approval of the Legislative Budget Board. The request shall be considered approved unless the Legislative Budget Board issues a written disapproval within thirty calendar days of receipt of the recommendation prepared by Legislative Budget Board staff.

**56. Battering Intervention and Prevention Program.** Out of funds appropriated above in Strategy A.1.2, Diversion Programs, the Texas Department of Criminal Justice (TDCJ) shall allocate $625,000 in fiscal year 2012 and $625,000 in fiscal year 2013 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.

**57. Harris County Community Corrections Facility.** Out of funds appropriated above in Strategy A.1.2, Diversion Programs, $6,000,000 in fiscal year 2012 and $6,000,000 in fiscal year 2013 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. Misdemeanor Funding.** The Texas Department of Criminal Justice shall distribute funds at a rate not to exceed $0.70 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.

**59. Contingency Rider: Managed Health Staff Loan Repayment.** Contingent on the enactment and becoming law of House Bill 1908 or similar legislation of the Eighty-second Legislature, Regular Session, from the amounts appropriated above in Strategies C.1.7, Managed Health Care - Unit and Psychiatric Care, C.1.8, Managed Health Care - Hospital and Clinical Care, and C.1.9, Managed Health Care - Pharmacy, the Department of Criminal Justice may use funds for loan repayment assistance for medical and mental health care staff with prior approval of the Legislative Budget Board.

**60. Appropriation: Authority for General Obligation Bond Proceeds.** Appropriated above in Strategy D.1.1, Facilities Construction, in fiscal year 2012 is $10,000,000 and in fiscal year 2013 is $40,000,000 in general obligation bond proceeds for projects for the Department of Criminal Justice as described in Article IX, Sec. 18.01, 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, 2012 are hereby appropriated for the fiscal year beginning September 1, 2012 for the same purpose(s).

**61. Offender Housing Study.** From funds appropriated above, the Department of Criminal Justice, together with the Health and Human Services Commission, shall conduct a study using the Clinical Acuity Rating System to address disease specific and healthy populations and to determine if housing similarly diagnosed offenders together may improve care and reduce costs. The Department shall report the findings of the study to the Legislative Budget Board no later than December 1, 2012.

**62. Contracted Temporary Capacity.** Funds appropriated above in Strategy C.1.11, Contracted Temporary Capacity, shall only be used to contract for additional capacity when inmate

populations exceed 96 percent of total unit capacity. Any unexpended balance on August 31, 2012, from appropriations in Strategy C.1.11, Contracted Temporary Capacity, is hereby appropriated to the department for the fiscal year beginning on September 1, 2012, for the same purpose.

**63. Central Unit Closure.** No funds appropriated by this Act shall be used for the operation of the Central Unit located in Sugar Land, Texas in Fort Bend County after December 31, 2011. The Department of Criminal Justice shall remove all offenders from the Central Unit no later than December 31, 2011.

## COMMISSION ON FIRE PROTECTION

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 1,894,829 | $ 1,894,829 |
| GR Dedicated - Specialty License Plates General | 5,000 | 5,000 |
| Appropriated Receipts | 45,000 | 45,000 |
| **Total, Method of Financing** | $ 1,944,829 | $ 1,944,829 |
| **Other Direct and Indirect Costs Appropriated Elsewhere in this Act** | $ 708,333 | $ 740,044 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 31.0 | 31.0 |
| **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 | $ 65,778 | $ 65,778 |
| Fire Safety Information & Educational Programs. | | |
| **B. Goal:** FIRE DEPARTMENT STANDARDS | | |
| Enforce Fire Department Standards. | | |
| **B.1.1. Strategy:** CERTIFY & REGULATE FIRE SERVICE | $ 1,321,851 | $ 1,321,851 |
| Certify and Regulate Fire Departments and Personnel. | | |
| **C. Goal:** INDIRECT ADMINISTRATION | | |
| **C.1.1. Strategy:** INDIRECT ADMINISTRATION | $ 557,200 | $ 557,200 |
| **Grand Total,** COMMISSION ON FIRE PROTECTION | $ 1,944,829 | $ 1,944,829 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 1,646,304 | $ 1,646,304 |
| Other Personnel Costs | 53,946 | 53,946 |
| Professional Fees and Services | 1,533 | 1,533 |
| Consumable Supplies | 20,033 | 20,033 |
| Utilities | 17,817 | 17,817 |
| Travel | 81,083 | 81,083 |
| Rent - Building | 5,800 | 5,800 |
| Rent - Machine and Other | 22,646 | 22,646 |
| Other Operating Expense | 85,667 | 85,667 |
| Capital Expenditures | 10,000 | 10,000 |
| **Total, Object-of-Expense Informational Listing** | $ 1,944,829 | $ 1,944,829 |

## COMMISSION ON FIRE PROTECTION
(Continued)

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

| | | |
|---|---|---|
| Employee Benefits | | |
| Retirement | $ 110,526 | $ 111,079 |
| Group Insurance | 414,444 | 424,383 |
| Social Security | 146,662 | 147,395 |
| Benefits Replacement | 7,538 | 7,048 |
| Subtotal, Employee Benefits | $ 679,170 | $ 689,905 |
| Debt Service | | |
| Lease Payments | $ 23,688 | $ 20,678 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 702,858 | $ 710,583 |

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.

| | 2012 | 2013 |
|---|---|---|
| **B. Goal:** FIRE DEPARTMENT STANDARDS | | |
| **Outcome (Results/Impact):** | | |
| Percentage of Inspected Fire Certificate Holders with No Recent Violations | 95% | 95% |
| **B.1.1. Strategy:** CERTIFY & REGULATE FIRE SERVICE | | |
| **Explanatory:** | | |
| Number of Fire Service Personnel Certified | 29,800 | 30,700 |

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. **Appropriations: License Plate Receipts.** Included in the amounts appropriated above in Strategy B.1.1, Certify and Regulate Fire Departments and Personnel is a sum certain amount limited to $5,000 in fiscal year 2012 and $5,000 in fiscal year 2013 from available balances and revenue collected on or after September 1, 2011 from the sale of license plates as provided by Texas Transportation Code Sec. 504.414. Any unexpended balances as of August 31, 2012, out of the appropriations made herein are appropriated to the Texas Commission on Fire Protection for the fiscal year beginning September 1, 2012.

4. **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 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 addition to $3,373,385 over the biennium. 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.

## COMMISSION ON JAIL STANDARDS

| | For the Years Ending August 31, 2012 | August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 895,056 | $ 895,055 |

## COMMISSION ON JAIL STANDARDS
(Continued)

| | | |
|---|---|---|
| Other Funds | | |
| Criminal Justice Grants | 25,500 | 25,500 |
| Appropriated Receipts | 4,500 | 4,500 |
| Subtotal, Other Funds | $ 30,000 | $ 30,000 |
| **Total, Method of Financing** | $ 925,056 | $ 925,055 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 16.0 | 16.0 |
| **Schedule of Exempt Positions:** | | |
| Executive Director, Group 1 | $75,350 | $75,350 |
| **Items of Appropriation:** | | |
| **A. Goal:** EFFECTIVE JAIL STANDARDS | | |
| Assist Local Govts through Effective Standards & Technical Assistance. | | |
| **A.1.1. Strategy:** INSPECTION AND ENFORCEMENT | $ 328,670 | $ 328,669 |
| Perform Inspections of Facilities and Enforce Standards. | | |
| **A.1.2. Strategy:** JUVENILE JUSTICE SURVEY | $ 25,500 | $ 25,500 |
| Perform Annual Survey of Jails to Determine Compliance with JJDPA. | | |
| **A.2.1. Strategy:** CONSTRUCTION PLAN REVIEW | $ 71,044 | $ 71,044 |
| Assist with Facility Need Analysis and Construction Document Review. | | |
| **A.2.2. Strategy:** MANAGEMENT CONSULTATION | $ 133,646 | $ 133,646 |
| Assist with Staffing Analysis, Operating Plans, & Program Development. | | |
| **A.3.1. Strategy:** AUDITING POPULATION AND COSTS | $ 47,232 | $ 47,232 |
| Collect and Analyze Data Concerning Inmate Population/Backlogs/Costs. | | |
| **Total, Goal A:** EFFECTIVE JAIL STANDARDS | $ 606,092 | $ 606,091 |
| **B. Goal:** INDIRECT ADMINISTRATION | | |
| **B.1.1. Strategy:** INDIRECT ADMINISTRATION | $ 318,964 | $ 318,964 |
| **Grand Total,** COMMISSION ON JAIL STANDARDS | $ 925,056 | $ 925,055 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 685,671 | $ 685,670 |
| Other Personnel Costs | 14,520 | 14,520 |
| Professional Fees and Services | 30,319 | 30,319 |
| Consumable Supplies | 2,285 | 2,285 |
| Utilities | 14,655 | 14,655 |
| Travel | 113,184 | 113,184 |
| Rent - Building | 638 | 638 |
| Rent - Machine and Other | 21,532 | 21,532 |
| Other Operating Expense | 42,252 | 42,252 |
| **Total, Object-of-Expense Informational Listing** | $ 925,056 | $ 925,055 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 46,053 | $ 46,283 |
| Group Insurance | 135,982 | 137,820 |
| Social Security | 59,718 | 60,017 |
| Benefits Replacement | 1,824 | 1,706 |
| Subtotal, Employee Benefits | $ 243,577 | $ 245,826 |

## COMMISSION ON JAIL STANDARDS
(Continued)

| | | |
|---|---|---|
| Debt Service | | |
| Lease Payments | $ 50,257 | $ 50,382 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 293,834 | $ 296,208 |

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.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** EFFECTIVE JAIL STANDARDS | | |
| **Outcome (Results/Impact):** | | |
| Number of Jails Achieving Compliance with Standards | 205 | 203 |
| Percent of Jails with Management-related Deficiencies | 16.3% | 17.1% |
| **A.1.1. Strategy:** INSPECTION AND ENFORCEMENT | | |
| **Output (Volume):** | | |
| Number of Annual Inspections Conducted | 245 | 245 |
| **A.2.1. Strategy:** CONSTRUCTION PLAN REVIEW | | |
| **Output (Volume):** | | |
| Number of On-site Planning and Construction Consultations with Jail Representatives | 200 | 200 |
| **A.2.2. Strategy:** MANAGEMENT CONSULTATION | | |
| **Output (Volume):** | | |
| Number of On-site Operation and Management Consultations with Jail Representatives | 211 | 211 |
| **A.3.1. Strategy:** AUDITING POPULATION AND COSTS | | |
| **Output (Volume):** | | |
| Number of Paper-ready Reports Analyzed | 6,580 | 6,580 |

2. **Appropriation: Inspection Fees.** The Commission on Jail Standards is hereby appropriated in Strategy A.1.1, Inspection and Enforcement, 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 2012 and $13,000 in fiscal year 2013 from the General Revenue Fund and included in the amounts appropriated above).

## JUVENILE PROBATION COMMISSION

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 145,602,437 | $ 145,939,726 |
| Federal Funds | 7,000,000 | 7,000,000 |
| Other Funds | | |
| Appropriated Receipts | 1,425,000 | 1,245,000 |
| Interagency Contracts - Transfer from Foundation School Fund No. 193 | 8,570,701 | 8,614,302 |
| Subtotal, Other Funds | $ 9,995,701 | $ 9,859,302 |
| **Total, Method of Financing** | $ 162,598,138 | $ 162,799,028 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 74.1 | 74.1 |
| **Schedule of Exempt Positions:** | | |
| Executive Director, Group 4 | $120,023 | $120,023 |

| | | |
|---|---|---|
| **Items of Appropriation:** | | |
| **A. Goal:** BASIC PROBATION | | |
| **A.1.1. Strategy:** BASIC PROBATION SERVICES | $ 40,606,950 | $ 40,360,410 |
| **A.1.2. Strategy:** PROGRESSIVE SANCTIONS LEVELS 1-3 | $ 14,093,361 | $ 14,093,361 |
| **Total, Goal A:** BASIC PROBATION | $ 54,700,311 | $ 54,453,771 |
| **B. Goal:** COMMUNITY CORRECTIONS | | |
| **B.1.1. Strategy:** COMMUNITY CORRECTIONS SERVICES | $ 85,732,289 | $ 86,159,352 |
| **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 | $ 92,853,361 | $ 93,280,424 |
| **C. Goal:** PROBATION ASSISTANCE | | |
| **C.1.1. Strategy:** PROBATION TRAINING<br>Probation Department Training. | $ 411,545 | $ 411,101 |
| **C.1.2. Strategy:** INSPECT, MONITOR & TECH ASST<br>Inspections, Monitoring, and Technical Assistance. | $ 2,207,553 | $ 2,187,557 |
| **Total, Goal C:** PROBATION ASSISTANCE | $ 2,619,098 | $ 2,598,658 |
| **D. Goal:** JUVENILE JUSTICE ALTERNATIVE ED PGM<br>Juvenile Justice Alternative Education Programs. | | |
| **D.1.1. Strategy:** JUVENILE JUSTICE ALTERNATIVE ED PGM<br>Juvenile Justice Alternative Education Programs. | $ 8,570,701 | $ 8,614,302 |
| **E. Goal:** INDIRECT ADMINISTRATION | | |
| **E.1.1. Strategy:** CENTRAL ADMINISTRATION | $ 2,497,573 | $ 2,495,373 |
| **E.1.2. Strategy:** INFORMATION RESOURCES | $ 1,357,094 | $ 1,356,500 |
| **Total, Goal E:** INDIRECT ADMINISTRATION | $ 3,854,667 | $ 3,851,873 |
| **Grand Total,** JUVENILE PROBATION COMMISSION | $ 162,598,138 | $ 162,799,028 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 4,331,073 | $ 4,331,073 |
| Professional Fees and Services | 67,500 | 67,500 |
| Consumable Supplies | 143,591 | 143,442 |
| Utilities | 34,163 | 34,514 |
| Travel | 132,000 | 132,000 |
| Rent - Machine and Other | 33,327 | 33,288 |
| Other Operating Expense | 1,691,014 | 1,668,715 |
| Grants | 156,124,373 | 156,348,497 |
| Capital Expenditures | 41,097 | 39,999 |
| **Total, Object-of-Expense Informational Listing** | $ 162,598,138 | $ 162,799,028 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 236,445 | $ 237,627 |
| Group Insurance | 431,610 | 435,260 |
| Social Security | 329,582 | 331,230 |
| Benefits Replacement | 18,251 | 17,065 |
| Subtotal, Employee Benefits | $ 1,015,888 | $ 1,021,182 |
| Debt Service | | |
| TPFA GO Bond Debt Service | $ 433,948 | $ 378,021 |

| | | |
|---|---|---|
| Lease Payments | 154,710 | 155,096 |
| Subtotal, Debt Service | $ 588,658 | $ 533,117 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 1,604,546 | $ 1,554,299 |

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.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** BASIC PROBATION | | |
| **Outcome (Results/Impact):** | | |
| Rate of Successful Completion of Deferred Prosecution | 72% | 72% |
| Rate of Successful Completion of Court-ordered Probation | 77% | 78% |
| Re-Referral Rate | 16% | 16% |
| **A.1.1. Strategy:** BASIC PROBATION SERVICES | | |
| **Output (Volume):** | | |
| Average Daily Population of Youth Supervised Prior to Disposition | 8,291 | 8,379 |
| Average Daily Population of Youth Supervised under Deferred Prosecution | 9,342 | 9,459 |
| Average Daily Population of Youth Supervised under Court-ordered Probation | 17,628 | 18,364 |
| **Efficiencies:** | | |
| Average State Cost Per Referral | 1,544.37 | 1,546.26 |
| Average State Cost Per Juvenile Supervised Per Day | 11.43 | 11.18 |
| **Explanatory:** | | |
| Total Number of Referrals | 95,543 | 95,543 |
| Total Number of Formal Referrals to a Juvenile Probation Department for a Felony Offense | 20,013 | 20,013 |
| **B. Goal:** COMMUNITY CORRECTIONS | | |
| **Outcome (Results/Impact):** | | |
| Total Number of Commitments to Texas Youth Commission by Juvenile Courts | 1,111 | 1,111 |
| **B.1.1. Strategy:** COMMUNITY CORRECTIONS SERVICES | | |
| **Output (Volume):** | | |
| Average Daily Population of Youth Supervised under Intensive Supervision Probation | 2,518 | 2,567 |
| Average Daily Population of Residential Placements | 2,711 | 2,793 |
| **Efficiencies:** | | |
| State Cost Per Day for Youth Served on Intensive Supervision Probation | 39.05 | 39.1 |
| State Cost Per Day Per Youth for Residential Placement | 111.77 | 112.89 |
| **C. Goal:** PROBATION ASSISTANCE | | |
| **C.1.1. Strategy:** PROBATION TRAINING | | |
| **Output (Volume):** | | |
| Number of Training Hours Provided | 1,128 | 1,241 |
| Total Number of Officers Certified | 4,000 | 4,500 |
| **C.1.2. Strategy:** INSPECT, MONITOR & TECH ASST | | |
| **Output (Volume):** | | |
| Total Number of Annual Inspections Conducted in Juvenile Pre-adjudication Secure Detention, Post-adjudication Secure Correctional, and Nonsecure Correctional Facilities | 98 | 98 |
| **D. Goal:** JUVENILE JUSTICE ALTERNATIVE ED PGM | | |
| **D.1.1. Strategy:** JUVENILE JUSTICE ALTERNATIVE ED PGM | | |
| **Output (Volume):** | | |
| Number of Mandatory Students Entering Juvenile Justice Alternative Education Programs | 2,248 | 2,248 |
| Mandatory Student Attendance Days in JJAEP During the Regular School Year | 105,827 | 105,827 |

2. **Restrictions, State Aid.** None of the funds appropriated above and allocated to local juvenile probation boards shall be expended for salaries or expenses of juvenile board members. None of

the funds appropriated above and allocated to local juvenile probation boards shall be expended for salaries of personnel that exceed 112% of the previous year.

3. **Appropriation and Tracking 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 (JPC) shall certify to the Texas Department of Family and Protective Services that federal financial participation can be claimed for Title IV-E services provided by counties. JPC 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 JPC for the purpose of reimbursing counties for services provided to eligible children. In accordance with Article IX, Section 8.03(a) of this Act, when reporting Federal Funds to the Legislative Budget Board, JPC must report funds expended in the fiscal year that funds are disbursed to counties, regardless of the year in which the claim was made by the county, received by JPC, or certified by JPC.

4. **Juvenile Justice Alternative Education Programs (JJAEP).** Funds transferred to the Juvenile Probation Commission pursuant to Texas Education Agency (TEA) Rider 29 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.

   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. 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. 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 2012 shall be appropriated to fiscal year 2013 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 29. 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 2013 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.

5. **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.

6. **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.

7. **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, 2012. 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 State of Texas Assessments of Academic Readiness (STAAR) 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.

**8. Training.** Funds appropriated above in Strategy C.1.1, Probation Training, shall be used only to 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.

**9. Unexpended Balances - Hold Harmless Provision.** Any unexpended balances as of August 31, 2012, 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 2013 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.

**10. 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 2012 and fiscal year 2013 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 2012 and $650,000 in fiscal year 2013 shall lapse to the General Revenue Fund. Any Community Corrections refunds received in excess of $500,000 in fiscal year 2012 and $500,000 in fiscal year 2013 shall lapse to the General Revenue Fund.

**11. 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 funds targeted at making a positive impact on youth. JPC shall implement a tracking and monitoring system so that the use of all funds appropriated can be specifically identified and reported to the Legislative Budget Board. In addition to any other requests for information, the agency shall produce an annual report on the following information for the previous fiscal year to the LBB by December 1st of each year:

a. The report shall include detailed monitoring, tracking, utilization, and effectiveness information on all funds appropriated in Goals A and B. The report shall include information

on the impact of any new initiatives and all programs tracked by JPC. Required elements include, but are not limited to residential placements, enhanced community-based services for serious and chronic felons such as sex offender treatment, intensive supervision, and specialized supervision, community-based services for misdemeanants no longer eligible for commitment to the Youth Commission, and the Community Corrections Diversion Program.

b. The report shall include information on all training, inspection, monitoring, investigation, and technical assistance activities conducted using funds appropriated in Goal C. Required elements include, but are not limited to training conferences held, practitioners trained, facilities inspected, and investigations conducted.

c. The annual report submitted to the LBB 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. The annual report submitted to the LBB 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 certifies to the Comptroller of Public Accounts that the Juvenile Probation Commission is not in compliance with this provision.

In addition to the annual report described above, 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.

**12. Special Needs Diversionary Programs.** Funds appropriated above in Strategy B.1.4, Special Needs Diversionary Programs shall be used for specialized mental health caseloads or to provide mental health services to youth being served on specialized mental health caseloads.

**13. Sunset Contingency.** Funds appropriated above for fiscal year 2013 are made contingent on the continuation of the Juvenile Probation Commission by the Eighty-second Legislature. In the event that the agency is not continued, the funds appropriated in fiscal year 2012 or as much thereof as may be necessary are to be used to provide for the phase out of agency operations.

**14. 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.

**15. Community Corrections Diversion Program.** Out of the funds appropriated above in Strategy B.1.1, Community Corrections Services, $19,492,500 in General Revenue Funds in fiscal year 2012 and $19,492,500 in General Revenue Funds in fiscal year 2013, may be expended only for the purposes of providing programs for the diversion of youth from the Youth Commission (TYC). 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.

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.

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

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 from juvenile courts during fiscal year 2012 exceed 1,111 and upon approval of the Legislative Budget Board, the Comptroller of Public Accounts shall transfer appropriations equal to $51,100 for each commitment over 1,111 in fiscal year 2012 from JPC to TYC in fiscal year 2013.

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 included in the report that is required under JPC Rider 11 to be submitted to the Legislative Budget Board by December 1st of each year.

**16. Juvenile Boot Camp Funding.** Out of 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.

## COMMISSION ON LAW ENFORCEMENT OFFICER STANDARDS AND EDUCATION

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 162,104 | $ 162,104 |
| General Revenue Fund - Dedicated | | |
| Law Enforcement Officer Standards and Education Account No. 116 | 2,027,373 | 2,080,436 |
| Texas Peace Officer Flag Account No. 5059 | 2,000 | 2,000 |
| Subtotal, General Revenue Fund - Dedicated | $ 2,029,373 | $ 2,082,436 |
| Appropriated Receipts | 572,216 | 582,215 |
| **Total, Method of Financing** | $ 2,763,693 | $ 2,826,755 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 37.6 | 37.6 |
| **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 | $ 958,329 | $ 977,248 |
| **A.1.2. Strategy:** COURSE DEVELOPMENT | $ 207,816 | $ 217,550 |
| Course Development and Academy Evaluations. | | |
| **Total, Goal A:** LICENSE AND APPROVE COURSES | $ 1,166,145 | $ 1,194,798 |
| **B. Goal:** REGULATION | | |
| Regulate Licensed Law Enforcement Population. | | |
| **B.1.1. Strategy:** ENFORCEMENT | $ 621,358 | $ 633,148 |
| Enforce through License Revoc, Suspension, Reprimand, or Cancellation. | | |
| **B.1.2. Strategy:** TECHNICAL ASSISTANCE | $ 671,156 | $ 686,921 |
| **Total, Goal B:** REGULATION | $ 1,292,514 | $ 1,320,069 |

## COMMISSION ON LAW ENFORCEMENT OFFICER STANDARDS AND EDUCATION
(Continued)

| | | |
|---|---|---|
| **C. Goal:** INDIRECT ADMINISTRATION | | |
| **C.1.1. Strategy:** INDIRECT ADMINISTRATION | $ 305,034 | $ 311,888 |
| **Grand Total,** COMMISSION ON LAW ENFORCEMENT OFFICER STANDARDS AND EDUCATION | $ 2,763,693 | $ 2,826,755 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 1,825,506 | $ 1,847,028 |
| Other Personnel Costs | 70,977 | 71,135 |
| Professional Fees and Services | 137,644 | 133,357 |
| Consumable Supplies | 34,935 | 37,278 |
| Utilities | 22,424 | 22,803 |
| Travel | 128,905 | 126,274 |
| Rent - Building | 201,889 | 197,535 |
| Other Operating Expense | 297,058 | 347,701 |
| Capital Expenditures | 44,355 | 43,644 |
| **Total, Object-of-Expense Informational Listing** | $ 2,763,693 | $ 2,826,755 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 111,373 | $ 111,930 |
| Group Insurance | 469,464 | 481,338 |
| Social Security | 157,030 | 157,815 |
| Benefits Replacement | 5,768 | 5,393 |
| Subtotal, Employee Benefits | $ 743,635 | $ 756,476 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 743,635 | $ 756,476 |

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.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** LICENSE AND APPROVE COURSES | | |
| **Outcome (Results/Impact):** | | |
| Percent of Licensees with No Criminal Misconduct Dispositions | 99.3% | 99.3% |
| **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 | 4 | 4 |
| Number of On-site Training Provider Evaluations | 125 | 125 |
| **B. Goal:** REGULATION | | |
| **B.1.1. Strategy:** ENFORCEMENT | | |
| **Output (Volume):** | | |
| Complaints Resolved | 450 | 450 |
| **B.1.2. Strategy:** TECHNICAL ASSISTANCE | | |
| **Output (Volume):** | | |
| Number of Administrative Violations | 110 | 110 |

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.

| | 2012 | 2013 |
|---|---|---|
| a. Acquisition of Information Resource Technologies | | |
| (1) Distance Learning Program | $ 286,212 | $ 286,211 |
| Total, Capital Budget | $ 286,212 | $ 286,211 |
| Method of Financing (Capital Budget): | | |
| GR Dedicated - Law Enforcement Officer Standards and Education Account No. 116 | $ 286,212 | $ 286,211 |
| Total, Method of Financing | $ 286,212 | $ 286,211 |

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 $180,000 in fiscal year 2012 and $185,000 in fiscal year 2013 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 $100,000 in fiscal year 2012 and $96,000 in fiscal year 2013 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 2012-13 biennium and any unexpended and unencumbered balances from the biennium ending August 31, 2011, from the Texas Peace Officer Flag Account No. 5059 as provided by Occupations Code § 1701.161 and Government Code § 615.105 (estimated to be $2,000 in fiscal year 2012 and $2,000 in fiscal year 2013 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. **Appropriation of Receipts.** Included in the amounts appropriated above to the Texas Commission on Law Enforcement Officers Standards and Education is revenue collected from intermediate, advanced, and master peace officer and jailer certifications in an amount not to exceed $286,212 in fiscal year 2012 and not to exceed $286,211 in fiscal year 2013 for the purpose of operating and maintaining the Police Officer Standards Education Internet Training (POSEIT).

# DEPARTMENT OF PUBLIC SAFETY

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 60,209,870 | $ 37,955,371 |
| GR Dedicated - Operators and Chauffeurs License Account No. 099 | 69,673,070 | 69,284,569 |
| Federal Funds | 726,768,479 | 721,454,521 |
| Other Funds | | |
| Appropriated Receipts | 23,923,922 | 23,923,922 |
| Interagency Contracts | 2,659,102 | 2,659,102 |
| Bond Proceeds - General Obligation Bonds | 47,580,379 | 0 |
| Criminal Justice Grants | 237,259 | 237,259 |
| State Highway Fund No. 006 | 498,449,403 | 498,178,431 |
| Subtotal, Other Funds | $ 572,850,065 | $ 524,998,714 |
| **Total, Method of Financing** | $ 1,429,501,484 | $ 1,353,693,175 |
| **Other Direct and Indirect Costs Appropriated Elsewhere in this Act** | $ 769,276 | $ 822,555 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 8,798.0 | 8,798.0 |
| **Number of FTEs in Riders:** | 20.0 | 20.0 |
| **Schedule of Exempt Positions:** | | |
| Director, Group 6 | $162,000 | $162,000 |
| **Items of Appropriation:** | | |
| **A. Goal:** COMBAT CRIME AND TERRORISM | | |
| **A.1.1. Strategy:** ORGANIZED CRIME | $ 67,323,190 | $ 67,337,014 |
| **A.1.2. Strategy:** CRIMINAL INTERDICTION | $ 18,711,627 | $ 13,399,672 |
| **A.1.3. Strategy:** BORDER SECURITY | $ 27,343,675 | $ 11,593,005 |
| **A.1.4. Strategy:** LOCAL BORDER SECURITY | $ 27,665,351 | $ 21,166,801 |
| **A.2.1. Strategy:** COUNTERTERRORISM | $ 459,481 | $ 459,547 |
| **A.2.2. Strategy:** INTELLIGENCE | $ 7,636,219 | $ 7,636,437 |
| **A.2.3. Strategy:** SECURITY PROGRAMS | $ 17,044,496 | $ 17,048,847 |
| **A.3.1. Strategy:** CRIMINAL INVESTIGATIONS | $ 19,178,301 | $ 19,181,707 |
| **Total, Goal A:** COMBAT CRIME AND TERRORISM | $ 185,362,340 | $ 157,823,030 |
| **B. Goal:** ENHANCE PUBLIC SAFETY | | |
| **B.1.1. Strategy:** TRAFFIC ENFORCEMENT | $ 157,404,816 | $ 157,448,712 |
| **B.1.2. Strategy:** COMMERCIAL VEHICLE ENFORCEMENT | $ 57,785,881 | $ 57,797,133 |
| **B.2.1. Strategy:** PUBLIC SAFETY COMMUNICATIONS | $ 12,541,303 | $ 12,541,300 |
| **Total, Goal B:** ENHANCE PUBLIC SAFETY | $ 227,732,000 | $ 227,787,145 |
| **C. Goal:** EMERGENCY MANAGEMENT | | |
| **C.1.1. Strategy:** EMERGENCY PREPAREDNESS<br>Emergency Management Training and Preparedness. | $ 372,050,030 | $ 371,660,028 |
| **C.1.2. Strategy:** RESPONSE COORDINATION<br>Emergency and Disaster Response Coordination. | $ 1,952,163 | $ 1,952,163 |
| **C.1.3. Strategy:** RECOVERY AND MITIGATION<br>Disaster Recovery and Hazard Mitigation. | $ 312,137,714 | $ 312,923,714 |
| **C.1.4. Strategy:** STATE OPERATIONS CENTER | $ 2,101,336 | $ 2,101,338 |
| **Total, Goal C:** EMERGENCY MANAGEMENT | $ 688,241,243 | $ 688,637,243 |
| **D. Goal:** REGULATORY AND AGENCY SERVICES | | |
| **D.1.1. Strategy:** TRAINING ACADEMY AND DEVELOPMENT | $ 6,815,815 | $ 6,816,299 |
| **D.1.2. Strategy:** CRIME LABORATORY SERVICES | $ 27,111,541 | $ 26,325,540 |
| **D.1.3. Strategy:** CRIME RECORDS SERVICES | $ 34,383,422 | $ 34,383,424 |
| **D.1.4. Strategy:** VICTIM SERVICES | $ 574,084 | $ 574,085 |

| | | |
|---|---|---|
| **D.1.5. Strategy:** FLEET OPERATIONS | $ 2,078,789 | $ 2,078,789 |
| **D.2.1. Strategy:** DRIVER LICENSE SERVICES | $ 23,844,526 | $ 23,844,526 |
| **D.2.2. Strategy:** DRIVING AND MOTOR VEHICLE SAFETY | $ 57,060,257 | $ 57,060,258 |
| **D.3.1. Strategy:** REGULATORY SERVICES ISSUANCE | $ 9,147,352 | $ 9,147,355 |
| **D.3.2. Strategy:** REGULATORY SERVICES COMPLIANCE | $ 17,580,642 | $ 17,581,873 |
| **D.3.3. Strategy:** REGULATORY SERVICES MODERNIZATION | $ 4,414,039 | $ 4,414,039 |
| **D.4.1. Strategy:** HEADQUARTERS ADMINISTRATION | $ 14,208,958 | $ 14,209,659 |
| **D.4.2. Strategy:** REGIONAL ADMINISTRATION | $ 11,258,728 | $ 11,258,880 |
| **D.4.3. Strategy:** INFORMATION TECHNOLOGY | $ 48,432,060 | $ 48,075,484 |
| **D.4.4. Strategy:** FINANCIAL MANAGEMENT | $ 5,401,225 | $ 5,401,224 |
| **D.4.5. Strategy:** HUMAN CAPITAL MANAGEMENT | $ 3,112,669 | $ 3,112,907 |
| **D.4.6. Strategy:** FACILITIES MANAGEMENT | $ 62,741,794 | $ 15,161,415 |
| **Total, Goal D:** REGULATORY AND AGENCY SERVICES | $ 328,165,901 | $ 279,445,757 |
| **Grand Total,** DEPARTMENT OF PUBLIC SAFETY | $ 1,429,501,484 | $ 1,353,693,175 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 443,470,180 | $ 443,555,782 |
| Other Personnel Costs | 15,914,571 | 15,914,571 |
| Professional Fees and Services | 33,862,068 | 33,862,069 |
| Fuels and Lubricants | 11,413,046 | 11,413,046 |
| Consumable Supplies | 8,800,209 | 8,800,209 |
| Utilities | 15,015,575 | 15,015,575 |
| Travel | 6,935,281 | 6,935,280 |
| Rent - Building | 4,178,848 | 4,333,848 |
| Rent - Machine and Other | 1,549,273 | 1,549,272 |
| Debt Service | 403,813 | 224,137 |
| Other Operating Expense | 115,480,511 | 107,588,655 |
| Grants | 666,395,748 | 667,581,748 |
| Capital Expenditures | 106,082,361 | 36,918,983 |
| **Total, Object-of-Expense Informational Listing** | $ 1,429,501,484 | $ 1,353,693,175 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 21,626,096 | $ 21,734,226 |
| Group Insurance | 74,207,204 | 75,433,710 |
| Social Security | 30,383,187 | 30,535,103 |
| Benefits Replacement | 2,302,475 | 2,152,814 |
| Subtotal, Employee Benefits | $ 128,518,962 | $ 129,855,853 |
| Debt Service | | |
| TPFA GO Bond Debt Service | $ 19,854,613 | $ 21,159,091 |
| Lease Payments | 135,638 | 134,616 |
| Subtotal, Debt Service | $ 19,990,251 | $ 21,293,707 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 148,509,213 | $ 151,149,560 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Department of Public Safety. 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 Public Safety. In order to achieve the objectives and service standards established by this Act, the Department of Public Safety shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** COMBAT CRIME AND TERRORISM | | |
| **Outcome (Results/Impact):** | | |
| Number of Terrorist Acts Committed within the State of Texas | 0 | 0 |
| Annual Texas Index Crime Rate | 4,525 | 4,525 |

| | | |
|---|---|---|
| **A.1.2. Strategy:** CRIMINAL INTERDICTION | | |
| **Output (Volume):** | | |
| Number of Arrests for Narcotics Violations | 1,500 | 1,500 |
| **A.1.3. Strategy:** BORDER SECURITY | | |
| **Output (Volume):** | | |
| Number of Interagency Law Enforcement Operations Conducted in the Texas Border Region | 25 | 25 |
| **A.3.1. Strategy:** CRIMINAL INVESTIGATIONS | | |
| **Output (Volume):** | | |
| Number of Arrests for Motor Vehicle Theft | 600 | 575 |
| Number of Criminal Investigation Division Arrests for Offenses other than Narcotics or Vehicle Theft Violations | 1,050 | 1,050 |
| Number of Arrests by Texas Rangers | 2,400 | 2,400 |
| **B. Goal:** ENHANCE PUBLIC SAFETY | | |
| **Outcome (Results/Impact):** | | |
| Annual Texas Highway Traffic Death Rate | 1 | 1 |
| Percent of State & Local Public Safety Agencies Transitioned to APCO Project 25 (P25) Voice Radio Digital Standard | 25% | 50% |
| **B.1.1. Strategy:** TRAFFIC ENFORCEMENT | | |
| **Output (Volume):** | | |
| Number of Traffic Law Violator Contacts | 3,400,000 | 3,400,000 |
| Number of Hours on Routine Patrol | 1,414,580 | 1,414,580 |
| **B.1.2. Strategy:** COMMERCIAL VEHICLE ENFORCEMENT | | |
| **Output (Volume):** | | |
| Number of Routine Patrol Hours per Commercial Vehicle Enforcement Trooper | 470 | 470 |
| **Efficiencies:** | | |
| Number of Commercial Traffic Law Violator Contacts | 1,600,000 | 1,600,000 |
| **C. Goal:** EMERGENCY MANAGEMENT | | |
| **Outcome (Results/Impact):** | | |
| Percent of Local Governments Achieving a Basic Level of Emergency Planning Preparedness | 90% | 90% |
| Number of Active Hazard Mitigation Projects Funded by Grants | 240 | 180 |
| Number of Active Disaster Recovery Projects Funded | 4,200 | 4,000 |
| Percentage of Local Governments Receiving State Response Assistance for Emergencies and Disasters | 19% | 19% |
| **C.1.2. Strategy:** RESPONSE COORDINATION | | |
| **Output (Volume):** | | |
| Number of Emergency Incidents Coordinated | 5,780 | 5,780 |
| **C.1.3. Strategy:** RECOVERY AND MITIGATION | | |
| **Output (Volume):** | | |
| Number of Counties Provided Disaster Financial Assistance | 104 | 104 |
| **D. Goal:** REGULATORY AND AGENCY SERVICES | | |
| **Outcome (Results/Impact):** | | |
| Concealed Handguns: Percentage of Renewal Licenses Issued within 40 Days | 100% | 100% |
| Concealed Handguns: Percentage of Original Licenses Issued Within 60 Days | 100% | 100% |
| Percentage of Sex Offender Notifications Mailed within Ten Days | 100% | 100% |
| Percentage of Court-Ordered Non-Disclosures Completed within Ten Business Days | 100% | 100% |
| Percentage of Crime Laboratory Reporting Accuracy | 100% | 100% |
| Private Security: Percent of Private Security Bureau Documented Complaints Resolved within Six Months | 99% | 99% |
| Private Security: Percent of Private Security Bureau Licensees with No Recent Violations | 99% | 99% |
| **D.1.1. Strategy:** TRAINING ACADEMY AND DEVELOPMENT | | |
| **Output (Volume):** | | |
| Number of Students Attending Training | 9,300 | 9,300 |
| Number of Courses Taught | 260 | 260 |
| Number of Student Contact Hours | 474,059 | 474,059 |
| **D.1.2. Strategy:** CRIME LABORATORY SERVICES | | |
| **Output (Volume):** | | |
| Number of Breath Alcohol Tests Supervised | 44,000 | 44,000 |
| Number of Drug Cases Completed | 50,000 | 50,000 |

| | | |
|---|---|---|
| **Efficiencies:** | | |
| Average Cost of Supervising a Breath Alcohol Test | 58.77 | 58.77 |
| **D.2.1. Strategy:** DRIVER LICENSE SERVICES | | |
| **Output (Volume):** | | |
| Number of Total Examinations Administered | 5,716,447 | 5,716,447 |
| **D.3.1. Strategy:** REGULATORY SERVICES ISSUANCE | | |
| **Output (Volume):** | | |
| Number of Original Handgun Licenses Issued | 114,804 | 126,284 |
| Number of Renewal Handgun Licenses Issued | 31,895 | 49,419 |
| **Efficiencies:** | | |
| Private Security: Average Licensing Cost Per Individual License Issued | 2 | 2 |
| Private Security: Number of New Licenses and Registrations Issued | 38,235 | 38,741 |
| **D.3.2. Strategy:** REGULATORY SERVICES COMPLIANCE | | |
| **Output (Volume):** | | |
| Private Security: Number of Investigations Conducted | 5,738 | 5,738 |
| Narcotics Regulation: Number of Controlled Substance Prescriptions Processed | 41,718,752 | 42,970,315 |
| **Efficiencies:** | | |
| Private Security: Average Cost Per Disciplinary Action | 184 | 184 |
| **D.3.3. Strategy:** REGULATORY SERVICES MODERNIZATION | | |
| **Efficiencies:** | | |
| Private Security: Average Time for Case Resolution | 93.5 | 93.5 |

**2. Capital Budget.** The capital budget authority provided below in paragraphs a, b, c, d, e and h is specific to the Department of Public Safety and exclusive of the Texas Division of Emergency Management. The capital budget authority provided below in paragraphs f and g is specific to the Texas 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 Texas Division of Emergency Management may be expended for capital budget items except as listed below. The transfer authority provided under Article IX, § 14.03 of this Act for the Department of Public Safety shall be limited to paragraphs a, b, c, d, e and h, listed below. The transfer authority provided under Article IX, § 14.03 of this Act for the Texas Division of Emergency Management shall be limited to paragraphs f and g 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.

| | 2012 | 2013 |
|---|---|---|
| a. Construction of Buildings and Facilities | | |
| (1) Lubbock and Weslaco Regional Offices & Crime Labs; Rio Grande City Office; Crime Lab Expansions; and Emergency Vehicle Operations Course | $ 36,280,994 | $ UB |
| (2) Laredo Crime Lab | 5,575,000 | UB |
| Total, Construction of Buildings and Facilities | $ 41,855,994 | $ UB |
| b. Repair or Rehabilitation of Buildings and Facilities | | |
| (1) Deferred Maintenance and Repair | 5,724,385 | UB |
| c. Acquisition of Information Resource Technologies | | |
| (1) NCIC/TLETS Upgrade - Lease Payments (MLPP) 1998-99 | 403,813 | 224,137 |
| (2) Copier Capital Lease | 994,128 | 994,128 |
| (3) CVE Information Technology Purchases | 934,350 | 934,350 |
| (4) Federal Criminal Justice Grant Project | 925,000 | 925,000 |
| Total, Acquisition of Information Resource Technologies | $ 3,257,291 | $ 3,077,615 |

| | | |
|---|---|---|
| d. Transportation Items | | |
| (1) Vehicles (approximately 880) | 12,974,241 | 12,974,239 |
| e. Acquisition of Capital Equipment and Items | | |
| (1) Vehicle Light Bars | 352,638 | 352,637 |
| (2) Radios | 1,569,474 | 1,569,470 |
| (3) DNA/CODIS Analysis Project | 786,000 | 0 |
| Total, Acquisition of Capital Equipment and Items | $ 2,708,112 | $ 1,922,107 |
| f. Emergency Management: Acquisition of Information Resource Technologies | | |
| (1) SOC Enhancement | 400,000 | 0 |
| (2) Disaster District EOC Refresh | 1,050,000 | 1,050,000 |
| (3) SNETS Computer Refresh | 310,000 | 0 |
| (4) SNETS Replacement Parts | 300,000 | 0 |
| (5) Land Mobile Satellite Units | 155,000 | 0 |
| Total, Emergency Management: Acquisition of Information Resource Technologies | $ 2,215,000 | $ 1,050,000 |
| g. Emergency Management: Acquisition of Capital Equipment and Items | | |
| (1) TDEM Warehouse Equipment | 123,066 | 0 |
| h. Border Security: Acquisition of Capital Equipment and Items | | |
| (1) Border Security Vehicles (approximately 326) | 5,700,444 | 5,700,444 |
| (2) IT and Crime Records | 11,768,707 | 11,768,708 |
| (3) High Altitude Surveillance Aircraft | 6,283,000 | 0 |
| (4) Fiber Optic Scopes | 1,960,000 | 0 |
| (5) Video Communications Downlink | 375,000 | 0 |
| (6) Southbound Checkpoints | 1,500,000 | 0 |
| (7) Case Management IT Tool | 4,000,000 | 0 |
| (8) IT Link Analysis | 1,417,000 | 0 |
| (9) Joint Operations & Intelligence Centers | 3,917,000 | 0 |
| Total, Border Security: Acquisition of Capital Equipment and Items | $ 36,921,151 | $ 17,469,152 |
| Total, Capital Budget | $ 105,779,240 | $ 36,493,113 |
| Method of Financing (Capital Budget): | | |
| General Revenue Fund | $ 19,452,000 | $ 0 |
| Federal Funds | 5,988,416 | 3,914,350 |
| Other Funds | | |
| State Highway Fund No. 006 | 32,758,445 | 32,578,763 |
| Bond Proceeds - General Obligation Bonds | 47,580,379 | UB |
| Subtotal, Other Funds | $ 80,338,824 | $ 32,578,763 |
| Total, Method of Financing | $ 105,779,240 | $ 36,493,113 |

3. **Marked Vehicles.** None of the funds appropriated above 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.

4. **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.

5. **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.

6. **Controlled Substances.** Included in the amounts appropriated above in Strategy A.1.1, Organized Crime, is $7.05 million in fiscal year 2012 and $7.05 million in fiscal year 2013 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.

7. **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.

8. **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.

9. **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.

10. **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.

11. **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.

12. **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.

13. **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.

14. **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 government officials travelling in Texas when assigned, shall be reimbursed for their actual meals, lodging, and incidental expenses when on official travel in or out of the state.

15. **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.

16. **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.

17. **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.

18. **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.

19. **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.

20. **Parking Violation Revenues.** All revenue received from parking violations under Government Code § 411.067 shall be deposited to the General Revenue Fund.

21. **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.

22. **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 A.3.1, Criminal Investigations, into any other strategies without consent of the Governor and the Legislative Budget Board.

**23. Appropriation: Automobile Emission Inspections.** Included in amounts appropriated above in Strategy D.3.2, Regulatory Services Compliance, is $7,353,749 in fiscal year 2012 (General Revenue - Dedicated Operators and Chauffeurs License Account No. 099) and $7,353,749 in fiscal year 2013 (General Revenue - Dedicated Operators and Chauffeurs License Account No. 099) for the operation of the vehicle emissions inspection and maintenance program pursuant to § 382.202, Health and Safety Code.

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 2012 and 2013 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.

**24. 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.

**25. 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.

**26. 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.

**27. 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.

**28. Authorized Trooper Strength.** From funds appropriated, the Department of Public Safety shall maintain the number of highway patrol trooper positions at no less than 2,149.

**29. Contingency Personnel, North Texas Tollway Authority Contract.** The department is authorized 33 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 28, 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.

**30. Interagency Contract for Legal Services.** Out of funds appropriated above, $1.3 million for the 2012-13 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.

**31. Appropriations Limited to Revenue Collections.** Fees and other miscellaneous revenues as authorized and generated by the Private Security Bureau of the Department of Public Safety shall cover, at a minimum, the cost of the appropriations for the 2012-13 biennium made above in Strategies D.3.1. ($2,210,218), D.3.2. ($4,826,528), and D.3.3. ($398,269), as well as the "other direct and indirect costs" indicated above (the amounts are solely related to the Private Security Bureau). 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 D.3.1, D.3.2, and D.3.3, to be within the amount of revenue expected to be available.

**32. Appropriations Limited to Revenue Collections: Driver Responsibility Program.** Included in the amounts appropriated above in Strategy D.4.3, Information Technology (pursuant to §780.002, Health and Safety Code) is $932,028 in fiscal year 2012 and $932,028 in fiscal year 2013 from the General Revenue Fund for the administration of the driver responsibility program.

Also included in the amounts appropriated above in Strategy D.2.2, Driving and Motor Vehicle Safety (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 2012 and $11,432,837 in fiscal year 2013 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.

**33. Staffing Patterns - Private Security Bureau.** From funds appropriated above, the Private Security Bureau of the Department of Public Safety 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.

**34. 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 2013 to fiscal year 2012, 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 2012 exceeds $3.19 per gallon.

b. A request to transfer appropriations for fiscal year 2013 to fiscal year 2012 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 $3.19 per gallon during the first six months of fiscal year 2012.

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.

**35. 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.

**36. Appropriation: Unexpended Balances Bond Proceeds.** Included in the amounts appropriated above are unexpended and unobligated balances of general obligation bond proceeds that have been approved under the provisions of Article IX, Section 17.11 of Senate Bill 1, Eighty-first Legislature, Regular Session, 2009, remaining as of August 31, 2011, (estimated to be $11,299,385), for maintenance and repair of existing facilities ($5,724,385) and to construct, equip, and operate a crime lab in Laredo ($5,575,000), for the 2012-13 biennium in Strategy D.4.6, Facilities Management.

Also included in the amounts appropriated above are unexpended and unobligated balances of general obligation bond proceeds that have been approved under the provisions of Article IX, Sections 19.70 and 19.71 of House Bill 1, Eightieth Legislature, Regular Session, 2007, remaining as of August 31, 2011, (estimated to be $36,280,994), for previously approved construction of additional facilities and shall not be used for new construction of additional facilities, for the 2012-13 biennium in Strategy D.4.6, Facilities Management.

All projects funded herein with general obligation bond proceeds are subject to approval by the Legislative Budget Board prior to the issuance of the bond proceeds by the Texas Public Finance Authority. Any unexpended balances in general obligation bond proceeds described herein and remaining as of August 31, 2012, are hereby appropriated for the same purposes for the fiscal year beginning September 1, 2012.

**37. 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.

**38. 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.

**39. Border Security.** From funds appropriated above in A.1.3, Border Security, the Department of Public Safety shall use $27,343,675 in fiscal year 2012 and $11,593,005 in fiscal year 2013 for enhanced border security operations including salaries, training, operating costs, and equipment for:

a. Highway Patrol staff including commissioned officers.

b. Criminal Investigations staff including commissioned officers.

c. Texas Rangers; and

d. Aircraft Operations staff including commissioned officers.

**40. Databases and Clearinghouses Related to Missing Persons and Children.** From funds appropriated above in Strategy A.2.2, Intelligence, the Department of Public Safety (DPS) shall use $1,096,628 in fiscal year 2012 and $1,096,628 in fiscal year 2013 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 3 FTEs in both fiscal years for the administration and support of the programs. DPS shall use $825,000 per fiscal 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 $271,628 per fiscal year to pay department expenses associated with the Missing Persons DNA Database and the administration of the Missing Children and Missing Persons Information Clearinghouse.

**41. Local Border Security.** From funds appropriated above in Strategy A.1.4, Local Border Security, the Texas Rangers Division within the Department of Public Safety (DPS) shall use $27,665,351 in fiscal year 2012 and $21,166,801 in fiscal year 2013 for the following border security expenditures:

a. fund DPS troopers along the border;

b. fund Texas Ranger positions;

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

d. the operations of the Border Operations Center and the Joint Operations and Intelligence Centers; and

e. 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 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, 2012 are hereby appropriated for the fiscal year beginning September 1, 2012 for the same purpose(s).

**42. State Disaster Resource Support and Staging Sites.** From funds appropriated above in Goal C, Emergency Management, the Texas Division of Emergency Management is authorized to spend no more than $1,008,000 in fiscal year 2012 and $1,008,000 in fiscal year 2013 for the 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.

**43. Texas Data Exchange.** It is the intent of the Legislature that $12,447,104 appropriated to the Department of Public Safety in Strategy D.1.3, Crime Records Services, for the Texas Data Exchange (TDEx) in the 2012-13 biennium shall be used to fund support fees, deployment of TDEx adapters, and ongoing operation expenses, including the renewal of the TDEx enterprise license.

**44. TexasOnline.** Included in the amounts appropriated above in Strategy D.4.3, Information Technology, is $356,000 in fiscal year 2012 and $356,000 in fiscal year 2013 out of Appropriated Receipts generated by TexasOnline for the 2012-13 biennium for the continued operation of TexasOnline.

**45. 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.

**46. Border Auto Theft Information Center.** From funds appropriated above, the Department of Public Safety shall: (1) apply for Federal Funds to administer the Border Auto Theft Information Center; (2) before December 31 of each fiscal year provide a report to the Legislative Budget Board regarding the current status of the federal grant application and use of funds. Federal Funds received for the purpose of administering and operating the Border Auto Theft Information Center are hereby appropriated to the Department of Public Safety.

**47. Capital Budget Expenditures from Federal Awards.** To comply with the legislative intent to maximize the use of federal funds and to fulfill grant requirements for the receipt and expenditure of federal funds, the Department of Public Safety (DPS) is hereby exempt from the capital budget rider provisions contained in Article IX of this Act when gifts, grants, inter-local funds and federal funds are received in excess of the amount identified in the agency's capital rider and such funds are designated by the donor, grantee, state entity or federal agency solely for constructions and repairs or purchase of specific capital items. Amounts expended from these funding sources shall not count towards the limitations imposed by capital budget provisions elsewhere in this Act. DPS shall notify the Legislative Budget Board and the Governor upon receipt of such funds, of the amount received and the items to be purchased as approved by the donor, grantee, state entity or federal agency. It is the intent of the legislature that the expenditure of funds pursuant to this rider not create any ongoing operating cost.

**48. Cash Flow Contingency for Federal Funds.** Contingent upon the receipt of federal funds and the approval of the Legislative Budget Board and the Governor's Office, the Department of Public Safety may temporarily utilize additional general revenue funds, pending receipt of federal reimbursement, in an amount not to exceed $20,000,000 in each fiscal year of the biennium. The request to access the additional funds by the 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 $20,000,000 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.

**49. Unexpended Balances Within the Biennium.** Any unexpended balances as of August 31, 2012, in appropriations made to the Department of Public Safety are hereby appropriated for the same purposes for the fiscal year beginning September 1, 2012.

**50. Contingency Appropriation for Concealed Handgun Applications.** Included in the General Revenue amounts appropriated above in Strategy D.3.1, Regulatory Services Issuance, is an amount not to exceed $499,176 in fiscal year 2012 and an amount not to exceed $499,176 in fiscal year 2013, contingent upon certification by the Comptroller of Public Accounts of the number of concealed handgun applications received by the Department of Public Safety and the additional revenue generated above the Comptroller of Public Accounts' Biennial Revenue Estimate for the 2012-13 biennium. The Comptroller shall base the contingency appropriation on $54.71 for each concealed handgun application received each fiscal year above 90,875 applications to cover operating costs created by an increase in the number of applications received.

**51. Clothing Provisions.**

a. A commissioned officer who received a $1,200 clothing allowance pursuant to the General Appropriations Act during the 2010-11 biennium shall receive a $1,200 clothing allowance in the 2012-13 biennium.

b. A commissioned officer who received a $500 cleaning allowance pursuant to the General Appropriations Act for the 2010-11 biennium shall receive a $500 cleaning allowance in the 2012-13 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.

# YOUTH COMMISSION

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 158,196,452 | $ 154,889,864 |
| Federal Funds | | |
| Federal American Recovery and Reinvestment Fund | 62,558 | 0 |
| Federal Funds | 6,296,940 | 6,354,861 |
| Subtotal, Federal Funds | $ 6,359,498 | $ 6,354,861 |
| Other Funds | | |
| Appropriated Receipts | 383,913 | 383,913 |
| Interagency Contracts | 691,000 | 691,000 |
| Interagency Contracts - Transfer from Foundation School Fund No. 193 | 5,534,593 | 5,534,593 |
| Subtotal, Other Funds | $ 6,609,506 | $ 6,609,506 |
| **Total, Method of Financing** | $ 171,165,456 | $ 167,854,231 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 3,070.6 | 2,986.8 |
| **Schedule of Exempt Positions:** | | |
| Executive Director, Group 6 | $160,000 | $160,000 |
| **Items of Appropriation:** | | |
| **A. Goal:** SECURE CORRECTIONAL ENVIRONMENT | | |
| Provide a Safe and Secure Correctional Environment for Youth. | | |
| **A.1.1. Strategy:** ASSESSMENT, ORIENTATION & PLACEMENT | $ 2,751,087 | $ 2,751,087 |
| Assess & Orient Youth for Appropriate Treatment and Placement. | | |
| **A.1.2. Strategy:** INSTITUTIONAL SERVICES | $ 83,804,594 | $ 81,281,857 |
| Provide TYC-operated Secure Correctional Programs. | | |
| **A.1.3. Strategy:** CONTRACTED CAPACITY | $ 6,480,134 | $ 6,489,236 |
| Provide Additional Secure and Nonsecure Residential Capacity. | | |
| **A.1.4. Strategy:** HALFWAY HOUSE SERVICES | $ 10,221,432 | $ 10,221,432 |
| Provide TYC-operated Nonsecure Correctional Programs. | | |
| **A.1.5. Strategy:** HEALTH CARE SERVICES | $ 12,190,237 | $ 12,067,568 |
| Provide a System of Health Care. | | |
| **A.1.6. Strategy:** MENTAL HEALTH (PSYCHIATRIC) SVCS | $ 1,254,830 | $ 1,242,204 |
| Mental Health (Psychiatric) Services. | | |
| **A.1.7. Strategy:** HEALTH CARE OVERSIGHT | $ 1,410,466 | $ 1,410,466 |
| **A.1.8. Strategy:** OFFICE OF INSPECTOR GENERAL | $ 2,036,437 | $ 2,036,437 |
| **A.1.9. Strategy:** OFFICE OF INDEPENDENT OMBUDSMAN | $ 275,018 | $ 275,018 |
| **A.1.10. Strategy:** CONSTRUCT AND RENOVATE FACILITIES | $ 0 | $ 0 |
| Construct & Renovate TYC Facilities for Sufficient Capacity. | | |
| **Total, Goal A:** SECURE CORRECTIONAL ENVIRONMENT | $ 120,424,235 | $ 117,775,305 |
| **B. Goal:** EDUCATION AND WORKFORCE | | |
| Enable TYC Youth to Become Productive and Responsible Citizens. | | |
| **B.1.1. Strategy:** EDUCATION AND WORKFORCE PROGRAMS | $ 19,627,086 | $ 19,448,103 |
| Provide Academic, Post-Secondary, GED & Workforce Preparation Programs. | | |

| | | |
|---|---|---|
| **C. Goal:** REHABILITATION AND REINTEGRATION<br>Reduce Delinquent and Criminal Behavior of Youth Released from TYC. | | |
| **C.1.1. Strategy:** GENERAL REHABILITATION TREATMENT<br>Provide a General Rehabilitation Treatment Program. | $ 8,769,962 | $ 8,681,710 |
| **C.1.2. Strategy:** SPECIALIZED TREATMENT<br>Tmt for Capital/Sex Crimes, Alcohol/Drug Abuse/Depend & MH Issues. | $ 5,430,875 | $ 5,430,875 |
| **C.1.3. Strategy:** PAROLE SERVICES<br>Provide a System of Parole Services. | $ 5,257,911 | $ 4,775,843 |
| **C.1.4. Strategy:** INTERSTATE AGREEMENT<br>Interstate Agreement on Supvsn of Runaways, Probationers, and Parolees. | $ 310,939 | $ 310,939 |
| **Total, Goal C:** REHABILITATION AND REINTEGRATION | $ 19,769,687 | $ 19,199,367 |
| **D. Goal:** INDIRECT ADMINISTRATION | | |
| **D.1.1. Strategy:** CENTRAL ADMINISTRATION | $ 5,979,578 | $ 5,979,578 |
| **D.1.2. Strategy:** INFORMATION RESOURCES | $ 3,742,740 | $ 3,829,748 |
| **D.1.3. Strategy:** OTHER SUPPORT SERVICES | $ 1,622,130 | $ 1,622,130 |
| **Total, Goal D:** INDIRECT ADMINISTRATION | $ 11,344,448 | $ 11,431,456 |
| **Grand Total,** YOUTH COMMISSION | $ 171,165,456 | $ 167,854,231 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 113,909,869 | $ 111,641,098 |
| Other Personnel Costs | 4,569,248 | 4,462,776 |
| Professional Fees and Services | 16,606,330 | 16,552,013 |
| Fuels and Lubricants | 609,585 | 595,644 |
| Consumable Supplies | 1,546,659 | 1,494,771 |
| Utilities | 4,704,018 | 5,057,761 |
| Travel | 1,483,579 | 1,479,260 |
| Rent - Building | 1,644,641 | 1,654,304 |
| Rent - Machine and Other | 690,929 | 676,150 |
| Other Operating Expense | 19,586,740 | 18,510,583 |
| Client Services | 2,396,893 | 2,381,499 |
| Food for Persons - Wards of State | 3,269,221 | 3,200,628 |
| Capital Expenditures | 147,744 | 147,744 |
| **Total, Object-of-Expense Informational Listing** | $ 171,165,456 | $ 167,854,231 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 7,000,424 | $ 6,842,964 |
| Group Insurance | 24,731,685 | 24,550,749 |
| Social Security | 9,541,491 | 9,326,874 |
| Benefits Replacement | 427,358 | 399,579 |
| Subtotal, Employee Benefits | $ 41,700,958 | $ 41,120,166 |
| Debt Service | | |
| TPFA GO Bond Debt Service | $ 8,046,222 | $ 12,824,160 |
| Lease Payments | 927,950 | 915,268 |
| Subtotal, Debt Service | $ 8,974,172 | $ 13,739,428 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 50,675,130 | $ 54,859,594 |

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.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** SECURE CORRECTIONAL ENVIRONMENT | | |
| **Outcome (Results/Impact):** | | |
| Turnover Rate of Juvenile Correctional Officers | 58% | 30% |
| **A.1.1. Strategy:** ASSESSMENT, ORIENTATION & PLACEMENT | | |
| **Output (Volume):** | | |
| Average Daily Population: Assessment and Orientation | 150 | 150 |
| **A.1.2. Strategy:** INSTITUTIONAL SERVICES | | |
| **Output (Volume):** | | |
| Average Daily Population: Institutional Programs | 1,372 | 1,356 |
| **Efficiencies:** | | |
| Capacity Cost in Institutional Programs Per Youth Day | 166.89 | 164.23 |
| **A.1.3. Strategy:** CONTRACTED CAPACITY | | |
| **Output (Volume):** | | |
| Average Daily Population: Contract Programs | 125 | 125 |
| **Efficiencies:** | | |
| Capacity Cost in Contract Programs Per Youth Day | 141.64 | 142.23 |
| **A.1.4. Strategy:** HALFWAY HOUSE SERVICES | | |
| **Output (Volume):** | | |
| Average Daily Population: Halfway House Programs | 218 | 218 |
| **Efficiencies:** | | |
| Capacity Cost in Halfway Houses Per Youth Day | 128.11 | 128.46 |
| **A.1.5. Strategy:** HEALTH CARE SERVICES | | |
| **Efficiencies:** | | |
| Cost of Health Care Services Per Youth Day | 19.42 | 19.46 |
| **A.1.6. Strategy:** MENTAL HEALTH (PSYCHIATRIC) SVCS | | |
| **Efficiencies:** | | |
| Cost of Mental Health (Psychiatric) Services Per Youth Day | 2 | 2 |
| **B. Goal:** EDUCATION AND WORKFORCE | | |
| **Outcome (Results/Impact):** | | |
| Diploma or GED Rate (TYC-operated Schools) | 40% | 40% |
| Percent Reading at Grade Level at Release | 15% | 15% |
| **B.1.1. Strategy:** EDUCATION AND WORKFORCE PROGRAMS | | |
| **Output (Volume):** | | |
| Average Daily Attendance in TYC-operated Schools | 1,304 | 1,289 |
| Percent of Math Level Gain | 54% | 54% |
| Percent of Reading Level Gain | 60% | 60% |
| **C. Goal:** REHABILITATION AND REINTEGRATION | | |
| **Outcome (Results/Impact):** | | |
| Rearrest Rate | 49% | 49% |
| One-year Rearrest Rate for Violent Felony Offenses | 10.5% | 10.5% |
| Reincarceration Rate: Within One Year | 23% | 23% |
| Reincarceration Rate: Within Three Years | 39% | 39% |
| **C.1.1. Strategy:** GENERAL REHABILITATION TREATMENT | | |
| **Output (Volume):** | | |
| Average Daily Population: General Rehabilitation Treatment | 1,438 | 1,417 |
| **Efficiencies:** | | |
| General Rehabilitation Treatment Cost Per Youth Day | 16.66 | 16.79 |
| **C.1.2. Strategy:** SPECIALIZED TREATMENT | | |
| **Output (Volume):** | | |
| Average Daily Population: Specialized Treatment | 870 | 870 |
| **Efficiencies:** | | |
| Specialized Treatment Cost Per Youth Day | 17.06 | 17.1 |
| **C.1.3. Strategy:** PAROLE SERVICES | | |
| **Output (Volume):** | | |
| Average Daily Population: Parole | 938 | 852 |
| **Efficiencies:** | | |
| Parole Cost Per Youth Day | 15.32 | 15.36 |

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.

| | 2012 | 2013 |
|---|---|---|
| a. Acquisition of Information Resource Technologies | | |
| (1) Acquisition of Information Resource Technologies - Education | $ 838,000 | $ 838,000 |
| (2) Data Center Consolidation | 2,029,000 | 1,993,000 |
| (3) Automated Risk Assessment and Data Sharing Systems | $ 827,000 | $ 827,000 |
| Total, Acquisition of Information Resource Technologies | $ 3,694,000 | $ 3,658,000 |
| Total, Capital Budget | $ 3,694,000 | $ 3,658,000 |
| Method of Financing (Capital Budget): | | |
| General Revenue Fund | $ 2,856,000 | $ 2,820,000 |
| Federal Funds | 838,000 | 838,000 |
| Total, Method of Financing | $ 3,694,000 | $ 3,658,000 |

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, 2011, and August 31, 2012 (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, 2011 (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.** **Safety.** In instances in which regular employees of facilities operated by the Youth Commission are assigned extra duties 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.

**11.** **Specialized Treatment Report.** The Youth Commission shall, in its annual report, provide an assessment of the effectiveness of specialized treatment, emphasizing re-arrest rates of offenders receiving treatment.

**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. When no similar position exists in the public schools of the city in which the Youth Commission is located, the Youth Commission may authorize a salary rate above the adjusted annual salary determined in the formula provided by Section a.

c. There is hereby appropriated to the Youth Commission from any unexpended balances on hand as of August 31, 2012, funds necessary to meet the requirements of this section in fiscal year 2013 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.** 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. Other commission employees may live in state-owned housing as set forth in Article IX, § 11.04, State Owned Housing - Recover Housing Costs, of this Act. Fees for employee housing are hereby appropriated to be used for maintaining employee housing. The state-owned housing at the Texas Youth Commission shall be a cost recovery program. The total fees charged to all employees shall at least cover the cost of maintenance and utilities.

**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 2013 to fiscal year 2012 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. 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, 2012.

**16. Salary Adjustment Authorized.** Notwithstanding other provisions of this Act, the Texas 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.

**17. Appropriation: Unexpended Balances of General Obligation Bond Proceeds.** Included in amounts appropriated above are unexpended and unobligated 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, remaining as of August 31, 2011, (estimated to be $0) for the purposes for which they were approved, for the 2012-13 biennium in Strategy A.1.10, Construct and Renovate Facilities.

Also included in the amounts appropriated above are unexpended and unobligated balances of general obligation bond proceeds that have been approved under the provisions of Article IX, Section 17.11 of Senate Bill 1, Eighty-first Legislature, Regular Session 2009, remaining as of August 31, 2011, (estimated to be $0), for the purposes for which they were approved, for the 2012-13 biennium in Strategy A.1.10, Construct and Renovate Facilities.

Any unexpended balances in General Obligation Bond Proceeds described herein and remaining as of August 31, 2012, are hereby appropriated for the same purposes for the fiscal year beginning September 1, 2012.

**18. 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.

**19. 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 (psychiatric) services for the best value. Potential service providers shall not be entitled to pass-through funding from TYC appropriations.

**20. Sunset Contingency.** Funds appropriated above for fiscal year 2013 are made contingent on the continuation of the Youth Commission by the Eighty-second Legislature. In the event that the agency is not continued, the funds appropriated in fiscal year 2012 or as much thereof as may be necessary are to be used to provide for the phase out of agency operations.

**21. 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.

**22. TYC Institutional Capacity.** Funds appropriated by this Act may be used for the operation of a maximum of 1,600 Youth Commission (TYC) institutional beds beginning January 1, 2012. TYC may close up to three facilities in order to reduce institutional capacity to 1,600 beds. For the purposes of this rider, the institutional capacity of 1,600 beds shall not include halfway house facilities operated by TYC or contract facilities. By October 1, 2011, TYC shall report to the Legislative Budget Board the number of facilities and beds in each facility that will be operational on January 1, 2012, as well as a detailed plan to reduce capacity, which includes criteria on which facilities were evaluated for closure such as staff turnover rates, ease in recruiting a specialized workforce and other criteria as determined by the agency. The plan shall include the estimated number of youth to be in each facility on January 1, 2012, and the projected daily population of each facility in fiscal year 2013.

**23. Executive Salaries.** The Texas Youth Commission central office positions of Chief Information Officer, Director of Human Resources, Director of Intergovernmental Relations, Planning and Communications, Director of Youth Services, General Counsel, Inspector General, Medical Director, and Superintendent of Education may not be compensated at a base rate of compensation that is higher than that at which they were compensated on August 31, 2010.

## RETIREMENT AND GROUP INSURANCE

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund, estimated | $ 424,991,261 | $ 459,932,373 |
| General Revenue Dedicated Accounts, estimated | 10,329,916 | 11,088,253 |
| Federal Funds, estimated | 8,322,538 | 9,008,598 |
| Other Funds | | |
| State Highway Fund No. 006, estimated | 90,844,692 | 98,961,287 |
| Other Special State Funds, estimated | 16,659 | 17,663 |
| Subtotal, Other Funds | $ 90,861,351 | $ 98,978,950 |
| **Total, Method of Financing** | $ 534,505,066 | $ 579,008,174 |
| **Items of Appropriation:** | | |
| **A. Goal:** EMPLOYEES RETIREMENT SYSTEM | | |
| **A.1.1. Strategy:** RETIREMENT CONTRIBUTIONS<br>Retirement Contributions. Estimated. | $ 109,826,510 | $ 118,772,285 |
| **A.1.2. Strategy:** GROUP INSURANCE<br>Group Insurance Contributions. Estimated. | $ 418,630,349 | $ 454,187,682 |
| **A.1.3. Strategy:** PUBLIC SAFETY BENEFITS<br>Public Safety Benefits. Estimated. | $ 6,048,207 | $ 6,048,207 |
| **A.1.4. Strategy:** LECOS RETIREMENT PROGRAM<br>LECOS Retirement Program Contributions. Estimated. | $ 0 | $ 0 |
| **Total, Goal A:** EMPLOYEES RETIREMENT SYSTEM | $ 534,505,066 | $ 579,008,174 |
| **Grand Total,** RETIREMENT AND GROUP INSURANCE | $ 534,505,066 | $ 579,008,174 |
| **Supplemental Appropriations Made in Riders:** | $ 0 | $ 7,520,372 |

## SOCIAL SECURITY AND BENEFIT REPLACEMENT PAY

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund, estimated | $ 123,528,855 | $ 123,275,463 |
| General Revenue Dedicated Accounts, estimated | 2,875,706 | 2,871,379 |
| Federal Funds, estimated | 2,733,044 | 2,736,756 |
| Other Funds | | |
| Other Special State Funds, estimated | 242,265 | 243,241 |
| State Highway Fund No. 006, estimated | 29,765,920 | 29,773,683 |
| Subtotal, Other Funds | $ 30,008,185 | $ 30,016,924 |
| **Total, Method of Financing** | $ 159,145,790 | $ 158,900,522 |
| **Items of Appropriation:** | | |
| **A. Goal:** SOCIAL SECURITY/BENEFIT REPLACEMENT | | |
| Comptroller - Social Security. | | |
| **A.1.1. Strategy:** STATE MATCH -- EMPLOYER | $ 148,021,895 | $ 148,499,680 |
| State Match — Employer. Estimated. | | |
| **A.1.2. Strategy:** BENEFIT REPLACEMENT PAY | $ 11,123,895 | $ 10,400,842 |
| Benefit Replacement Pay. Estimated. | | |
| **Total, Goal A:** SOCIAL SECURITY/BENEFIT REPLACEMENT | $ 159,145,790 | $ 158,900,522 |
| **Grand Total,** SOCIAL SECURITY AND BENEFIT REPLACEMENT PAY | $ 159,145,790 | $ 158,900,522 |

## BOND DEBT SERVICE PAYMENTS

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 179,647,300 | $ 170,076,489 |
| Federal Funds | 1,583,899 | 1,583,899 |
| **Total, Method of Financing** | $ 181,231,199 | $ 171,660,388 |
| **Items of Appropriation:** | | |
| **A. Goal:** FINANCE CAPITAL PROJECTS | | |
| **A.1.1. Strategy:** BOND DEBT SERVICE | $ 181,231,199 | $ 171,660,388 & UB |
| To Texas Public Finance Authority for Payment of Bond Debt Service. | | |
| **Grand Total,** BOND DEBT SERVICE PAYMENTS | $ 181,231,199 | $ 171,660,388 |

## LEASE PAYMENTS

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 1,951,551 | $ 1,937,757 |
| **Total, Method of Financing** | $ 1,951,551 | $ 1,937,757 |

## LEASE PAYMENTS
(Continued)

| | | |
|---|---|---|
| **Items of Appropriation:** | | |
| **A. Goal:** FINANCE CAPITAL PROJECTS | | |
| **A.1.1. Strategy:** LEASE PAYMENTS | $ 1,951,551 | $ 1,937,757 & UB |
| To TFC for Payment to TPFA. | | |
| **Grand Total,** LEASE PAYMENTS | $ 1,951,551 | $ 1,937,757 |

## 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.

| | | 2012 | 2013 |
|---|---|---|---|
| a. | Adjutant General's Department | 446.7 | 446.7 |
| b. | Alcoholic Beverage Commission | 0.0 | 0.0 |
| c. | Department of Criminal Justice | 0.0 | 0.0 |
| d. | Commission on Fire Protection | 0.0 | 0.0 |
| e. | Commission on Jail Standards | 0.0 | 0.0 |
| f. | Juvenile Probation Commission | 3.0 | 3.0 |
| g. | Commission on Law Enforcement Officer Standards and Education | 0.0 | 0.0 |
| h. | Department of Public Safety | 515.0 | 515.0 |
| i. | Youth Commission | 27.2 | 27.2 |

**Sec. 3. Contingency Rider for the Creation of the Juvenile Justice Department.** Contingent upon the passage and enactment of Senate Bill 653, relating to the creation of the Juvenile Justice Department, or similar legislation, by the Eighty-second Legislature, Regular Session, 2011, all funds appropriated herein to the Texas Youth Commission and Juvenile Probation Commission are to be transferred to the Juvenile Justice Department in the following bill pattern:

| | | **2012** | **2013** |
|---|---|---|---|
| **A. Goal: Community Juvenile Justice** | | | |
| A.1.1. Prevention and Intervention | $ | XX | XX |
| A.1.2. Community Supervision | | XX | XX |
| A.1.3. Diversion Programs | | XX | XX |
| A.1.4. Post-adjudication Facilities | | XX | XX |
| A.1.5. Juvenile Justice Alternative Education Programs | | XX | XX |
| A.2.1. Training and Certification | | XX | XX |
| A.2.2. Monitoring and Inspections | | XX | XX |
| **Total Goal A: Community Juvenile Justice** | **$** | **XX** | **XX** |
| **B. Goal: State Services and Facilities** | | | |
| B.1.1. Assessment and Orientation | $ | XX | XX |
| B.1.2. Facility Operations | | XX | XX |
| B.1.3. Education | | XX | XX |
| B.1.4. Halfway House Operations | | XX | XX |
| B.1.5. Health Care | | XX | XX |
| B.1.6. Mental Health (Psychiatric) Care | | XX | XX |
| B.1.7. General Rehabilitation Treatment | | XX | XX |
| B.1.8. Specialized Rehabilitation Treatment | | XX | XX |
| B.1.9. Contract Capacity | | XX | XX |
| B.1.10. Parole Services | | XX | XX |
| B.2.1. Office of the Inspector General | | XX | XX |
| B.2.2. Office of the Independent Ombudsman | | XX | XX |
| B.2.3. Health Care Oversight | | XX | XX |
| B.2.4. Interstate Agreement | | XX | XX |
| **Total Goal B: State Services and Facilities** | **$** | **XX** | **XX** |

| | | | |
|---|---|---|---|
| **C. Goal: Indirect Administration** | | | |
| C.1.1. Central Administration | $ | XX | XX |
| C.1.2. Information Resources | | XX | XX |
| **Total Goal C: Indirect Administration** | **$** | **XX** | **XX** |

The Legislative Budget Board and the Governor's Office shall work together to perfect the bill pattern of the consolidated agency, ensuring that it reflects the intentions of the above structure.

The riders included in the bill patterns of the Juvenile Probation Commission and the Texas Youth Commission are to be added to the bill pattern of the consolidated Juvenile Justice Department, with all references to either the Juvenile Probation Commission or the Texas Youth Commission replaced with the Juvenile Justice Department.

## RECAPITULATION - ARTICLE V
## PUBLIC SAFETY AND CRIMINAL JUSTICE
## (General Revenue)

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| Adjutant General's Department | $ 13,583,026 | $ 12,883,025 |
| Alcoholic Beverage Commission | 41,496,046 | 41,786,081 |
| Contingency Appropriations | 250,000 | 250,000 |
| Total | 41,746,046 | 42,036,081 |
| Department of Criminal Justice | 2,939,795,101 | 2,939,914,465 |
| Commission on Fire Protection | 1,894,829 | 1,894,829 |
| Commission on Jail Standards | 895,056 | 895,055 |
| Juvenile Probation Commission | 145,602,437 | 145,939,726 |
| Commission on Law Enforcement Officer Standards and Education | 162,104 | 162,104 |
| Department of Public Safety | 60,209,870 | 37,955,371 |
| Youth Commission | 158,196,452 | 154,889,864 |
| Subtotal, Public Safety and Criminal Justice | $ 3,362,084,921 | $ 3,336,570,520 |
| Retirement and Group Insurance | 424,991,261 | 459,932,373 |
| Social Security and Benefit Replacement Pay | 123,528,855 | 123,275,463 |
| Subtotal, Employee Benefits | $ 548,520,116 | $ 583,207,836 |
| Bond Debt Service Payments | 179,647,300 | 170,076,489 |
| Lease Payments | 1,951,551 | 1,937,757 |
| Subtotal, Debt Service | $ 181,598,851 | $ 172,014,246 |
| TOTAL, ARTICLE V - PUBLIC SAFETY AND CRIMINAL JUSTICE | $ 4,092,203,888 | $ 4,091,792,602 |

## RECAPITULATION - ARTICLE V
## PUBLIC SAFETY AND CRIMINAL JUSTICE
## (General Revenue - Dedicated)

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| Department of Criminal Justice | $ 517,949 | $ 517,950 |
| Commission on Fire Protection | 5,000 | 5,000 |
| Commission on Law Enforcement Officer Standards and Education | 2,029,373 | 2,082,436 |
| Department of Public Safety | 69,673,070 | 69,284,569 |
| Subtotal, Public Safety and Criminal Justice | $ 72,225,392 | $ 71,889,955 |
| Retirement and Group Insurance | 10,329,916 | 11,088,253 |
| Contingency Appropriations | 0 | 7,520,372 |
| Total | 10,329,916 | 18,608,625 |
| Social Security and Benefit Replacement Pay | 2,875,706 | 2,871,379 |
| Subtotal, Employee Benefits | $ 13,205,622 | $ 21,480,004 |
| TOTAL, ARTICLE V - PUBLIC SAFETY AND CRIMINAL JUSTICE | $ 85,431,014 | $ 93,369,959 |

## RECAPITULATION - ARTICLE V
## PUBLIC SAFETY AND CRIMINAL JUSTICE
## (Federal Funds)

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| Adjutant General's Department | $ 43,559,349 | $ 43,559,348 |
| Alcoholic Beverage Commission | 419,500 | 419,500 |
| Department of Criminal Justice | 18,246,048 | 18,246,048 |
| Juvenile Probation Commission | 7,000,000 | 7,000,000 |
| Department of Public Safety | 726,768,479 | 721,454,521 |
| Youth Commission | 6,359,498 | 6,354,861 |
| Subtotal, Public Safety and Criminal Justice | $ 802,352,874 | $ 797,034,278 |
| Retirement and Group Insurance | 8,322,538 | 9,008,598 |
| Social Security and Benefit Replacement Pay | 2,733,044 | 2,736,756 |
| Subtotal, Employee Benefits | $ 11,055,582 | $ 11,745,354 |
| Bond Debt Service Payments | 1,583,899 | 1,583,899 |
| Subtotal, Debt Service | $ 1,583,899 | $ 1,583,899 |
| TOTAL, ARTICLE V - PUBLIC SAFETY AND CRIMINAL JUSTICE | $ 814,992,355 | $ 810,363,531 |

## RECAPITULATION - ARTICLE V
## PUBLIC SAFETY AND CRIMINAL JUSTICE
## (Other Funds)

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| Adjutant General's Department | $ 5,258,000 | $ 5,258,000 |
| Alcoholic Beverage Commission | 145,000 | 145,000 |
| Department of Criminal Justice | 79,352,870 | 96,352,868 |
| Commission on Fire Protection | 45,000 | 45,000 |
| Commission on Jail Standards | 30,000 | 30,000 |
| Juvenile Probation Commission | 9,995,701 | 9,859,302 |
| Commission on Law Enforcement Officer Standards and Education | 572,216 | 582,215 |
| Department of Public Safety | 572,850,065 | 524,998,714 |
| Youth Commission | 6,609,506 | 6,609,506 |
| Subtotal, Public Safety and Criminal Justice | $ 674,858,358 | $ 643,880,605 |
| Retirement and Group Insurance | 90,861,351 | 98,978,950 |
| Social Security and Benefit Replacement Pay | 30,008,185 | 30,016,924 |
| Subtotal, Employee Benefits | $ 120,869,536 | $ 128,995,874 |
| Less Interagency Contracts | $ 62,979,593 | $ 63,023,194 |
| TOTAL, ARTICLE V - PUBLIC SAFETY AND CRIMINAL JUSTICE | $ 732,748,301 | $ 709,853,285 |

## RECAPITULATION - ARTICLE V
## PUBLIC SAFETY AND CRIMINAL JUSTICE
## (All Funds)

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| Adjutant General's Department | $ 62,400,375 | $ 61,700,373 |
| Alcoholic Beverage Commission | 42,060,546 | 42,350,581 |
| Contingency Appropriations | 250,000 | 250,000 |
| Total | 42,310,546 | 42,600,581 |
| Department of Criminal Justice | 3,037,911,968 | 3,055,031,331 |
| Commission on Fire Protection | 1,944,829 | 1,944,829 |
| Commission on Jail Standards | 925,056 | 925,055 |
| Juvenile Probation Commission | 162,598,138 | 162,799,028 |
| Commission on Law Enforcement Officer Standards and Education | 2,763,693 | 2,826,755 |
| Department of Public Safety | 1,429,501,484 | 1,353,693,175 |
| Youth Commission | 171,165,456 | 167,854,231 |
| Subtotal, Public Safety and Criminal Justice | $ 4,911,521,545 | $ 4,849,375,358 |
| Retirement and Group Insurance | 534,505,066 | 579,008,174 |
| Contingency Appropriations | 0 | 7,520,372 |
| Total | 534,505,066 | 586,528,546 |
| Social Security and Benefit Replacement Pay | 159,145,790 | 158,900,522 |
| Subtotal, Employee Benefits | $ 693,650,856 | $ 745,429,068 |
| Bond Debt Service Payments | 181,231,199 | 171,660,388 |
| Lease Payments | 1,951,551 | 1,937,757 |
| Subtotal, Debt Service | $ 183,182,750 | $ 173,598,145 |
| Less Interagency Contracts | $ 62,979,593 | $ 63,023,194 |
| TOTAL, ARTICLE V - PUBLIC SAFETY AND CRIMINAL JUSTICE | $ 5,725,375,558 | $ 5,705,379,377 |
| Number of Full-Time-Equivalents (FTE) | 53,413.5 | 53,329.7 |

# ARTICLE VI

# NATURAL RESOURCES

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 natural resources agencies.

## DEPARTMENT OF AGRICULTURE

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 49,248,196 | $ 45,194,353 |
| GR Dedicated - GO TEXAN Partner Program Account No. 5051 | 2,800,000 | 0 |
| Federal Funds | 424,746,438 | 458,688,393 |
| Other Funds | | |
| Farm and Ranch Finance Program Fund Account No. 575 | 104,669 | 82,669 |
| Appropriated Receipts | 1,839,711 | 972,904 |
| Texas Agricultural Fund No. 683 | 1,383,956 | 416,044 |
| Interagency Contracts | 699,582 | 699,582 |
| Subtotal, Other Funds | $ 4,027,918 | $ 2,171,199 |
| **Total, Method of Financing** | $ 480,822,552 | $ 506,053,945 |
| **Other Direct and Indirect Costs Appropriated Elsewhere in this Act** | $ 6,045,068 | $ 6,495,860 |
| **This bill pattern represents an estimated 99.8% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 647.6 | 647.6 |
| **Schedule of Exempt Positions:** | | |
| Commissioner of Agriculture, Group 5 | $137,500 | $137,500 |
| **Items of Appropriation:** | | |
| **A. Goal:** MARKETS & PUBLIC HEALTH | | |
| Expand Markets While Protecting Public Health & Natural Resources. | | |
| **A.1.1. Strategy:** ECONOMIC DEVELOPMENT | $ 11,788,037 | $ 7,129,953 |
| **A.1.2. Strategy:** REGULATE PESTICIDE USE | $ 6,177,326 | $ 6,178,907 |
| **A.1.3. Strategy:** INTEGRATED PEST MANAGEMENT | $ 9,503,129 | $ 10,053,422 |
| Reduce Pesticide Use through Integrated Pest Management Practices. | | |
| **A.1.4. Strategy:** CERTIFY PRODUCE | $ 182,279 | $ 178,605 |
| Certify Fruits, Vegetables and Peanuts to Enhance Their Marketability. | | |
| **A.1.5. Strategy:** AGRICULTURAL PRODUCTION DEVELOPMENT | $ 4,576,337 | $ 3,839,039 |
| **Total, Goal A:** MARKETS & PUBLIC HEALTH | $ 32,227,108 | $ 27,379,926 |
| **B. Goal:** ENFORCE STANDARDS | | |
| Protect Consumers by Establishing and Enforcing Standards. | | |
| **B.1.1. Strategy:** SURVEILLANCE/BIOSECURITY EFFORTS | $ 3,386,100 | $ 3,444,695 |
| Implement Surveillance and Biosecurity Efforts for Pests/Diseases. | | |
| **B.1.2. Strategy:** VERIFY SEED QUALITY | $ 2,297,369 | $ 2,386,168 |
| Verify the Quality and Type of Seed Desired. | | |

| | | |
|---|---|---|
| **B.1.3. Strategy:** AGRICULTURAL COMMODITY REGULATION<br>Regulate Commodity through Verification, Licensing, Inspect, & Enfmnt. | $ 1,067,571 | $ 1,076,772 |
| **B.1.4. Strategy:** STRUCTURAL PEST CONTROL | $ 2,454,414 | $ 2,567,381 |
| **Total, Goal B:** ENFORCE STANDARDS | $ 9,205,454 | $ 9,475,016 |
| **C. Goal:** ENSURE PROPER MEASUREMENT<br>Increase Likelihood That Goods Offered for Sale Are Properly Measured. | | |
| **C.1.1. Strategy:** INSPECT MEASURING DEVICES<br>Inspect Weighing and Measuring Devices/Reduce Violations. | $ 5,185,532 | $ 5,141,129 |
| **D. Goal:** FOOD AND NUTRITION<br>Provide Funding and Assistance on Food and Nutrition Programs. | | |
| **D.1.1. Strategy:** SUPPORT NUTRITION PROGRAMS<br>Support Nutrition Programs in Schools. | $ 33,884,849 | $ 39,554,483 |
| **D.2.1. Strategy:** NUTRITION ASSISTANCE | $ 400,319,609 | $ 424,503,391 |
| **Total, Goal D:** FOOD AND NUTRITION | $ 434,204,458 | $ 464,057,874 |
| **E. Goal:** FOOD AND FIBERS RESEARCH<br>Support and Coordinate Fibers and Food Protein Research. | | |
| **E.1.1. Strategy:** RESEARCH AND DEVELOPMENT<br>Review, Coordinate, and Fund Research and Development Programs. | $ 0 | $ 0 |
| **Grand Total,** DEPARTMENT OF AGRICULTURE | $ 480,822,552 | $ 506,053,945 |
| **Supplemental Appropriations Made in Riders:** | $ 862,260 | $ 25,000 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 29,102,371 | $ 28,071,051 |
| Other Personnel Costs | 850,236 | 904,160 |
| Professional Fees and Services | 4,027,476 | 3,013,012 |
| Fuels and Lubricants | 472,358 | 483,198 |
| Consumable Supplies | 268,551 | 273,899 |
| Utilities | 772,801 | 781,283 |
| Travel | 874,297 | 851,271 |
| Rent - Building | 890,589 | 889,734 |
| Rent - Machine and Other | 208,311 | 208,311 |
| Other Operating Expense | 17,865,085 | 18,117,365 |
| Client Services | 366,012,410 | 385,718,433 |
| Grants | 60,049,602 | 66,497,440 |
| Capital Expenditures | 290,725 | 269,788 |
| **Total, Object-of-Expense Informational Listing** | $ 481,684,812 | $ 506,078,945 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 1,730,543 | $ 1,739,195 |
| Group Insurance | 5,692,163 | 5,794,324 |
| Social Security | 2,284,399 | 2,295,821 |
| Benefits Replacement | 176,744 | 165,256 |
| Subtotal, Employee Benefits | $ 9,883,849 | $ 9,994,596 |
| Debt Service | | |
| TPFA GO Bond Debt Service | $ 2,146 | $ 2,086 |
| Lease Payments | 195,713 | 163,027 |
| Subtotal, Debt Service | $ 197,859 | $ 165,113 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 10,081,708 | $ 10,159,709 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Department of Agriculture. 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 Agriculture. In order to achieve the objectives and service standards established by this Act, the Department of Agriculture shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** MARKETS & PUBLIC HEALTH | | |
| **Outcome (Results/Impact):** | | |
| Percent Increase in the Number of Sales Facilitated | 2.5% | 2.5% |
| Percent of Ag Pesticide Inspections in Compliance with Pesticide Laws and Regulations | 92% | 92% |
| Percent of Rural Communities Assisted | 20.8% | 20.8% |
| **A.1.1. Strategy:** ECONOMIC DEVELOPMENT | | |
| **Output (Volume):** | | |
| Number of Rural Community Projects in Which TDA Provided Assistance | 230 | 230 |
| Rural Development Activities and Events in Which TDA Participated | 61 | 61 |
| Businesses Assisted with Expansion, Recruitment, and Retention Prospects in Rural Texas | 372 | 372 |
| **A.1.2. Strategy:** REGULATE PESTICIDE USE | | |
| **Output (Volume):** | | |
| Number of Agricultural Pesticide Complaint Investigations Conducted | 288 | 288 |
| **A.1.3. Strategy:** INTEGRATED PEST MANAGEMENT | | |
| **Output (Volume):** | | |
| Hours Spent Informing Producers and Surveying Cotton for Compliance with Cotton Stalk Destruction Deadlines | 11,500 | 11,500 |
| Number of Inspections to Verify Compliance for Organic or Other Crop Production Certification Programs | 400 | 400 |
| **A.1.4. Strategy:** CERTIFY PRODUCE | | |
| **Output (Volume):** | | |
| Number of Pounds of Fruits, Vegetables, Peanuts and Nuts Inspected (In Billions) | 2.67 | 2.67 |
| **B. Goal:** ENFORCE STANDARDS | | |
| **Outcome (Results/Impact):** | | |
| Percent of Seed Samples Found to Be in Full Compliance with State and Federal Standards | 97% | 97% |
| Percent of Licensees, Individuals, and Businesses Who Renew Online | 43.5% | 43.5% |
| Percent of New Individual and Business Licenses Applied for Online | 45.4% | 45.4% |
| Percent of Complaints Resolved Within Six Months | 75% | 75% |
| Percent of Independent School Districts Inspected Found to be in Compliance | 92% | 92% |
| **B.1.1. Strategy:** SURVEILLANCE/BIOSECURITY EFFORTS | | |
| **Output (Volume):** | | |
| Number of Nursery and Floral Establishment Inspections Conducted | 9,500 | 9,500 |
| Number of Hours Spent at Inspections of Plant Shipments and Regulated Articles | 8,888 | 8,888 |
| **B.1.2. Strategy:** VERIFY SEED QUALITY | | |
| **Output (Volume):** | | |
| Number of Official Seed Inspection Samples Drawn & Submitted for Analysis | 5,000 | 5,000 |
| **B.1.3. Strategy:** AGRICULTURAL COMMODITY REGULATION | | |
| **Output (Volume):** | | |
| Number of Egg Packer, Dealer, Wholesaler, and Retailer Inspections Conducted | 2,100 | 2,100 |
| Number of Grain Warehouse Inspections, Re-inspections, and Audits Conducted | 275 | 275 |
| **B.1.4. Strategy:** STRUCTURAL PEST CONTROL | | |
| **Output (Volume):** | | |
| Number of New Individual and Business Licenses Issued | 5,000 | 5,000 |
| Number of Licenses Renewed (Individuals and Businesses) | 14,100 | 14,100 |
| Number of Complaints Resolved | 210 | 210 |
| Number of Structural Business License Inspections Conducted | 950 | 950 |

| | | |
|---|---|---|
| Number of School Inspections Performed | 200 | 200 |
| **Efficiencies:** | | |
| Average Licensing Cost Per Individual and Business License Issued | 17 | 17 |
| **C. Goal:** ENSURE PROPER MEASUREMENT | | |
| **Outcome (Results/Impact):** | | |
| Percent of Total Weights and Measures Device Inspections Found in Full Compliance with State and Federal Standards | 96% | 96% |
| **C.1.1. Strategy:** INSPECT MEASURING DEVICES | | |
| **Output (Volume):** | | |
| Number of Weights and Measures Device Inspections Conducted | 132,982 | 132,982 |
| **D. Goal:** FOOD AND NUTRITION | | |
| **Outcome (Results/Impact):** | | |
| Percent of School Districts in Compliance with Nutrition Regulations | 87% | 87% |
| **D.1.1. Strategy:** SUPPORT NUTRITION PROGRAMS | | |
| **Output (Volume):** | | |
| Number of School District Staff Trained | 24,172 | 24,172 |
| **D.2.1. Strategy:** NUTRITION ASSISTANCE | | |
| **Output (Volume):** | | |
| Average Number of Children and Adults Served Meals through Child and Adult Care Food Program Per Day | 320,521 | 326,932 |
| **E. Goal:** FOOD AND FIBERS RESEARCH | | |
| **E.1.1. Strategy:** RESEARCH AND DEVELOPMENT | | |
| **Output (Volume):** | | |
| Number of Research and Development Projects | 0 | 0 |
| Number of Formal Published Research Reports | 2 | 2 |

2. **Capital Budget.** Funds appropriated above may be expended for capital budget items as listed below. The amounts identified for each item may be adjusted or expended on other capital expenditures, subject to the aggregate dollar restrictions on capital budget expenditures provided in the General Provisions of this Act.

| | 2012 | 2013 |
|---|---|---|
| a. Acquisition of Information Resource Technologies | | |
| (1) Data Center Consolidation | $ 629,620 | $ 629,620 |
| (2) Food and Nutrition Information and Payment System | $ 604,550 | $ 0 |
| Total, Acquisition of Information Resource Technologies | $ 1,234,170 | $ 629,620 |
| b. Other Lease Payments to the Master Lease Purchase Program (MLPP) | | |
| (1) Lease Payments - Metrology Laboratory | $ 153,156 | $ 152,337 |
| Total, Capital Budget | $ 1,387,326 | $ 781,957 |
| Method of Financing (Capital Budget): | | |
| General Revenue Fund | $ 782,776 | $ 781,957 |
| Federal Funds | 604,550 | 0 |
| Total, Method of Financing | $ 1,387,326 | $ 781,957 |

3. **Appropriation: Land Donations.** In connection with the performance of its various responsibilities and programs the Texas Department of Agriculture is hereby authorized to use funds appropriated by this Act to lease and/or accept the donation of land or the use of land from: (1) governmental agencies; (2) private firms; (3) corporations; (4) individuals; (5) or other persons.

4. **Pay for Regular Compensatory Time: Livestock Export Pen Operations.** It is expressly provided that the Texas Department of Agriculture, to the extent permitted by law, may pay Fair Labor Standards Act (FLSA) nonexempt employees in classified positions who are stationed at Texas Department of Agriculture livestock export pens for compensatory time hours on a straight-time basis when the taking of compensatory time off would be disruptive to normal working activities and other critical functions relating to livestock export pen operations.

5. **Transfer Authority.** Notwithstanding limitations on appropriation transfers contained in the General Provisions of this Act, the Texas Department of Agriculture is hereby authorized to direct agency resources, and transfer such amounts appropriated above between strategy line items.

6. **Appropriation: Texas Agricultural Fund.** Out of theTexas Agricultural Fund No. 683, the Texas Agricultural Finance Authority is hereby appropriated for fiscal years 2012 and 2013, all necessary amounts required to cover any defaults on loans referenced under Chapter 5, Subchapter E, Texas Agriculture Code, or for payments for the purpose of providing reduced interest rates on loans guaranteed to borrowers as authorized by § 58.052(e), Texas Agriculture Code.

7. **Unexpended Balances Within the Biennium.** Any unexpended balances as of August 31, 2012, in the appropriations made herein to the Texas Department of Agriculture are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2012.

8. **Interagency Contract: Oyster Promotions and Education.** Contingent upon sufficient funds being available in the Oyster Sales Account No. 5022, the Texas Department of Agriculture shall enter into an interagency contract with the Texas Department of State Health Services for oyster industry advertising and promotion efforts and to provide information, education and/or training to wholesalers, retailers, and consumers on the safe and proper handling of oysters, in accordance with Texas Agriculture Code Chapter 47.

9. **Master Lease Purchase Program (MLPP) Payments for the Metrology Laboratory.** Included in the amounts appropriated above to the Texas Department of Agriculture in Strategy C.1.1, Inspect Measuring Devices, out of the General Revenue Fund, are amounts required in fiscal years 2012 and 2013 to make lease payments to the Texas Public Finance Authority for the revenue bonds issued to finance construction of the metrology laboratory. The amount of the required lease payments are estimated to be $153,156 in fiscal year 2012 and $152,337 in fiscal year 2013.

   The Texas Department of Agriculture shall set fees for the metrology program to recover an amount equal to the amount of the appropriations made herein for lease payments, and maintain the fee rate in such an amount during the term of any revenue obligations authorized herein.

10. **Contingency to Increase the Full-Time-Equivalents (FTE) Cap for New Initiatives.** Contingent upon the receipt of federal funds above those appropriated herein for programs related to surveying, controlling or eradicating invasive pests or disease, the Texas Department of Agriculture is hereby authorized to increase its number of FTEs to the extent that federal funds are allocated for salary costs. These FTEs shall not be counted in the agency's "Number of Full-Time-Equivalents (FTE)" cap.

    The Texas Department of Agriculture shall report all additional FTEs authorized by this provision to the Comptroller of Public Accounts, Legislative Budget Board and the Governor prior to filling such positions.

11. **Appropriations Limited to Revenue Collections: Prescribed Burn Manager Certification Program.** In addition to amounts appropriated above, the Texas Department of Agriculture is hereby appropriated fees collected (estimated to be $0) in accordance with § 153.048, Natural Resources Code, to be used solely for the purpose of administering a prescribed burn manager certification program in Strategy A.1.2, Regulate Pesticide Use.

12. **Agricultural Sustainability Programs.** Out of funds appropriated above, the Texas Department of Agriculture may study, develop, and implement, creative technology and innovative solutions to mitigate agricultural non-point source pollution in the state from confined animal feeding operations and improve total resource management of agricultural and wildlife resources in the state.

13. **Appropriation of Receipts: Yardage Fees.** Included in the amounts appropriated above pursuant to Agriculture Code § 146.021 and included above in Strategy A.1.1, Economic Development, and identified above in the method of finance as General Revenue in an amount not to exceed $150,000 for each fiscal year is yardage fee revenue collected by the Texas Department of Agriculture for maintenance and operating expenses for livestock export pens.

14. **Texas Capital Fund.** All grants awarded by the Texas Department of Agriculture for infrastructure development and real estate development under the federal Community

Development Block Grant Program shall be distributed with a priority on assisting manufacturers and value-added processors. To the greatest extent practicable, these funds are to be distributed equitably to all regions of this state.

**15. Food and Nutrition Programs.** Included in the amounts appropriated above to the Texas Department of Agriculture for the 2012-13 biennium is $51,921,444 out of Federal Funds and $977,328 out of the General Revenue Fund in Strategy D.1.1, Support Nutrition Programs, to administer the Food and Nutrition Programs.

In Strategy D.2.1, Nutrition Assistance, $800,001,660 in Federal Funds and $5,012,941 in General Revenue Funds are used to administer the Child and Adult Care Food Program audit funds, the Summer Food Service Program, the Emergency Food Assistance Program, and to make payments to providers participating in the Child and Adult Care Food Program, the Commodity Distribution Programs, the Summer Food Service Program, the Fresh Fruit and Vegetable Program and private and nonprofit institutions participating in the Special Milk Program, National School Lunch Program, and the School Breakfast Program.

The Child Nutrition Program (CNP) payments to independent school districts shall be budgeted at the Texas Education Agency and the CNP shall be administered by the Texas Department of Agriculture pursuant to a waiver from the United States Department of Agriculture (USDA). Included in the amounts appropriated elsewhere in this Act to the Texas Education Agency for the 2012-13 biennium is $3,411,935,289 out of Federal Funds and $29,236,682 out of the General Revenue Fund to provide reimbursement for the National School Lunch Program, the After School Care Program, the Seamless Summer Option, and the School Breakfast Program.

**16. Texas Shrimp Marketing Assistance Program.** Included in the amounts appropriated above out of Interagency Contracts in Strategy A.1.1, Economic Development, is fee revenue transferred from the Texas Parks and Wildlife Department pursuant to Parks and Wildlife Code § 77.002(c) for the purpose of administering the Texas Shrimp Marketing program, estimated to be $156,867 each fiscal year.

**17. Appropriation: Surplus Agricultural Product Grant Program.** Included in the amounts appropriated above out of the General Revenue Fund in Strategy D.2.1, Nutrition Assistance, is $1,500,000 in fiscal year 2012 to be used to fund the Surplus Agricultural Product Grant Program to offset the costs of harvesting, gleaning and transporting agricultural products to Texas food banks.

**18. Out-of-State Travel Reimbursement.** The agency may exceed the out-of-state travel cap for travel paid for or reimbursed by federal dollars or another third party.

**19. Fleet Planning and Optimization Pilot Program.** Out of funds appropriated above, the Texas Department of Agriculture shall implement a Fleet Planning and Optimization Pilot Program designed to manage the Department's fleet operations. In order to implement the Pilot Program, the Department shall contract with a vendor whose qualifications include at least ten years of experience in planning, routing, scheduling, and dispatching for fleets to maximize operational performance, and the ability to enable the Department to utilize leading-edge model based artificial intelligence for fleet planning and optimization. Contract payments to the selected vendor shall be made solely out of savings to the Department that are realized out of the implementation of the Program, and such payments shall not commence until such time as the program has achieved at least a five percent reduction in the total cost of the Department's vehicle fleet management operations. The Department shall complete a report to the Office of Vehicle Fleet Management in the Office of the Comptroller of Public Accounts regarding the results of the Program.

**20. TexasOnline Authority Appropriation.** The Texas Department of Agriculture (TDA) is authorized in accordance with § 2054.252 of the Government Code to increase the occupational license, permit, and registration fees imposed on licensees by an amount sufficient to cover the cost of the subscription fee charged by the TexasOnline Authority.

**21. Appropriation: Marketing.** Included in amounts appropriated above, in Strategy A.1.1, Economic Development is $4,584,813 out of the General Revenue Fund in each fiscal year for the direct costs of supporting the marketing programs of the Department of Agriculture. The appropriation is contingent on the department generating revenue from the marketing programs of the Department of Agriculture of at least $4,584,813 in each fiscal year to cover these direct costs as well as collecting revenue sufficient to cover any other direct and indirect costs appropriated elsewhere in this Act for the operation of the Department of Agriculture's marketing programs

(estimated to be $1,405,205 in fiscal year 2012 and $1,509,083 in fiscal year 2013). Additionally, these appropriations are contingent on the agency generating sufficient revenues to support other appropriations that are limited to revenues collected. In the event that actual and/or projected revenue collections are insufficient to offset the costs identified by this provision and other provisions making appropriations limited to revenues collected, the Legislative Budget Board shall direct the Comptroller of Public Accounts to reduce the appropriation out of the General Revenue Fund provided by this Act to be within the amount of fee revenue expected to be available from an appropriation strategy specified by the Legislative Budget Board.

Also, contingent on the generation of such revenue required above to fund the Department of Agriculture's marketing programs and any other direct and indirect costs appropriated elsewhere in this Act for the operation of these programs, the Department of Agriculture's "Number of Full-Time Equivalents" includes 80.7 FTEs in each fiscal year. 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 reduce the FTE cap provided by this Act to reflect the amount of revenue expected to be available.

**22. Appropriations Limited to Revenue Collections: Regulatory.** Included in amounts appropriated above to the Department of Agriculture, is funding for the programs listed below in the following amounts:

| | | | 2012 | | 2013 | |
|---|---|---|---|---|---|---|
| Strategy | Program Name | 2012-13 FTEs | General Revenue | ODIC | General Revenue | ODIC |
| A.1.2 | Regulate Pesticide Use | 63.8 | $3,828,822 | $1,064,124 | $3,828,822 | $1,142,988 |
| A.1.3 | Integrated Pest Management (except Boll Weevil, Mediterranean and Mexican fruit fly programs and Obliqua programs) | 17.9 | $609,394 | $213,571 | $659,497 | $234,508 |
| A.1.4 | Certify Produce | 1.8 | $182,279 | $41,538 | $178,605 | $44,684 |
| B.1.2 | Verify Seed Quality | 43.8 | $1,991,630 | $685,576 | $2,068,988 | $737,464 |
| B.1.3 | Agricultural Commodity Regulation | 17.0 | $1,043,582 | $296,050 | $1,062,209 | $318,379 |
| B.1.4 | Structural Pest Control | 49.2 | $2,234,805 | $761,024 | $2,369,082 | $813,429 |
| Total | | 193.5 | $9,890,512 | $3,061,883 | $10,167,203 | $3,291,452 |

These appropriations and full-time equivalents are contingent upon the Department of Agriculture assessing fees from all of the programs named above sufficient to generate during the 2012-13 biennium, revenue to cover all costs related to all programs, at a minimum $9,890,512 in fiscal year 2012 and $10,167,203 in fiscal year 2013 as well as "Other direct and indirect costs" for the programs estimated to be $3,061,883 in fiscal year 2012 and $3,291,452 in fiscal year 2013, appropriated elsewhere in this Act. Additionally, these appropriations are contingent on the agency generating sufficient revenues to support other appropriations that are limited to revenue collections.

In the event that actual and/or projected revenue collections are insufficient to offset the costs identified by this provision and other provisions making appropriations limited to revenues collected, the Comptroller of Public Accounts shall reduce the appropriation authority by this Act to be within the amount of fee revenue expected to be available.

Also, contingent on the generation of such revenue required above to fund the Department of Agriculture's programs listed above and any other direct and indirect costs appropriated elsewhere in this Act for the operation of these programs, all 193.5 FTEs in each fiscal year included in the Department of Agriculture's "Number of Full-Time Equivalents (FTE)" cap. In the event that

actual and/or projected total revenue collections are insufficient to offset the costs identified by this provision, the Legislative Budget Board may reduce the FTE cap provided by this Act to reflect the amount of revenue expected to be available.

**23. Appropriation: Feral Hog Abatement Program.** Included in the amounts appropriated above out of the General Revenue Fund in Strategy A.1.5, Agricultural Production Development, is $1,000,000 in fiscal year 2012 to be used to implement feral hog abatement technologies.

The Texas Department of Agriculture shall submit a report to the Legislative Budget Board and the Governor no later than September 1, 2012 providing information on the number of feral hogs abated and the cost per abatement using certain technologies.

**24. Boll Weevil Eradication.** Included in amounts appropriated above out of the General Revenue Fund in Strategy A.1.3, Integrated Pest Management, is $7,500,000 in each fiscal year, to be transferred to the Boll Weevil Eradication Foundation for efforts to eradicate the boll weevil.

**25. Additional Appropriation Authority: Selected Regulatory Programs.** Included in amounts appropriated above to the Department of Agriculture, is funding for the programs listed below in the following amounts:

| | | | 2012 | | 2013 | |
|---|---|---|---|---|---|---|
| Strategy | Program Name | 2012-13 FTEs | General Revenue | ODIC | General Revenue | ODIC |
| A.1.5 | Seed Certification | 13.5 | $677,704 | $232,091 | $787,226 | $250,804 |
| B.1.2 | Seed Testing | 4.2 | $305,634 | $80,616 | $316,992 | $86,904 |
| C.1.1 | Inspect Measuring Devices | 76.4 | $4,191,596 | $1,265,272 | $4,189,939 | $1,357,616 |
| Total | | 94.1 | $5,174,934 | $1,577,979 | $5,294,157 | $1,695,324 |

a. These appropriations are contingent upon the Department of Agriculture assessing fees sufficient to generate during the 2012-13 biennium, revenue to cover, at a minimum the General Revenue Appropriations of these programs as well as "Other direct and indirect costs" for the programs appropriated elsewhere in this Act. Additionally, these appropriations are contingent on the agency generating sufficient revenues to support other appropriations that are limited to revenues collected.

b. In the event that actual and/or projected revenue collections are insufficient to offset the costs identified to individual programs by this provision and other provisions making appropriations limited to revenues collected, the Legislative Budget Board may direct the Comptroller of Public Accounts to reduce the appropriation authority made by this Act to be within the amount of fee revenue expected to be available.

c. In addition to amounts appropriated above, the Department of Agriculture is hereby appropriated any receipts in the Seed Certification, Seed Testing, and Inspect Measuring Devices programs in excess of $33,149,608 (Object Codes 3175, 3400, 3402, 3404, 3410, 3414, 3420, 3422, 3428, 3435, 3770, 3795, and 3839), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2012 and 2013, for the entire revenue collections deposited into the General Revenue Fund by the Department of Agriculture. Also, contingent on the generation of revenue required to be generated in Subsection (a) of this rider, and in order to meet the demand of the above named programs, the Department of Agriculture may temporarily exceed the agency FTE limit ("Number of Full-Time-Equivalents" listed in the agency bill pattern) by notifying the Legislative Budget Board of the number of temporary FTEs to be hired, the expected length of employment, and the related salary costs.

d. Also, contingent on the generation of such revenue required above to fund the Department of Agriculture's programs listed above and any other direct and indirect costs appropriated elsewhere in this Act for the operation of these programs, the Department of Agriculture's "Number of Full-Time Equivalents" includes 94.1 FTEs in each fiscal year. 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 reduce the FTE cap provided by this Act to reflect the amount of revenue expected to be available.

**26. Equine Incentive Program.** In addition to the amounts appropriated above, any fees collected in accordance with Section 12.044 of the Agriculture Code in fiscal year 2012 and fiscal year 2013 (estimated to be $25,000 in each fiscal year) are hereby appropriated to the Department of Agriculture, from the General Revenue Fund in Strategy A.1.1, Economic Development. Also, in addition to the amounts appropriated above, the Department of Agriculture is hereby appropriated out of the General Revenue Fund in fiscal year 2012, an amount equal to the revenue deposited to the credit of the Comptroller revenue object code 3400 related to the fees collected in accordance with Section 12.044 of the Agriculture Code in the 2010-11 biennium (estimated to be $37,260).

**27. Appropriations: Hostable Cotton Fee.** In addition to the amounts appropriated above, any fees collected in accordance § 74.0032, Texas Agriculture Code, in excess of amounts for the applicable object code contained in the Comptroller of Public Accounts' Biennial Revenue Estimate in FY 2012 and FY 2013 are hereby appropriated from general revenue to Strategy A.1.3, Strategy: Integrated Pest Management, for the purpose of cotton stalk destruction regulatory activities.

**28. Zebra Chip Research.** In addition to amounts appropriated above, the Department of Agriculture is hereby appropriated $800,000 out of the General Revenue Fund in Strategy E.1.1, Research and Development, in fiscal year 2012 to fund research of the Zebra Chip Disease affecting potatoes in Texas. The Texas Department of Agriculture and the Texas Agricultural Experiment Station shall enter into an interagency contract for the funds appropriated above to be used for this research. Any unexpended balances remaining on August 31, 2012 are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2012.

## ANIMAL HEALTH COMMISSION

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 6,148,281 | $ 6,227,489 |
| Federal Funds | 4,114,407 | 3,702,966 |
| **Total, Method of Financing** | $ 10,262,688 | $ 9,930,455 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 147.5 | 147.5 |
| **Number of FTEs in Riders:** | 57.5 | 57.5 |
| **Schedule of Exempt Positions:** | | |
| Executive Director, Group 4 | $120,000 | $120,000 |
| **Items of Appropriation:** | | |
| **A. Goal:** PROTECT/ENHANCE TEXAS ANIMAL HEALTH | | |
| Protect/Enhance Health of Texas Animal Populations. | | |
| **A.1.1. Strategy:** FIELD OPERATIONS | $ 6,438,139 | $ 6,061,364 |
| Field Operations for Animal Health Management and Assurance Programs. | | |
| **A.1.2. Strategy:** DIAGNOSTIC/EPIDEMIOLOGICAL SUPPORT | $ 1,755,329 | $ 1,755,329 |
| Diagnostic/Epidemiological Support Services. | | |
| **A.1.3. Strategy:** PROMOTE COMPLIANCE | $ 370,712 | $ 380,967 |
| Promote Compliance and Resolve Violations. | | |
| **Total, Goal A:** PROTECT/ENHANCE TEXAS ANIMAL HEALTH | $ 8,564,180 | $ 8,197,660 |

## ANIMAL HEALTH COMMISSION
(Continued)

| | | |
|---|---|---|
| **B. Goal:** INDIRECT ADMINISTRATION | | |
| **B.1.1. Strategy:** CENTRAL ADMINISTRATION | $ 975,000 | $ 1,009,286 |
| **B.1.2. Strategy:** INFORMATION RESOURCES | $ 366,263 | $ 366,263 |
| **B.1.3. Strategy:** OTHER SUPPORT SERVICES | $ 357,245 | $ 357,246 |
| **Total, Goal B:** INDIRECT ADMINISTRATION | $ 1,698,508 | $ 1,732,795 |
| **Grand Total,** ANIMAL HEALTH COMMISSION | $ 10,262,688 | $ 9,930,455 |
| **Supplemental Appropriations Made in Riders:** | $ 4,963,653 | $ 4,963,653 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 8,599,802 | $ 8,724,000 |
| Other Personnel Costs | 407,465 | 407,465 |
| Professional Fees and Services | 59,233 | 59,233 |
| Fuels and Lubricants | 109,760 | 109,760 |
| Consumable Supplies | 246,417 | 246,417 |
| Utilities | 377,364 | 377,364 |
| Travel | 683,929 | 677,300 |
| Rent - Building | 399,155 | 399,155 |
| Rent - Machine and Other | 54,698 | 54,698 |
| Other Operating Expense | 3,988,518 | 3,538,716 |
| Capital Expenditures | 300,000 | 300,000 |
| **Total, Object-of-Expense Informational Listing** | $ 15,226,341 | $ 14,894,108 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 483,662 | $ 486,081 |
| Group Insurance | 2,167,867 | 2,215,238 |
| Social Security | 641,126 | 644,331 |
| Benefits Replacement | 75,307 | 70,412 |
| Subtotal, Employee Benefits | $ 3,367,962 | $ 3,416,062 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 3,367,962 | $ 3,416,062 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Animal Health 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 Animal Health Commission. In order to achieve the objectives and service standards established by this Act, the Animal Health Commission shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** PROTECT/ENHANCE TEXAS ANIMAL HEALTH | | |
| **Outcome (Results/Impact):** | | |
| Percent Change in the Number of Fever Tick-Infested Premises from the 2007 Level | (30)% | (40)% |
| **A.1.1. Strategy:** FIELD OPERATIONS | | |
| **Output (Volume):** | | |
| Number of Livestock Shipments Inspected | 5,000 | 5,000 |
| **A.1.2. Strategy:** DIAGNOSTIC/EPIDEMIOLOGICAL SUPPORT | | |
| **Output (Volume):** | | |
| Number of Specimens Processed through the State/Federal Cooperative Laboratory System | 1,400,000 | 1,400,000 |
| **A.1.3. Strategy:** PROMOTE COMPLIANCE | | |
| **Output (Volume):** | | |
| Number of Compliance Actions Completed | 1,514 | 1,400 |

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.

| | 2012 | 2013 |
|---|---|---|
| a. Acquisition of Information Resource Technologies | | |
| (1) Technology Refresh | $ 150,000 | $ 150,000 |
| Total, Acquisition of Information Resource Technologies | $ 150,000 | $ 150,000 |
| b. Transportation Items | | |
| (1) Fleet Vehicles | 150,000 | 150,000 |
| Total, Transportation Items | $ 150,000 | $ 150,000 |
| Total, Capital Budget | $ 300,000 | $ 300,000 |
| Method of Financing (Capital Budget): | | |
| General Revenue Fund | | |
| General Revenue Fund | $ 300,000 | $ 300,000 |
| Subtotal, General Revenue Fund | $ 300,000 | $ 300,000 |
| Total, Method of Financing | $ 300,000 | $ 300,000 |

**3. Unexpended Balance Authority: Within the Biennium.** The Texas Animal Health Commission is hereby authorized to carry forward and is hereby appropriated any unexpended balances from fiscal year 2012 to fiscal year 2013.

**4. Laboratory Testing.** It is the intent of the Legislature that laboratory testing for animal diseases be performed at the Texas Veterinary Medical Diagnostic Lab (TVMDL) to the extent of its capabilities, unless the Texas Animal Health Commission (TAHC) State-Federal Laboratory can perform the testing for TAHC programs more cost effectively. Furthermore, the TAHC will use funds appropriated by this Act to enter into an interagency memorandum of understanding to work with TVMDL to reduce duplication and ensure that all testing is performed in Texas to the extent possible.

**5. Testing and Immunization of Employees.** Funds appropriated above may be expended for any immunization or testing, which is required of employees at risk in the performance of their duties.

**6. Fee Revenue: Poultry Registration.** Included in the amounts appropriated above out of the General Revenue Fund is $37,705 each fiscal year in Strategy A.1.1, Field Operations, from fees collected pursuant to Agriculture Code § 161.0411 for the purpose of administering the poultry registration program.

**7. Contingency to Increase the Full-Time-Equivalents (FTE) Cap for Federally Funded Programs.** Contingent upon the receipt of federal funds above those appropriated in this Act for programs related to animal identification or surveillance, control, or eradication of animal health pests or diseases, the Texas Animal Health Commission is hereby authorized to increase its number of FTEs to the extent that federal funds are allocated for salary costs. These FTEs shall not be counted against the agency's "Number of Full-Time-Equivalents (FTE)" cap.

The Texas Animal Health Commission shall report all additional FTEs authorized by this provision to the Comptroller of Public Accounts, the Legislative Budget Board, and the Governor prior to filling a position described by this rider.

**8. Allowance for Personally-Owned Horses.** Funds appropriated above may be expended to provide an allowance not to exceed fifty dollars ($50) per employee per day for each Commission employee whose duties require the use of a personally-owned horse.

**9. Collection of Revenue from Laboratory Testing Fees Applied to Out-of-State Clients.** Any fees collected by the Texas Animal Health Commission for the purpose of reimbursing the state-federal laboratory system for laboratory tests performed on samples from other states are hereby appropriated to the Texas Animal Health Commission for the biennium beginning September 1, 2011 and ending August 31, 2013 (estimated to be $0).

**10. Contingency Appropriation: Cost Recovery for Animal Health Programs.** In addition to amounts appropriated above to the Texas Animal Health Commission (TAHC), there is hereby appropriated out of the General Revenue Fund to Strategy A.1.1, Field Operations $4,963,653 and

57.5 Full-time Equivalent Positions (FTEs) in fiscal year 2012 and $4,963,653 out of the General Revenue Fund and 57.5 FTEs in fiscal year 2013. These additional funds and related FTEs are appropriated contingent upon the Texas Animal Health Commission assessing fees sufficient to generate, during the 2012-13 biennium, revenue to cover, at a minimum the General Revenue appropriations for these programs as well as the estimated "Other direct and indirect costs" for these programs, appropriated elsewhere in this Act, and as required, the passage of legislation authorizing the Commission to charge or assess additional fees. "Other direct and indirect costs" (ODIC) are estimated to be $837,445 for fiscal year 2012 and for fiscal year 2013.

In addition, the following performance measure target is increased by the following amounts, contingent upon the Texas Animal Health Commission assessing fees sufficient to recover the appropriations and estimated "Other direct and indirect costs" identified by this provision and the passage of legislation authorizing the Commission to charge or assess additional fees:

| | 2012 | 2013 |
|---|---|---|
| Number of Specimens Processed through the State/Federal Cooperative Laboratory System | 1,100,000 | 1,100,000 |

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 the Comptroller of Public Accounts to reduce the appropriation authority provided above to be within the amount of revenue expected to be available. Further, in the event that actual receipts or revenue collections are in excess of the amounts appropriated by this provision, the Texas Animal Health Commission is authorized to expend these funds. However, such expenditures must comply with limitations established for salary, travel, and capital expenditures, employment levels, and other provisions contained in Article IX of this Act.

## COMMISSION ON ENVIRONMENTAL QUALITY

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 6,268,507 | $ 5,966,983 |
| General Revenue Fund - Dedicated | | |
| Low Level Waste Account No. 088 | 2,029,880 | 1,546,591 |
| Used Oil Recycling Account No. 146 | 865,000 | 852,967 |
| Clean Air Account No. 151 | 52,730,708 | 49,100,959 |
| Water Resource Management Account No. 153 | 56,333,626 | 56,301,837 |
| Watermaster Administration No. 158 | 1,223,839 | 1,223,838 |
| TCEQ Occupational Licensing Account No. 468 | 1,683,132 | 1,683,132 |
| Waste Management Account No. 549 | 28,240,833 | 28,485,152 |
| Hazardous and Solid Waste Remediation Fee Account No. 550 | 24,094,076 | 24,169,768 |
| Solid Waste Disposal Account No. 5000 | 5,493,162 | 5,493,162 |
| Environmental Testing Laboratory Accreditation Account No. 5065 | 456,842 | 456,842 |
| Texas Emissions Reduction Plan Account No. 5071 | 57,165,047 | 57,165,047 |
| Dry Cleaning Facility Release Account No. 5093 | 3,722,875 | 3,718,167 |
| Operating Permit Fees Account No. 5094 | 28,653,574 | 28,650,482 |
| Petroleum Storage Tank Remediation Account No. 655 | 25,481,198 | 18,479,197 |
| Subtotal, General Revenue Fund - Dedicated | $ 288,173,792 | $ 277,327,141 |
| Federal Funds | 39,167,519 | 39,397,825 |
| Other Funds | | |
| Appropriated Receipts | 1,145,348 | 1,145,348 |
| Interagency Contracts | 7,924,726 | 7,924,726 |
| Subtotal, Other Funds | $ 9,070,074 | $ 9,070,074 |
| **Total, Method of Financing** | $ 342,679,892 | $ 331,762,023 |

| | | | | |
|---|---|---|---|---|
| **Other Direct and Indirect Costs Appropriated Elsewhere in this Act** | $ | 504,204 | $ | 524,259 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | | | |
| **Number of Full-Time-Equivalents (FTE):** | | 2,766.2 | | 2,766.2 |
| **Schedule of Exempt Positions:** | | | | |
| Executive Director, Group 6 | | $145,000 | | $145,000 |
| Commissioner, (Chair), Group 6 | | 150,000 | | 150,000 |
| Commissioner, Group 6 | | (2) 150,000 | | (2) 150,000 |
| Red River Compact Commissioner | | 24,225 | | 24,225 |
| Rio Grande Compact Commissioner | | 41,195 | | 41,195 |
| Sabine River Compact Commissioner | | (2) 8,787 | | (2) 8,787 |
| Canadian River Compact Commissioner | | 10,767 | | 10,767 |
| Pecos River Compact Commissioner | | 32,247 | | 32,247 |
| **Items of Appropriation:** | | | | |
| **A. Goal:** ASSESSMENT, PLANNING AND PERMITTING | | | | |
| **A.1.1. Strategy:** AIR QUALITY ASSESSMENT AND PLANNING | $ | 102,296,069 | $ | 98,672,977 |
| **A.1.2. Strategy:** WATER ASSESSMENT AND PLANNING<br>Water Resource Assessment and Planning. | $ | 29,249,617 | $ | 29,504,001 |
| **A.1.3. Strategy:** WASTE ASSESSMENT AND PLANNING<br>Waste Management Assessment and Planning. | $ | 7,941,407 | $ | 7,865,483 |
| **A.2.1. Strategy:** AIR QUALITY PERMITTING | $ | 14,138,443 | $ | 14,088,461 |
| **A.2.2. Strategy:** WATER RESOURCE PERMITTING | $ | 14,327,734 | $ | 14,245,498 |
| **A.2.3. Strategy:** WASTE MANAGEMENT AND PERMITTING | $ | 10,421,037 | $ | 10,333,679 |
| **A.2.4. Strategy:** OCCUPATIONAL LICENSING | $ | 1,253,173 | $ | 1,253,173 |
| **A.3.1. Strategy:** RADIOACTIVE MATERIALS MGMT<br>Radioactive Materials Management. | $ | 3,518,551 | $ | 3,035,262 |
| **Total, Goal A:** ASSESSMENT, PLANNING AND PERMITTING | $ | 183,146,031 | $ | 178,998,534 |
| **B. Goal:** DRINKING WATER AND WATER UTILITIES | | | | |
| **B.1.1. Strategy:** SAFE DRINKING WATER<br>Safe Drinking Water Oversight. | $ | 10,706,864 | $ | 10,679,689 |
| **B.1.2. Strategy:** WATER UTILITIES OVERSIGHT | $ | 3,782,808 | $ | 3,782,808 |
| **Total, Goal B:** DRINKING WATER AND WATER UTILITIES | $ | 14,489,672 | $ | 14,462,497 |
| **C. Goal:** ENFORCEMENT AND COMPLIANCE SUPPORT<br>Enforcement and Compliance Assistance. | | | | |
| **C.1.1. Strategy:** FIELD INSPECTIONS & COMPLAINTS<br>Field Inspections and Complaint Response. | $ | 42,429,187 | $ | 42,324,491 |
| **C.1.2. Strategy:** ENFORCEMENT & COMPLIANCE SUPPORT<br>Enforcement and Compliance Support. | $ | 11,049,559 | $ | 10,993,280 |
| **C.1.3. Strategy:** POLLUTION PREVENTION RECYCLING<br>Pollution Prevention, Recycling and Innovative Programs. | $ | 2,325,756 | $ | 2,262,756 |
| **Total, Goal C:** ENFORCEMENT AND COMPLIANCE SUPPORT | $ | 55,804,502 | $ | 55,580,527 |
| **D. Goal:** POLLUTION CLEANUP<br>Pollution Cleanup Programs to Protect Public Health & the Environment. | | | | |
| **D.1.1. Strategy:** STORAGE TANK ADMIN & CLEANUP<br>Storage Tank Administration and Cleanup. | $ | 23,580,927 | $ | 16,578,926 |
| **D.1.2. Strategy:** HAZARDOUS MATERIALS CLEANUP | $ | 23,270,437 | $ | 23,280,773 |
| **Total, Goal D:** POLLUTION CLEANUP | $ | 46,851,364 | $ | 39,859,699 |
| **E. Goal:** RIVER COMPACT COMMISSIONS<br>Ensure Delivery of Texas' Equitable Share of Water. | | | | |
| **E.1.1. Strategy:** CANADIAN RIVER COMPACT | $ | 19,622 | $ | 19,622 |
| **E.1.2. Strategy:** PECOS RIVER COMPACT | $ | 137,866 | $ | 137,866 |
| **E.1.3. Strategy:** RED RIVER COMPACT | $ | 31,167 | $ | 31,167 |

| | | |
|---|---|---|
| **E.1.4. Strategy:** RIO GRANDE RIVER COMPACT | $ 148,811 | $ 148,811 |
| **E.1.5. Strategy:** SABINE RIVER COMPACT | $ 65,011 | $ 65,011 |
| **Total, Goal E:** RIVER COMPACT COMMISSIONS | $ 402,477 | $ 402,477 |
| **F. Goal:** INDIRECT ADMINISTRATION | | |
| **F.1.1. Strategy:** CENTRAL ADMINISTRATION | $ 17,866,236 | $ 18,121,856 |
| **F.1.2. Strategy:** INFORMATION RESOURCES | $ 14,470,043 | $ 14,680,500 |
| **F.1.3. Strategy:** OTHER SUPPORT SERVICES | $ 9,649,567 | $ 9,655,933 |
| **Total, Goal F:** INDIRECT ADMINISTRATION | $ 41,985,846 | $ 42,458,289 |
| **Grand Total,** COMMISSION ON ENVIRONMENTAL QUALITY | $ 342,679,892 | $ 331,762,023 |
| **Supplemental Appropriations Made in Riders:** | $ 10,704,344 | $ 11,177,545 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 143,929,506 | $ 143,980,475 |
| Other Personnel Costs | 6,890,997 | 6,890,997 |
| Professional Fees and Services | 73,912,517 | 65,666,046 |
| Fuels and Lubricants | 721,600 | 721,600 |
| Consumable Supplies | 1,346,382 | 1,346,382 |
| Utilities | 2,385,063 | 2,385,063 |
| Travel | 2,247,898 | 2,247,898 |
| Rent - Building | 5,494,466 | 5,494,466 |
| Rent - Machine and Other | 1,188,303 | 1,188,303 |
| Other Operating Expense | 61,439,540 | 63,093,925 |
| Client Services | 6,910,255 | 6,910,255 |
| Grants | 45,385,765 | 41,852,308 |
| Capital Expenditures | 1,531,944 | 1,161,850 |
| **Total, Object-of-Expense Informational Listing** | $ 353,384,236 | $ 342,939,568 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 8,635,441 | $ 8,678,618 |
| Group Insurance | 21,485,848 | 21,754,902 |
| Social Security | 11,198,284 | 11,254,275 |
| Benefits Replacement | 895,678 | 837,459 |
| Subtotal, Employee Benefits | $ 42,215,251 | $ 42,525,254 |
| Debt Service | | |
| Lease Payments | $ 2,621,222 | $ 2,165,689 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 44,836,473 | $ 44,690,943 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Commission on Environmental Quality. 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 Environmental Quality. In order to achieve the objectives and service standards established by this Act, the Commission on Environmental Quality shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** ASSESSMENT, PLANNING AND PERMITTING | | |
| **Outcome (Results/Impact):** | | |
| Annual Percent of Stationary and Mobile Source Pollution Reductions in Nonattainment Areas | 3% | 3% |
| Nitrogen Oxides (NOx) Emissions Reduced through the Texas Emissions Reduction Plan (TERP) | 63.7 | 68.4 |
| Annual Percent Reduction in Pollution from Permitted Wastewater Facilities Discharging to the Waters of the State | 0.1% | 0.1% |

| | | |
|---|---|---|
| Percent of Texas Surface Water Meeting or Exceeding Water Quality Standards | 59% | 59% |
| Annual Percent Decrease in the Toxic Releases in Texas | 2% | 2% |
| **A.1.1. Strategy:** AIR QUALITY ASSESSMENT AND PLANNING | | |
| **Output (Volume):** | | |
| Number of Point Source Air Quality Assessments | 1,967 | 1,967 |
| Number of Area Source Air Quality Assessments | 2,250 | 2,250 |
| Number of Mobile Source On-road Air Quality Assessments | 1,013 | 1,013 |
| Number of Tons of Nitrogen Oxides Reduced Per Year through Texas Emissions Reduction Plan Expenditures | 6,794 | 6,794 |
| Number of Vehicles Repaired and/or Replaced through LIRAP Assistance | 2,189 | 2,189 |
| **Efficiencies:** | | |
| Average Cost of Low Income Repair Assistance Program (LIRAP) Vehicle Emissions Repairs/Retrofits | 525 | 525 |
| Average Cost Per Ton of Nitrous Oxides Reduced through Texas Emissions Reduction Plan Expenditures | 7,500 | 7,500 |
| **A.1.2. Strategy:** WATER ASSESSMENT AND PLANNING | | |
| **Output (Volume):** | | |
| Number of Surface Water Assessments | 78.3 | 78.3 |
| Number of Groundwater Assessments | 54 | 54 |
| Number of Dam Safety Assessments | 1,030 | 1,030 |
| **A.1.3. Strategy:** WASTE ASSESSMENT AND PLANNING | | |
| **Output (Volume):** | | |
| Number of Municipal Solid Waste Facility Capacity Assessments | 225 | 225 |
| **A.2.1. Strategy:** AIR QUALITY PERMITTING | | |
| **Output (Volume):** | | |
| Number of State and Federal New Source Review Air Quality Permit Applications Reviewed | 5,600 | 5,600 |
| Number of Federal Air Quality Operating Permits Reviewed | 800 | 800 |
| **A.2.2. Strategy:** WATER RESOURCE PERMITTING | | |
| **Output (Volume):** | | |
| Number of Applications to Address Water Quality Impacts Reviewed | 7,800 | 16,750 |
| Number of Concentrated Animal Feeding Operation (CAFO) Authorizations Reviewed | 53 | 55 |
| **A.2.3. Strategy:** WASTE MANAGEMENT AND PERMITTING | | |
| **Output (Volume):** | | |
| Number of Nonhazardous Waste Permit Applications Reviewed | 236 | 236 |
| Number of Hazardous Waste Permit Applications Reviewed | 160 | 160 |
| **A.2.4. Strategy:** OCCUPATIONAL LICENSING | | |
| **Output (Volume):** | | |
| Number of Examinations Processed | 12,300 | 12,300 |
| **B. Goal:** DRINKING WATER AND WATER UTILITIES | | |
| **Outcome (Results/Impact):** | | |
| Percent of Texas Population Served by Public Water Systems Which Meet Drinking Water Standards | 93% | 93% |
| **B.1.1. Strategy:** SAFE DRINKING WATER | | |
| **Output (Volume):** | | |
| Number of Public Drinking Water Systems Which Meet Primary Drinking Water Standards | 6,280 | 6,310 |
| Number of Drinking Water Samples Collected | 37,810 | 41,591 |
| **B.1.2. Strategy:** WATER UTILITIES OVERSIGHT | | |
| **Output (Volume):** | | |
| Number of Utility Rate Reviews Performed | 80 | 80 |
| **C. Goal:** ENFORCEMENT AND COMPLIANCE SUPPORT | | |
| **Outcome (Results/Impact):** | | |
| Percent of Inspected or Investigated Air Sites in Compliance | 98% | 98% |
| Percent of Inspected or Investigated Water Sites and Facilities in Compliance | 97% | 97% |
| Percent of Inspected or Investigated Waste Sites in Compliance | 97% | 97% |
| Percent of Identified Noncompliant Sites and Facilities for Which Timely and Appropriate Enforcement Action Is Taken | 85% | 85% |
| Percent of Administrative Penalties Collected | 88% | 88% |
| **C.1.1. Strategy:** FIELD INSPECTIONS & COMPLAINTS | | |
| **Output (Volume):** | | |
| Number of Inspections and Investigations of Air Sites | 11,177 | 11,177 |

| | | |
|---|---|---|
| Number of Inspections and Investigations of Water Rights Sites | 28,600 | 28,600 |
| Number of Inspections and Investigations of Water Sites and Facilities | 11,535 | 11,535 |
| Number of Inspections and Investigations of Livestock and Poultry Operation Sites | 330 | 330 |
| Number of Inspections and Investigations of Waste Sites | 6,760 | 6,760 |
| **C.1.2. Strategy:** ENFORCEMENT & COMPLIANCE SUPPORT | | |
| **Output (Volume):** | | |
| Number of Environmental Laboratories Accredited | 285 | 285 |
| Number of Small Businesses and Local Governments Assisted | 54,000 | 54,000 |
| **C.1.3. Strategy:** POLLUTION PREVENTION RECYCLING | | |
| **Output (Volume):** | | |
| Number of On-site Technical Assistance Visits, Presentations and Workshops Conducted on Pollution Prevention/Waste Minimization and Voluntary Program Participation | 125 | 125 |
| **D. Goal:** POLLUTION CLEANUP | | |
| **Outcome (Results/Impact):** | | |
| Percent of Leaking Petroleum Storage Tank Sites Cleaned up | 88% | 88% |
| Total Number of Superfund Remedial Actions Completed | 111 | 113 |
| Percent of Voluntary and Brownfield Cleanup Properties Made Available for Commercial, Industrial and Community Redevelopment, or Other Economic Reuse | 68% | 69% |
| **D.1.1. Strategy:** STORAGE TANK ADMIN & CLEANUP | | |
| **Output (Volume):** | | |
| Number of Petroleum Storage Tank Reimbursement Applications Processed | 900 | 0 |
| **D.1.2. Strategy:** HAZARDOUS MATERIALS CLEANUP | | |
| **Output (Volume):** | | |
| Number of Voluntary and Brownfield Cleanups Completed | 60 | 60 |
| Number of Superfund Sites in Texas Undergoing Evaluation and Cleanup | 41 | 38 |
| Number of Superfund Remedial Actions Completed | 1 | 1 |
| Number of Dry Cleaner Remediation Program Site Cleanups Completed | 2 | 2 |
| **E. Goal:** RIVER COMPACT COMMISSIONS | | |
| **Outcome (Results/Impact):** | | |
| The Percentage Received of Texas' Equitable Share of Quality Water Annually as Apportioned by the Canadian River Compact | 100% | 100% |
| The Percentage Received of Texas' Equitable Share of Quality Water Annually as Apportioned by the Pecos River Compact | 100% | 100% |
| The Percentage Received of Texas' Equitable Share of Quality Water Annually as Apportioned by the Red River Compact | 100% | 100% |
| The Percentage Received of Texas' Equitable Share of Quality Water Annually as Apportioned by the Rio Grande River Compact | 100% | 100% |
| The Percentage Received of Texas' Equitable Share of Quality Water Annually as Apportioned by the Sabine River Compact | 100% | 100% |

**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.

| | 2012 | 2013 |
|---|---|---|
| a. Acquisition of Information Resource Technologies | | |
| (1) Data Center Consolidation | $ 9,800,000 | $ 9,800,000 |
| (2) Permitting and Registration Information System | 1,700,001 | 1,699,999 |

| | | |
|---|---|---|
| (3) Documentation for Fees 185 | $ 164,310 | $ 130,210 |
| Total, Acquisition of Information Resource Technologies | $ 11,664,311 | $ 11,630,209 |
| b. Acquisition of Capital Equipment and Items | | |
| (1) Air Monitoring & Analysis Equipment | 884,755 | 597,635 |
| (2) Water Monitoring and Analysis Equipment | $ 318,750 | $ 318,750 |
| Total, Acquisition of Capital Equipment and Items | $ 1,203,505 | $ 916,385 |
| Total, Capital Budget | $ 12,867,816 | $ 12,546,594 |
| Method of Financing (Capital Budget): | | |
| General Revenue Fund | $ 3,262,009 | $ 2,960,486 |
| General Revenue Fund - Dedicated | | |
| Used Oil Recycling Account No. 146 | 29,441 | 17,409 |
| Clean Air Account No. 151 | 3,274,933 | 2,909,014 |
| Water Resource Management Account No. 153 | 1,935,905 | 1,897,360 |
| TCEQ Occupational Licensing Account No. 468 | 46,160 | 46,160 |
| Waste Management Account No. 549 | 2,071,501 | 2,338,322 |
| Hazardous and Solid Waste Remediation Fee Account No. 550 | 1,719,041 | 1,803,957 |
| Petroleum Storage Tank Remediation Account No. 655 | 394,384 | 447,354 |
| Texas Emissions Reduction Plan Account No. 5071 | 1,171 | 1,171 |
| Dry Cleaning Facility Release Account No. 5093 | 4,710 | 0 |
| Operating Permit Fees Account No. 5094 | 128,561 | 125,361 |
| Subtotal, General Revenue Fund - Dedicated | $ 9,605,807 | $ 9,586,108 |
| Total, Method of Financing | $ 12,867,816 | $ 12,546,594 |

3. **Contingency Cash Flow.** If the Legislative Budget Board (LBB) and Governor determine after review of relevant information that cash flow difficulties will occur as a result of the appropriations made above, the LBB and Governor may authorize the Texas Commission on Environmental Quality (TCEQ) to temporarily expend General Revenue funds for the purpose of meeting the temporary cash flow needs of the TCEQ, limited to the amounts appropriated above. The transfer of funds shall be repaid to the General Revenue Fund by the end of the biennium in which the funds were transferred under procedures and standards established by the Comptroller of Public Accounts.

4. **Authorization: Aircraft Chartering.** Notwithstanding any other provision of this Act, the Texas Commission on Environmental Quality is authorized to spend appropriated funds for the chartering of aircraft for the purposes of monitoring environmental quality and the enforcement of environmental and water rights laws of the State.

5. **Local Air Pollution Grants Allocation.** Out of the amounts appropriated above out of the Clean Air Account No. 151 in Strategy A.1.1, Air Quality Assessment and Planning, an amount not less than $2,658,228 in each year of the biennium beginning on September 1, 2011, shall be utilized to fund grants or cooperative agreements with eligible local air pollution programs under Health and Safety Code, § 382.0622. It is provided, however, that the combined federal and state share of the funding for any such local air pollution programs shall not exceed 67 percent of the total allocation to the programs, with the local share being based on the local dollars allocated pursuant to maintenance-of-effort requirements for federal air pollution grants.

6. **Fee Revenue: Pollution Control Equipment Exemptions.** Pursuant to Tax Code, § 11.31, included in amounts appropriated above out of the General Revenue Fund in Strategy C.1.3, Pollution Prevention, Recycling, and Innovative Programs, is $221,000 each fiscal year from fee revenue collected beginning with the effective date of this Act for the purpose of determining whether pollution control equipment is exempt from taxation.

   In addition to amounts appropriated above, any amounts collected by the Texas Commission on Environmental Quality pursuant to Tax Code, § 11.31 on or after September 1, 2011, in excess of $221,000 in each fiscal year of the biennium are hereby appropriated to the agency.

7. **Authorization: Operating Fund.** The Texas Commission on Environmental Quality (TCEQ) is hereby authorized to make transfers from any appropriation made to TCEQ into a single account in the General Revenue Fund known as the "Texas Commission on Environmental Quality Operating Fund" for the purpose of making expenditures for which appropriations were made in this Act. After the expenditures have been made from the fund and as soon as the proper strategies have been identified, TCEQ shall process adjustments to the Comptroller in summary accounts to facilitate accurate cost allocations; provided, however, that each special account and fund shall be used for the purposes as now described by law and nothing shall be done to jeopardize or divert the special accounts and funds or any portion thereof including federal aid.

8. **Appropriation: Air Quality Planning.** Included in amounts appropriated above out of the Clean Air Account No. 151 in Strategy A.1.1, Air Quality Assessment and Planning, is $3,537,500 for the biennium beginning on September 1, 2011 for air quality planning activities to reduce ozone in areas as approved by the Texas Commission on Environmental Quality (TCEQ). These areas may include Waco, El Paso, Beaumont, Austin, Corpus Christi, Longview-Tyler-Marshall, San Antonio, and Victoria. These activities may be carried out through interlocal agreements or contracts and may include: identifying, inventorying, and monitoring of pollution levels; modeling pollution levels; and the identification, quantification, and implementation of appropriate locally enforceable pollution reduction controls. The TCEQ shall allocate these funds in such a way as to channel the funds to those projects most useful for the State Implementation Plan (SIP). The areas receiving funds shall submit work plans for TCEQ approval describing the work they will complete with those funds.

9. **Appropriations Limited to Revenue Collections: Occupational Licensing.** Included in the amounts appropriated above is $1,253,173 in each fiscal year of the 2012-13 biennium out of the Occupational Licensing Account No. 468 in Strategy A.2.4, Occupational Licensing, for the purpose of operating the Occupational Licensing program. It is the intent of the Legislature that fees, fines and other miscellaneous revenues deposited to the TCEQ Occupational Licensing Account No. 468 as authorized and generated by the agency cover, at a minimum, the cost of the appropriations made above for strategy item A.2.4, Occupational Licensing, as well as the "Other direct and indirect costs" associated with this strategy, appropriated elsewhere in this Act. "Other direct and indirect costs" for strategy A.2.4, Occupational Licensing, are estimated to be $320,858 for fiscal year and $333,740 for fiscal year 2013. 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 the Comptroller of Public Accounts to reduce the appropriation authority provided above to be within the amount of revenue expected to be available.

10. **Contract with the State Office of Administrative Hearings.** Included in the amounts appropriated above is $1,000,000 in each fiscal year of the biennium beginning on September 1, 2011 to cover the cost of contracting with the State Office of Administrative Hearings for funding the Natural Resources Division for the purpose of conducting administrative hearings and for related expenses. The Texas Commission on Environmental Quality (TCEQ) and the State Office of Administrative Hearings may not enter into a contract for an amount less than the amounts specified herein. If the State Office of Administrative Hearings determines, at the end of each fiscal year, that the amount paid under the contract exceeds the necessary funding, it shall refund the difference to TCEQ. If the State Office of Administrative Hearings determines that the amounts are insufficient to fund the Natural Resources Division, the State Office of Administrative Hearings may enter into negotiations with TCEQ in order to renegotiate the interagency contract to provide additional funds for administrative hearings. The State Office of Administrative Hearings is not appropriated any state funds from such renegotiated contracts until it gives written notice to the Legislative Budget Board and the Governor, together with written permission of the agency.

11. **Texas Parks and Wildlife Environmental Special Investigations Unit.** Included in amounts appropriated above in Strategy C.1.2, Enforcement and Compliance Support, is $225,000 out of Waste Management Account No. 549 for each fiscal year of the biennium for the purpose of supporting the Texas Parks and Wildlife Department's Environmental Special Investigations Unit to enforce state and federal laws on illegal dumping. This appropriation is contingent on a memorandum of understanding and an interagency transfer of the funds between the Texas Parks and Wildlife Department and the Texas Commission on Environmental Quality to jointly administer the program. Any unexpended balance of this appropriation from fiscal year 2012 is appropriated for the same purpose for fiscal year 2013.

12. **Federal Funds and Capital Budget Expenditures.** To comply with the legislative intent to maximize the use of federal funds and to fulfill grant requirements required for the receipt and expenditure of federal funds, the Texas Commission on Environmental Quality (TCEQ) is hereby exempted from the Capital Budget Rider Provisions contained in Article IX of this Act, "Limitations on Expenditures - Capital Budget", when federal funds are received in excess of amounts identified in the agency's Capital Budget Rider and such funds are federally designated solely for the purchase of specific capital items. In addition, TCEQ also is hereby exempted from the Capital Budget Rider provisions within Article IX of this Act when funds are received in the form of gifts to the agency in excess of amounts identified in the agency's Capital Budget Rider and such funds are designated solely for the purchase of specific capital items. The TCEQ shall notify the Legislative Budget Board and the Governor upon receipt of such federal funds or gift proceeds, of the amount received and items to be purchased.

13. **Appropriation: Refinement and Enhancement of Modeling to Demonstrate Attainment with the Clean Air Act.** Included in amounts appropriated above out of the Clean Air Account No. 151 in Strategy A.1.1, Air Quality Assessment and Planning, is $750,000 in fiscal year 2012 for research to obtain the data and information to refine and enhance any model used to demonstrate attainment with the National Ambient Air Quality Standard (NAAQS) and to assess air quality associated with other pollutants under the Federal Clean Air Act during the biennium beginning on September 1, 2011. These funds may also be used to collect and analyze data and for modeling to demonstrate attainment with the National Ambient Air Quality Standard for Ozone and other pollutants. The Commission on Environmental Quality may contract as necessary to carry out these activities.

14. **Reallocation of Revenue and Balances for Certain Accounts.** Pursuant to Water Code, § 5.707, and notwithstanding provisions relating to Appropriation Transfers within the General Appropriations Act, the Texas Commission on Environmental Quality is hereby authorized to reallocate not more than 7 percent of the All Funds amount identified in the Method of Finance above from the following accounts (consisting of revenues and balances) to be used for purposes identified in the above strategies.

    Used Oil Recycling Account No. 146
    Clean Air Account No. 151
    Water Resource Management Account No. 153
    Watermasters Administration Account No. 158
    Occupational Licensing Account No. 468
    Waste Management Account No. 549
    Hazardous and Solid Waste Remediation Fee Account No. 550
    Petroleum Storage Tank Remediation Account No. 655
    Solid Waste Disposal Account No. 5000
    Dry Cleaning Facility Release Account No. 5093
    Operating Permit Fee Account No. 5094

    The Commission shall notify the Governor and the Legislative Budget Board of any decision to reallocate funds between accounts prior to any such reallocations.

15. **Appropriations Limited to Revenue Collections: Automobile Emission Inspections.** Included in amounts appropriated above out of the Clean Air Account No. 151 in Strategy A.1.1, Air Quality Assessment and Planning, is $1,971,828 in each fiscal year of the 2012-13 biennium for the operation of the vehicle emissions inspection and maintenance program pursuant to § 382.202, Health and Safety Code. These funds are for the purpose of developing, administering, evaluating, and maintaining the vehicle emissions inspection and maintenance program, including federally required reporting measures to demonstrate compliance with applicable federal and state laws.

    In addition, if additional counties enter the vehicle emissions inspection and maintenance program during fiscal years 2012-13, 20 percent of revenues generated from the vehicle emissions and inspections fee in the additional counties in each fiscal year are hereby appropriated to the Texas Commission on Environmental Quality for the same purposes.

    It is the intent of the Legislature that 20 percent of the fees authorized and generated by the operation of the vehicle emissions inspection and maintenance program cover, at a minimum, the costs of the appropriations made above, as well as the "Other direct and indirect costs" associated with the program, appropriated elsewhere in this Act. "Other direct and indirect costs" for the vehicle emissions inspection and maintenance program are estimated to be $183,346 for fiscal year 2012 and $190,519 for fiscal year 2013. 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.

**16. Appropriation: Administration Costs for the Texas River Compact Commissions.** Out of the amounts appropriated above, and in addition to amounts appropriated above in Goal E, River Compact Commissions, the Texas Commission on Environmental Quality shall allocate at least $43,750 for fiscal year 2012 and $49,750 for fiscal year 2013 to provide for operating costs for the Texas River Compact Commissions. In addition, out of amounts appropriated above, $10,700 each fiscal year shall be used for support and administrative services for the commissions.

**17. Appropriation: Perpetual Care Account.** In the event of an incident involving the release of radioactive material at a disposal, source material recovery, processing, or storage facility licensed by the Texas Commission on Environmental Quality (TCEQ), the TCEQ is hereby appropriated any revenues from the TCEQ licensee, including the proceeds of securities and interest earned, deposited to the credit of the Perpetual Care Account pursuant to Health and Safety Code, § 401.305 (b) and § 401.301 (d) during the biennium beginning September 1, 2011 (estimated to be $0). The funds shall be used in Strategy A.3.1, Radioactive Materials Management, to mitigate radioactive pollution resulting from activities of a TCEQ licensee as provided in Health and Safety Code, § 401.305 (c)-(d), and pursuant to a memorandum of understanding with the Department of State Health Services relating to the regulations for the control of radiation as applicable.

**18. Environmental Health Institute.** Out of amounts appropriated above, the Texas Commission on Environmental Quality (TCEQ) shall use up to $500,000 out of the Hazardous and Solid Waste Remediation Fee Account No. 550 during the biennium beginning on September 1, 2011 for the support of the Texas Environmental Health Institute (TEHI) established in conjunction with the Department of State Health Services in Health and Safety Code, Chapter 427.

Any penalty amounts generated during the biennium beginning on September 1, 2011 from the TCEQ's administrative or civil enforcement actions that are invested in a Supplemental Environmental Project conducted by the TEHI or by any other organization in association with the TEHI, shall be considered an expenditure of the TCEQ for the purpose of supporting the TEHI.

**19. Unexpended Balance Authority within the Biennium.** Any unexpended balances on August 31, 2012 in the appropriations made above to the Commission on Environmental Quality are hereby appropriated for the same purposes for the fiscal year beginning on September 1, 2012.

**20. Nuisance Surveys for the Economically Distressed Areas Program.** Out of amounts appropriated above out of the General Revenue Fund in Strategy A.1.2, Water Resource Assessment and Planning, the Texas Commission on Environmental Quality shall reimburse the Department of State Health Services (DSHS) for costs incurred by DSHS in conducting nuisance surveys for applicants for financial assistance through the Economically Distressed Areas program administered by the Water Development Board. The Commission shall reimburse such costs through Interagency Contracts with (DSHS) in an amount not to exceed a total of $250,000 for the biennium beginning on September 1, 2011.

**21. Texas Emissions Reduction Plan (TERP): Grants and Administration.** Included in amounts appropriated above in Strategy A.1.1, Air Quality Assessment and Planning, is $57,165,047 in each fiscal year of the 2012-13 biennium out of the Texas Emissions Reduction Plan Account No. 5071. The funds shall be used as follows: $55,995,008 in each fiscal year of the 2012-13 biennium shall be used as incentive payments for the Diesel Emissions Reduction Programs established in Health and Safety Code, Chapter 386, Subchapter C, of which $2,239,602 in each fiscal year of the 2012-13 biennium shall be used to implement the Clean School Bus Initiative established in Health and Safety Code, Chapter 390, pursuant to Health and Safety Code § 386.252, and $2,799,759 each fiscal year of the 2012-13 biennium shall be used to implement the Clean Fleet Program established in Health and Safety Code, Chapter 391 (c); and not more than $1,170,039 in each fiscal year shall be used to administer the Diesel Emissions Reduction Program.

In addition to amounts appropriated above, there is hereby appropriated to the Texas Commission on Environmental Quality for the biennium beginning on September 1, 2011 revenues received and deposited to the credit of the Texas Emissions Reduction Plan Account No. 5071 in excess of the Comptroller's Biennial Revenue Estimate for 2012-13 in an amount not to exceed $8,000,000 in each fiscal year of the 2012-13 biennium. These additional funds shall be used as incentive payments for the Diesel Emissions Reduction Programs.

It is the intent of the Legislature for the Commission on Environmental Quality to work with the Texas Procurement and Support Services Division of the Office of the Comptroller of Public Accounts to negotiate state contract pricing for equipment purchased under the Texas State Clean School Bus Initiative.

**22. Reimbursement of Advisory Committees.** Pursuant to Government Code, § 2110.004, reimbursement of expenses for advisory committee members out of funds appropriated above is limited to the following advisory committees:

Irrigators Advisory Council
Small Business Compliance Advisory Panel
Municipal Solid Waste Management and Resource Recovery Advisory Council
Pollution Prevention Advisory Committee
Dry Cleaners Advisory Committee
Tax Relief for Pollution Control Property Advisory Committee

**23. Authorization: Water and Air Program Fee Rates.** To provide for the recovery of costs of processing certain water and air applications, the following fee rates are established pursuant to Government Code, Chapter 316, Subchapter E, to be effective during the biennium beginning on September 1, 2011.

The maximum rate for the fees authorized in Water Code, §§ 5.701 (b-c), shall be $2,000.

The maximum rate for fees authorized in Health and Safety Code, § 382.062, shall be $80,000.

**24. Contingency Appropriation: Revenue from Increased Fee Rates at Watermaster Offices.** In addition to amounts appropriated above in Strategy A.2.2, Water Resource Permitting, there is hereby appropriated to the Texas Commission on Environmental Quality (TCEQ) for the biennium beginning on September 1, 2011 fee revenues collected and deposited to the credit of the Watermaster Administration Account No. 158 from additional fees generated pursuant to Water Code, § 11.329 due to the implementation of increased fee rates at the watermaster offices and in excess of the Comptroller's Biennial Revenue Estimate for 2012-13 (estimated to be $0). These funds shall be used for operating costs of the watermaster offices.

This appropriation is contingent upon the TCEQ and the watermaster offices assessing fees sufficient to generate, during the 2012-13 biennium, revenue to cover the appropriations out of the Watermaster Administration Account No. 158. In the event that actual and/or projected revenue collections are insufficient to offset the costs identified by this provision, the Comptroller of Public Accounts shall reduce the appropriation authority provided above to be within the amount of revenue expected to be available. The TCEQ and the watermaster offices, upon completion of necessary actions to assess or increase additional fees, shall furnish copies of minutes and other information supporting the estimated revenues to be generated for the 2012-13 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues in excess of those estimated in the Biennial Revenue Estimate for 2012-13, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purpose.

**25. Aggregate Operations along the San Jacinto River.** Out of amounts appropriated above in Strategy C.1.1, Field Inspections and Complaint Response, the Commission on Environmental Quality shall conduct aerial observations at least twice per fiscal year to ensure enforcement of existing statutes and rules relating to aggregate operations along the San Jacinto River.

**26. Appropriation: Operating Costs of the Low-Level Radioactive Waste Disposal Compact Commission (LLRWDCC) and Revenues in Excess of the Comptroller's Beinnial Revenue Estimate (BRE).** Included in amounts appropriated above in Strategy A.3.1, Radioactive Materials Management, $2,029,880 in fiscal year 2012 and $1,546,591 in fiscal year 2013 out of the Low-Level Waste Account No. 88. Of this amount, $583,289 in fiscal year 2012 and $100,000 in fiscal year 2013 shall be allocated for use by the Low-Level Radioactive Waste Disposal Compact Commission (LLRWDCC) for operating costs relating to regulatory activities, policy implementation, staffing, travel, and other general operating expenses. The LLRWDCC shall file an annual report of the use of funds from this appropriation to the Comptroller of Public Accounts, the Texas Commission on Environmental Quality (TCEQ), and the Legislative Budget Board for the preceding fiscal year on or before December 31 of each year.

In addition to amounts appropriated above out of the Low-Level Waste Account in Strategy A.3.1, Radioactive Materials Management, there is hereby appropriated to the TCEQ an amount not to exceed $483,289 in fiscal year 2013 in revenues to the Low-Level Waste Account No. 88 in excess of the Comptroller's Biennial Revenue Estimate for 2012-13. These funds shall be allocated for use by the Low-Level Radioactive Waste Disposal Compact Commission (LLRWDCC) for operating costs relating to regulatory activities, policy implementation, staffing, travel, and other general operating expenses. This appropriation is contingent upon revenues to the Low-Level Waste Account No. 88 in excess of the Comptroller's Biennial Revenue for 2012-13 in an amount sufficient to cover the appropriation of $483,289 in fiscal year 2013. None of these additional funds shall be used to pay for costs related to "full-time equivalent (FTE)" positions.

**27. Sunset Contingency.** Funds appropriated above for the Texas Commission on Environmental Quality (TCEQ) for fiscal year 2013 are made contingent on the continuation of the TCEQ by the 82nd Legislature. In the event that the agency is not continued, funds appropriated for fiscal year 2012, or as much thereof as may be necessary, are to be used for the phase out of agency operations.

**28. Contingency Appropriation: Transfer of the Regulation of Bottled Water from the Department of State Health Services to the Texas Commission on Environmental Quality.** Contingent upon passage of legislation by the 82nd Legislature, 2011, transferring the regulation of bottled water from the Department of State Health Services (DSHS) to Texas Commission on Environmental Quality (TCEQ), there is hereby transferred $30,000 in General Revenue in each fiscal year of the 2012-13 biennium from Strategy D.1.1, Food (Meat) and Drug Safety, at the DSHS to Strategy B.1.1, Safe Drinking Water, at the TCEQ for the purpose of regulating bottled water.

**29. Contingency Appropriation: Revenues in Excess of the Comptroller's Biennial Revenue Estimate for the Operating Permit Fees Account No. 5094.** Included in amounts appropriated above out of the Operating Permit Fees Account to the Texas Commission on Environmental Quality (TCEQ) is $28,653,574 in fiscal year 2012 and $28,650,482 in fiscal year 2013.

In addition to amounts appropriated above there is hereby appropriated to the TCEQ an amount not to exceed $2,424,344 in fiscal year 2012 and an amount not to exceed $2,414,256 in fiscal year 2013 in revenues in excess of the Comptroller's Biennial Revenue Estimate for 2012-13. The TCEQ is authorized to transfer appropriations made pursuant to this provision to the appropriate strategy items to implement the Title V air permitting program. This appropriation is contingent upon the TCEQ assessing or increasing fees deposited to the Operating Permit Fees Account No. 5094 sufficient to generate, during the 2012-13 biennium, at least $2,424,344 in fiscal year 2012 and $2,414,256 in fiscal year 2013 in excess of the Comptroller's Biennial Revenue for 2012-13. None of these additional funds shall be used to pay for costs related to "full-time equivalent (FTE)" positions.

**30. Petroleum Storage Tank Administration: Temporary and Contract Worker Exemption from the Limitation on Full-Time Equivalent (FTE) Positions.** For the purposes of implementing Petroleum Storage Tank activities identified in Water Code,§ 26.3573 (d), the TCEQ is exempt from provisions of Article IX relating to the inclusion of temporary or contract workers in the calculation of the number of Full-Time Equivalent (FTE) positions by a state agency.

**31. Low-Income Vehicle Repair Assistance, Retrofit, and Accelerated Vehicle Retirement Program (LIRAP).** Included in the amounts appropriated above out of the Clean Air Account No. 151 in Strategy A.1.1, Air Quality Assessment and Planning, is $5,625,000 in each fiscal year of the 2012-13 biennium in estimated fee revenues from vehicle inspection and maintenance fees generated pursuant to Health and Safety Code, §§ 382.202 and 382.302, to fund the Low-income Vehicle Repair Assistance, Retrofit, and Accelerated Vehicle Retirement Program (LIRAP). Of the amounts, not more than $40,375 in each fiscal year shall be used by the Texas Commission on Environmental Quality (TCEQ) for costs associated with administering the LIRAP as authorized in Health and Safety Code, § 382.202, and all remaining funds shall be used as LIRAP grants to local governments.

Also included in the amounts appropriated above in Strategy A.1.1, Air Quality Assessment and Planning, is $625,000 in each fiscal year of the 2012-13 biennium out of the Clean Air Account No. 151 to be used only for purposes authorized in Chapter 382 of the Health and Safety Code for county-implemented local initiatives projects to reduce air emissions, including but not limited to the following: the expansion of AirCheck Texas Repair and Replacement Assistance Program;

development and implementation of remote emissions-sensing systems, the Texas Commission on Environmental Quality's (TCEQ) Smoking Vehicle program, and the enhancement of transportation system improvements; and coordination with local law enforcement to reduce counterfeit inspection stickers.

In addition to the amounts appropriated above, there is hereby appropriated to the TCEQ for the biennium beginning on September 1, 2011 any additional revenues from vehicle inspection and maintenance fees generated from additional counties participating in the LIRAP beginning on or after September 1, 2011. Such funds shall be used to provide grants to local governments and to cover administrative costs of the TCEQ in administering the LIRAP.

**32. Petroleum Storage Tank Responsible Party Remediation.** It is the intent of the Legislature that the Commission on Environmental Quality prioritize the use of funds appropriated above out of the Petroleum Storage Tank Remediation Account No. 655 to address the continued remediation and monitoring of sites transferred from the responsible party remediation program to the state lead program pursuant to Water Code, § 26.3573, Subsection (r-1). Notwithstanding this provision, in prioritizing sites the TCEQ shall consider the risks associated with all sites requiring remediation and monitoring, as well as the availability of funds. In selecting contractors to perform remediation services at these transferred sites, the Executive Director of the TCEQ may make direct awards to existing contractors who are otherwise eligible for award to ensure that the continued remediation of these sites progresses in the most efficient and cost-effective manner which presents the list risk of disrupting ongoing remediation and monitoring activities.

**33. Barnett Shale Permit By Rule Study.** The Texas Commission on Environmental Quality (TCEQ) is not authorized to expend any funds appropriated in this Act to implement a rule that would extend 30 Texas Administrative Code, § 106.352, Oil and Gas Handling Production Facilities, Rule Project No. 2010-018-106-PR ("Barnett Shale permit by rule") to oil and gas sources located outside the 23-county area of the Barnett Shale identified in subsection (a)(1) of the Barnett Shale permit by rule region ("Barnett Shale Region") until after August 31, 2013 and until after the agency conducts a study and files a report with the Legislature on the economic impact of extending the provisions of the Barnett Shale permit by rule to other areas of the state. Such a study may be funded through (1) grants, awards, or other gifts made to the TCEQ for that purpose; (2) funds directed to this study through supplemental environmental projects; or (3) by the use of the Texas Emissions Reduction Plan funds, as available. The study shall:

(a) Be based on data collected during the 18-month period following initial implementation of the Barnett Shale permit by rule in the Barnett Shale Region;
(b) Assess the technical feasibility and economic reasonableness of the implementation of the Barnett Shale permit by rule in geographic areas outside of the Barnett Shale Region, including an assessment of the economic impacts on the oil and gas industry and the Texas economy; and
(c) Assess any other factors the TCEQ deems relevant.

Nothing herein shall be construed to limit the TCEQ's authority to develop a permit by rule or other authorization for planned maintenance, startup, and shutdown emissions from oil and gas sources located outside the Barnett Shale Region.

**34. Contingent Appropriation: Revenue to the Environmental Laboratory Accreditation Account No. 5065 in Excess of the Comptroller's Biennial Revenue Estimate for 2012-13.** In addition to amounts appropriated above in Strategy C.1.2, Enforcement and Compliance Support, there is hereby appropriated an amount not to exceed $250,000 in each fiscal year of the 2012-13 biennium in revenue collected and deposited to the Environmental Laboratory Accreditation Account No. 5065 in excess of the Comptroller's Biennial Revenue Estimate for 2012-13.

## GENERAL LAND OFFICE AND VETERANS' LAND BOARD

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 647,390 | $ 647,390 |

| | | |
|---|---|---|
| General Revenue Fund - Dedicated | | |
| Coastal Protection Account No. 027 | 10,554,136 | 10,559,403 |
| Coastal Public Lands Management Fee Account No. 450 | 202,510 | 202,509 |
| Subtotal, General Revenue Fund - Dedicated | $ 10,756,646 | $ 10,761,912 |
| Federal Funds | 14,747,481 | 15,626,565 |
| Other Funds | | |
| Texas Veterans Homes Administration Fund No. 374 | 2,912,065 | 3,198,650 |
| Permanent School Fund No. 044 | 13,845,557 | 13,084,419 |
| Appropriated Receipts | 7,056,520 | 7,556,520 |
| Interagency Contracts | 11,311,242 | 11,311,242 |
| Veterans Land Program Administration Fund No. 522 | 16,948,318 | 16,948,062 |
| Subtotal, Other Funds | $ 52,073,702 | $ 52,098,893 |
| **Total, Method of Financing** | $ 78,225,219 | $ 79,134,760 |
| **This bill pattern represents an estimated 15.5% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 598.2 | 598.2 |
| **Schedule of Exempt Positions:** | | |
| Land Commissioner, Group 5 | $137,500 | $137,500 |
| **Items of Appropriation:** | | |
| **A. Goal:** ENHANCE STATE ASSETS | | |
| Enhance State Assets and Revenues by Managing State-owned Lands. | | |
| **A.1.1. Strategy:** ENERGY LEASE MANAGEMENT & REV AUDIT | $ 3,711,964 | $ 3,622,371 |
| Assess State Lands' Revenue Potential & Manage Energy Leases/Revenues. | | |
| **A.1.2. Strategy:** ENERGY MARKETING | $ 1,098,846 | $ 1,098,846 |
| **A.1.3. Strategy:** DEFENSE AND PROSECUTION | $ 3,136,161 | $ 3,136,161 |
| Royalty and Mineral Lease Defense and Prosecution. | | |
| **A.1.4. Strategy:** UPLANDS LEASING | $ 780,880 | $ 780,880 |
| Uplands Leasing and Inspection. | | |
| **A.1.5. Strategy:** COASTAL LEASING | $ 2,361,018 | $ 2,361,096 |
| Coastal Leasing and Inspection. | | |
| **A.2.1. Strategy:** ASSET MANAGEMENT | $ 6,831,885 | $ 6,160,341 |
| PSF & State Agency Real Property Evaluation/Acquisition/Disposition. | | |
| **A.2.2. Strategy:** SURVEYING AND APPRAISAL | $ 706,360 | $ 706,359 |
| PSF & State Agency Surveying and Appraisal. | | |
| **Total, Goal A:** ENHANCE STATE ASSETS | $ 18,627,114 | $ 17,866,054 |
| **B. Goal:** PROTECT THE COASTAL ENVIRONMENT | | |
| Protect the Environment, Promote Wise Resource Use, and Create Jobs. | | |
| **B.1.1. Strategy:** COASTAL MANAGEMENT | $ 10,804,180 | $ 11,689,512 |
| **B.1.2. Strategy:** COASTAL EROSION CONTROL GRANTS | $ 16,805,248 | $ 19,485,268 |
| **B.2.1. Strategy:** OIL SPILL RESPONSE | $ 6,216,270 | $ 6,157,244 |
| **B.2.2. Strategy:** OIL SPILL PREVENTION | $ 3,795,548 | $ 3,719,494 |
| **Total, Goal B:** PROTECT THE COASTAL ENVIRONMENT | $ 37,621,246 | $ 41,051,518 |
| **C. Goal:** VETERANS' LAND BOARD (VLB) | | |
| Provide Benefit Programs to Texas Veterans. | | |
| **C.1.1. Strategy:** VETERANS' LOAN PROGRAMS | $ 11,926,080 | $ 11,925,824 |
| **C.1.2. Strategy:** VETERANS' HOMES | $ 2,672,230 | $ 2,672,230 |
| State Veterans' Homes. | | |

| | | |
|---|---|---|
| **C.1.3. Strategy:** VETERANS' CEMETERIES<br>State Veterans' Cemeteries. | $ 7,378,549 | $ 5,619,134 |
| **Total, Goal C:** VETERANS' LAND BOARD (VLB) | $ 21,976,859 | $ 20,217,188 |
| **Grand Total,** GENERAL LAND OFFICE AND VETERANS' LAND BOARD | $ 78,225,219 | $ 79,134,760 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 36,205,573 | $ 36,171,593 |
| Other Personnel Costs | 897,254 | 899,734 |
| Professional Fees and Services | 10,911,891 | 11,140,963 |
| Fuels and Lubricants | 176,082 | 175,982 |
| Consumable Supplies | 281,166 | 274,165 |
| Utilities | 436,975 | 447,520 |
| Travel | 933,880 | 919,220 |
| Rent - Building | 401,260 | 400,827 |
| Rent - Machine and Other | 224,572 | 222,333 |
| Other Operating Expense | 4,104,795 | 3,732,786 |
| Grants | 11,923,433 | 15,721,525 |
| Capital Expenditures | 11,728,338 | 9,028,112 |
| **Total, Object-of-Expense Informational Listing** | $ 78,225,219 | $ 79,134,760 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 2,280,372 | $ 2,291,774 |
| Group Insurance | 4,778,595 | 4,840,619 |
| Social Security | 2,911,536 | 2,926,094 |
| Benefits Replacement | 210,721 | 197,025 |
| Subtotal, Employee Benefits | $ 10,181,224 | $ 10,255,512 |
| Debt Service | | |
| Lease Payments | $ 384,473 | $ 326,140 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 10,565,697 | $ 10,581,652 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the General Land Office and Veterans' Land Board. 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 General Land Office and Veterans' Land Board. In order to achieve the objectives and service standards established by this Act, the General Land Office and Veterans' Land Board shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** ENHANCE STATE ASSETS | | |
| **Outcome (Results/Impact):** | | |
| Percent of Permanent School Fund Uplands Acreage Leased | 88% | 88% |
| **A.1.1. Strategy:** ENERGY LEASE MANAGEMENT & REV AUDIT | | |
| **Output (Volume):** | | |
| Amount of Revenue from Audits/Lease Reconciliations | 10,200,000 | 10,200,000 |
| **A.1.2. Strategy:** ENERGY MARKETING | | |
| **Output (Volume):** | | |
| Average Monthly Volume of In-kind Gas Sold in MMBtu | 1,880,000 | 1,400,000 |
| **A.1.4. Strategy:** UPLANDS LEASING | | |
| **Output (Volume):** | | |
| Annual Revenue from Uplands Surface Leases | 11,000,000 | 11,000,000 |
| **A.1.5. Strategy:** COASTAL LEASING | | |
| **Output (Volume):** | | |
| Annual Revenue from Coastal Leases | 4,000,000 | 4,000,000 |

| | | |
|---|---|---|
| **B. Goal:** PROTECT THE COASTAL ENVIRONMENT | | |
| **Outcome (Results/Impact):** | | |
| Percent of Eroding Shorelines Maintained, Protected or Restored for Gulf Beaches and Other Shorelines | 9% | 12.5% |
| **B.1.1. Strategy:** COASTAL MANAGEMENT | | |
| **Output (Volume):** | | |
| Number of Coastal Management Program Grants Awarded | 24 | 24 |
| **B.1.2. Strategy:** COASTAL EROSION CONTROL GRANTS | | |
| **Explanatory:** | | |
| Cost/Benefit Ratio for Coastal Erosion Planning and Response Act Projects | 2.68 | 2.68 |
| **B.2.1. Strategy:** OIL SPILL RESPONSE | | |
| **Output (Volume):** | | |
| Number of Oil Spill Responses | 875 | 850 |
| **B.2.2. Strategy:** OIL SPILL PREVENTION | | |
| **Output (Volume):** | | |
| Number of Prevention Activities - Vessels | 1,336 | 1,336 |
| **C. Goal:** VETERANS' LAND BOARD (VLB) | | |
| **Outcome (Results/Impact):** | | |
| Percent of Texas Veterans Reached through Direct Outreach Efforts | 9% | 11% |
| Percent of Total Loan Income Used for Administrative Purposes | 15.37% | 15.6% |
| **C.1.1. Strategy:** VETERANS' LOAN PROGRAMS | | |
| **Output (Volume):** | | |
| Number of Loans Originated by Veterans Land Board | 843 | 876 |
| **C.1.2. Strategy:** VETERANS' HOMES | | |
| **Output (Volume):** | | |
| Occupancy Rate at Veterans Homes | 90% | 95% |

2. **Capital Budget.** Funds appropriated above may be expended for capital budget items listed below. The amounts identified for each item may be adjusted or expended on other capital expenditures, subject to the aggregate dollar restrictions on capital budget expenditures provided in the General Provisions of this Act.

| | 2012 | 2013 |
|---|---|---|
| a. Construction of Buildings and Facilities | | |
| (1) Oily Bilge Reclamation Systems | $ 123,500 | $ 123,500 |
| (2) Texas State Veterans' Cemeteries | 2,046,000 | 0 |
| (3) Coastal Erosion Response Construction | $ 8,697,228 | $ 8,697,228 |
| Total, Construction of Buildings and Facilities | $ 10,866,728 | $ 8,820,728 |
| b. Acquisition of Information Resource Technologies | | |
| (1) Combined Systems Upgrade | 109,812 | 109,812 |
| (2) Agency Land Program Project (ALPS) | 187,500 | 0 |
| (3) Business Process Integration Project | 262,500 | 0 |
| (4) Business Analytics Project | 225,000 | 0 |
| (5) Gas Management System | 239,250 | 0 |
| (6) Storage Enhancement Project | $ 708,000 | $ 0 |
| Total, Acquisition of Information Resource Technologies | $ 1,732,062 | $ 109,812 |
| c. Acquisition of Capital Equipment and Items | | |
| (1) Equipment - Replacement | $ 87,216 | $ 87,216 |
| Total, Capital Budget | $ 12,686,006 | $ 9,017,756 |
| Method of Financing (Capital Budget): | | |
| GR Dedicated - Coastal Protection Account No. 027 | $ 210,716 | $ 210,716 |
| Federal Funds | 2,754,000 | 0 |

| | | |
|---|---|---|
| Other Funds | | |
| Permanent School Fund No. 044 | 950,854 | 36,604 |
| Veterans Land Program Administration Fund No. 522 | 73,208 | 73,208 |
| Interagency Contracts | 8,697,228 | 8,697,228 |
| Subtotal, Other Funds | $ 9,721,290 | $ 8,807,040 |
| Total, Method of Financing | $ 12,686,006 | $ 9,017,756 |

3. **Per Diem: Boards, Commissions, and Councils.** Citizen members of the School Land Board, Veterans' Land Board, Boards for Lease, and the Coastal Coordination Council may be paid per diem at a rate not to exceed the amount established elsewhere in this Act and actual expenses from funds appropriated above.

4. **Appropriation Source: Veterans' Land Program.** In addition to amounts appropriated above, there is hereby appropriated from the Veterans' Land Administration Fund No. 522 and the Veterans' Home Administration Fund No. 374 all amounts necessary to administer the Veterans' Land Program, Veterans' Housing Assistance Program, State Veterans' Homes, and Veterans' Cemeteries, including the amounts incurred in issuing bonds, in compensating a Housing Program Administrator, and in paying contracts for services rendered in administering the land and housing programs, as created and authorized by Article III, § 49b of the Texas Constitution, as amended and Chapter 164 of the Natural Resources Code.

5. **Appropriation of Receipts: Land Sales Expenses.** Pursuant to §§ 31.1571, 31.158 and 32.112, Natural Resources Code, there is hereby appropriated to the General Land Office all Appropriated Receipts from land sales sufficient to cover the usual and customary costs of conducting real estate transactions as authorized to be retained by the General Land Office and the School Land Board (estimated to be $0 during the 2012-13 biennium).

6. **Transfer Authority.** Notwithstanding limitations on appropriation transfers contained in the General Provisions of this Act, the General Land Office and Veterans' Land Board, is hereby authorized to direct agency resources within the General Land Office and Veterans' Land Board, and transfer such amounts appropriated above between strategy line items.

7. **Appropriation: Defense of Title to Permanent School Fund Real Property and Prosecution of Mineral Lease Claims or Cases.** Included in amounts appropriated above in Strategy A.1.3, Defense and Prosecution, is $2,070,000 in each fiscal year of the 2012-13 biennium in Appropriated Receipts from funds recovered for the Permanent School Fund by the General Land Office from the prosecution of Relinquishment Act, royalty deficiency and other mineral lease claims or cases. Such funds are to be used for the defense of title to Permanent School Fund real property, and the prosecution of Relinquishment Act, royalty deficiency and other mineral lease claims or cases.

8. **Unexpended Balances Within the Biennium.** Any unexpended balances as of August 31, 2012 in the appropriations made herein to the General Land Office and Veterans' Land Board are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2012.

9. **Appropriation: Easement Fees for Use of State-owned Riverbeds.** Included in the amounts appropriated above in Strategy A.1.4, Uplands Leasing, are all unencumbered balances on hand as of August 31, 2011 (not to exceed $100,000 in Appropriated Receipts). In addition to amounts appropriated above, all amounts collected in Appropriated Receipts as easement fees for use of state-owned riverbeds pursuant to § 51.297, Natural Resources Code, or agency rules, during the biennium beginning September 1, 2011 (estimated to be $0) are hereby appropriated for the biennium beginning on September 1, 2011 for the removal or improvement of unauthorized structures on Permanent School Fund real property.

10. **Reporting Requirements: Veterans' Land Board Loan Programs.** It is the intent of the Legislature that the General Land Office and Veterans' Land Board submit the following information on the Veterans' Land Board Housing and Land Loan Programs to the Bond Review Board on a semi-annual basis: the current and historical program cash flows for the last five fiscal years; a comparison of the net revenues of the programs to the debt service on the bonds; a comparison of actual to forecasted loan and investment income; and the number and dollar amount of foreclosures as a percentage of all active loans in the programs.

11. **Medicaid Reimbursement Rates for Texas State Veterans Homes.** It is the intent of the Legislature that the Health and Human Services Commission, in consultation with the General Land Office and Veterans' Land Board and pursuant to existing general law authority, should

establish Medicaid reimbursement rates for long-term care services provided to Medicaid-eligible veterans who reside in veterans homes established and operated pursuant to Natural Resources Code, Chapter 164, that contract with the Texas Department of Aging and Disability Services to provide nursing facility services. The Health and Human Services Commission shall report on December 1 of each fiscal year in the biennium to the Legislative Budget Board and the Governor on the following: how many, on average, Medicaid-eligible veterans are in the veteran's homes; how many current residents of the homes are determined to be Medicaid-eligible in the prior fiscal year; and how many Medicaid-eligible veterans transfer into the homes and how many enter the homes as their initial nursing facility during the previous fiscal year. In addition, the report shall contain the total amount of Medicaid reimbursements paid in the prior fiscal year for veterans, the average daily rate paid to the facilities, and any other information requested by the Legislative Budget Board and the Governor.

12. **Real Property Investment Reporting.** On or before December 1 of each fiscal year, the General Land Office (GLO) shall submit to the Governor and Legislature a report on the amount of funds invested each year in the acquisition of real property, as well as the amount the GLO expects to invest on real property acquisitions in the following fiscal year. The report shall include the amount of funds expended from the Real Estate Special Fund Account of the Permanent School Fund No. 44 as well as the amount of funds deposited to the Real Estate Special Fund Account of the Permanent School Fund No. 44 as a result of real property sales, leases, or other investment income.

13. **Appropriation: Shared Project Funds.** Included in amounts appropriated above out of Appropriated Receipts in Strategy B.1.2, Coastal Erosion Control Grants, are estimated receipts for shared project funds received in accordance with Natural Resources Code, Chapter 33, Subchapter H, § 33.603(c)(1) and § 33.604 (estimated to be $2,625,000 for fiscal year 2012 and $3,125,000 for fiscal year 2013).

14. **Appropriation of Receipts: Real Property Sales and Mineral Royalties.** In addition to the amounts appropriated above, the General Land Office is hereby appropriated all additional receipts from real property sales of the Real Estate Special Fund Account of the Permanent School Fund (PSF) No. 44 conducted by the General Land Office and all receipts from the lease of PSF land for mineral development mineral or royalty interests, real asset investments, or other interests, including revenue received from these sources, mineral estate in riverbeds, channels, and the tidelands, including islands, that are necessary to purchase fee or lesser interests in real property for the use and benefit of the PSF or for the purpose of purchasing easements for access to PSF land as authorized by Natural Resources Code § 11.07, and for all purposes pursuant to Natural Resources Code § 51.402.

15. **Appropriation: Receipts and Account Balances for Surface Damages.** Included in the amounts appropriated above out of the Permanent School Fund No. 44 in Strategy A.2.1, Asset Management, is $475,000 in each fiscal year of the biennium beginning on September 1, 2011 in receipts collected as surface damages pursuant to Natural Resources Code §§ 52.297, 53.115, 31.051, 51.291, 51.295, and 51.296. Such funds are appropriated for the purpose of funding conservation or reclamation projects, making permanent improvements on Permanent School Fund (PSF) real property, and making grants to a lessee of PSF real property for these purposes and for the purpose of purchasing easements for access to PSF land, as authorized by Natural Resources Code § 11.079, and for maintaining and removing debris from a public beach within threatened areas included in a declared natural disaster, as authorized in Natural Resources Code, §61.067. In addition to the amounts appropriated above, additional revenues received from surface damage receipts during the biennium beginning on September 1, 2011 (estimated to be $0) are hereby appropriated to the General Land Office for the same purposes.

16. **Marketing, Acquisition, Disposition, and Management of Real Property Purchased by the Permanent School Fund.** Included in the amounts appropriated above out of the Permanent School Fund (PSF) No. 44 in Strategy A.2.1, Asset Management, are funds generated by the leasing of (PSF) real property surface interests to pay reasonable and necessary costs incurred by the General Land Office for the marketing, acquisition, disposition, and management of real property purchased with proceeds of the PSF (estimated to be $1,520,000 in each fiscal year of the biennium beginning on September 1, 2011).

17. **Appropriation Authority of Coastal Protection Account Funds.** Included in amounts appropriated above in Strategy B.1.2, Coastal Erosion Control Grants, is an estimated $386,842 in fiscal year 2012 and $518,892 in fiscal year 2013 in interest earnings out of the Coastal Protection Account No. 27. In addition to amounts appropriated above, any interest earnings from the Coastal

Protection Account No. 27 in excess of the Comptroller's Biennial Revenue Estimate for 2012-13 (estimated to be $0) are hereby appropriated to the General Land Office for the biennium beginning on September 1, 2011, for coastal erosion response.

**18. State Energy Marketing Program.** It is the intent of the Legislature that the General Land Office use a portion of the revenue from real property sales of the Permanent School Fund (PSF) and all receipts from the lease of PSF real property for mineral development, including royalties from existing and future active mineral leases of PSF land, to manage the State Energy Marketing Program as authorized by Natural Resources Code § 31.401 and Utilities Code §§ 35.102 and 104.2545.

**19. Out of State Travel Limitation.** Notwithstanding limitations contained elsewhere in this Act on the expenditure of appropriated funds for travel outside the state of Texas, expenditures by the General Land Office and Veterans' Land Board on out-of-state travel shall not exceed $120,000 in any fiscal year. In addition, the travel expenses incurred by the General Land Office and Veterans' Land Board staff associated with federal programs and paid out of Federal Funds are exempt from the requirements of Article IX, Section 5.08, Limitations on Travel Expenditures, and the limitations on such expenditures as set forth therein.

**20. Appropriation: Coastal Management and Coastal Erosion Control.** Included in amounts appropriated above out of Interagency Contracts is $124,009 in each fiscal year of the 2012-13 biennium in Strategy A.1.5, Coastal Leasing and Inspection, $633,674 in fiscal year 2012 and $585,704 in fiscal year 2013 in Strategy B.1.1, Coastal Management, and $10,476,277 in fiscal year 2012 and $10,524,247 in fiscal year 2013 in Strategy B.1.2, Coastal Erosion Control Grants. The General Land Office (GLO) shall enter into an Interagency Contract with the Parks and Wildlife Department for coastal management and coastal erosion control purposes from proceeds of the Sporting Goods Sales Tax Transfer to the State Parks Account No. 64 in the amount of $11,233,960 in each fiscal year of the 2012-13 biennium.

**21. Interagency Contract with the Texas Veterans Commission.** Included in the amounts appropriated above to the General Land Office and Veterans' Land Board out of Interagency Contracts in Strategy C.1.1, Veterans' Loan Programs, is $70,476 in each fiscal year of the 2012-13 biennium derived from a contract between the General Land Office and Veterans' Land Board and the Texas Veterans Commission (TVC) to fund operations of the TVC Call Center. Pursuant to Natural Resources Code § 161.076, the General Land Office and Veterans Land Board and the Texas Veterans Commission shall enter into a memorandum of understanding regarding the funding and operations of the Veterans Commission Call Center.

## PARKS AND WILDLIFE DEPARTMENT

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | | |
| General Revenue Fund | $ 11,192,242 | $ 11,095,708 |
| Sporting Goods Sales Tax - Transfer To: | | |
| State Parks Account No. 64 | 36,071,701 | 38,452,560 |
| Texas Recreation and Parks Account No. 467 | 420,937 | 433,437 |
| Large County and Municipality Recreation and Parks Account No. 5150 | 302,085 | 302,085 |
| Unclaimed Refunds of Motorboat Fuel Tax | 15,154,457 | 15,154,457 |
| Boat and Boat Motor Sales and Use Tax | 4,982,000 | 4,982,000 |
| Subtotal, General Revenue Fund | $ 68,123,422 | $ 70,420,247 |
| General Revenue Fund - Dedicated | | |
| Game, Fish and Water Safety Account No. 009 | 85,537,047 | 87,417,934 |
| State Parks Account No. 064 | 31,260,513 | 31,300,961 |
| Operators and Chauffeurs License Account No. 099 | 825,000 | 825,000 |
| Non-Game and Endangered Species Conservation Account No. 506 | 42,981 | 42,981 |
| Lifetime License Endowment Account No. 544 | 503,625 | 503,625 |
| Texas Parks and Wildlife Conservation and Capital Account No. 5004 | 288,000 | 290,499 |

| | | |
|---|---|---|
| Big Bend National Park Account No. 5030 | 30,000 | 30,000 |
| Waterfowl/Wetland Conservation License Plate Account No. 5057 | 22,500 | 22,500 |
| Texas Lions Camp License Plate Account No. 5116 | 5,500 | 5,500 |
| Marine Mammal Recovery License Plate Account No. 5120 | 6,500 | 6,500 |
| Marine Conservation License Plate Account No. 5142 | 14,000 | 14,000 |
| Subtotal, General Revenue Fund - Dedicated | $ 118,535,666 | $ 120,459,500 |
| Federal Funds | 34,122,870 | 32,728,905 |
| Other Funds | | |
| Appropriated Receipts | 9,517,816 | 3,868,409 |
| Interagency Contracts | 225,000 | 225,000 |
| Bond Proceeds - General Obligation Bonds | 11,294,372 | 32,856,093 |
| Subtotal, Other Funds | $ 21,037,188 | $ 36,949,502 |
| **Total, Method of Financing** | $ 241,819,146 | $ 260,558,154 |
| **This bill pattern represents an estimated 99.6% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 2,917.7 | 2,923.0 |
| **Number of FTEs in Riders:** | 60.3 | 60.3 |
| **Schedule of Exempt Positions:** | | |
| Executive Director, Group 5 | $143,000 | $143,000 |
| **Items of Appropriation:** | | |
| **A. Goal:** CONSERVE NATURAL RESOURCES | | |
| Conserve Fish, Wildlife, and Natural Resources. | | |
| **A.1.1. Strategy:** WILDLIFE CONSERVATION | $ 16,857,043 | $ 17,206,128 |
| Wildlife Conservation, Habitat Management, and Research. | | |
| **A.1.2. Strategy:** TECHNICAL GUIDANCE | $ 2,125,562 | $ 2,125,562 |
| Technical Guidance to Private Landowners and the General Public. | | |
| **A.1.3. Strategy:** HUNTING AND WILDLIFE RECREATION | $ 2,739,218 | $ 2,739,217 |
| Enhanced Hunting and Wildlife-related Recreational Opportunities. | | |
| **A.2.1. Strategy:** INLAND FISHERIES MANAGEMENT | $ 10,460,179 | $ 10,638,933 |
| Inland Fisheries Management, Habitat Conservation, and Research. | | |
| **A.2.2. Strategy:** INLAND HATCHERIES OPERATIONS | $ 5,726,194 | $ 5,755,694 |
| **A.2.3. Strategy:** COASTAL FISHERIES MANAGEMENT | $ 10,923,958 | $ 11,111,242 |
| Coastal Fisheries Management, Habitat Conservation and Research. | | |
| **A.2.4. Strategy:** COASTAL HATCHERIES OPERATIONS | $ 3,460,343 | $ 3,480,343 |
| **Total, Goal A:** CONSERVE NATURAL RESOURCES | $ 52,292,497 | $ 53,057,119 |
| **B. Goal:** ACCESS TO STATE AND LOCAL PARKS | | |
| **B.1.1. Strategy:** STATE PARK OPERATIONS | $ 58,738,566 | $ 60,490,276 |
| State Parks, Historic Sites and State Natural Area Operations. | | |
| **B.1.2. Strategy:** PARKS MINOR REPAIR PROGRAM | $ 3,399,383 | $ 3,399,383 |
| **B.1.3. Strategy:** PARKS SUPPORT | $ 3,773,824 | $ 3,773,824 |
| **B.2.1. Strategy:** LOCAL PARK GRANTS | $ 434,480 | $ 446,980 |
| Provide Local Park Grants. | | |
| **B.2.2. Strategy:** BOATING ACCESS AND OTHER GRANTS | $ 497,896 | $ 497,896 |
| Provide Boating Access, Trails and Other Grants. | | |
| **Total, Goal B:** ACCESS TO STATE AND LOCAL PARKS | $ 66,844,149 | $ 68,608,359 |
| **C. Goal:** INCREASE AWARENESS AND COMPLIANCE | | |
| **C.1.1. Strategy:** ENFORCEMENT PROGRAMS | $ 41,521,810 | $ 42,429,728 |
| Wildlife, Fisheries and Water Safety Enforcement. | | |
| **C.1.2. Strategy:** TEXAS GAME WARDEN TRAINING CENTER | $ 921,741 | $ 1,696,095 |

| | | | | |
|---|---|---|---|---|
| **C.1.3. Strategy:** LAW ENFORCEMENT SUPPORT<br>Provide Law Enforcement Oversight, Management and Support. | $ | 1,903,446 | $ | 1,903,446 |
| **C.2.1. Strategy:** HUNTER AND BOATER EDUCATION<br>Provide Hunter and Boater Education Programs. | $ | 1,321,021 | $ | 1,321,021 |
| **C.2.2. Strategy:** TP&W MAGAZINE<br>Texas Parks & Wildlife Magazine. | $ | 2,269,375 | $ | 2,269,375 |
| **C.2.3. Strategy:** PROMOTE TPWD EFFORTS<br>Promote TPWD Efforts and Provide Communication Products and Services. | $ | 2,337,259 | $ | 2,355,758 |
| **C.2.4. Strategy:** OUTREACH AND EDUCATION<br>Provide Outreach and Education Programs. | $ | 744,761 | $ | 744,761 |
| **C.3.1. Strategy:** LICENSE ISSUANCE<br>Hunting and Fishing License Issuance. | $ | 7,268,159 | $ | 7,268,159 |
| **C.3.2. Strategy:** BOAT REGISTRATION AND TITLING | $ | 1,235,123 | $ | 1,235,123 |
| **Total, Goal C:** INCREASE AWARENESS AND COMPLIANCE | $ | 59,522,695 | $ | 61,223,466 |
| **D. Goal:** MANAGE CAPITAL PROGRAMS | | | | |
| **D.1.1. Strategy:** IMPROVEMENTS AND MAJOR REPAIRS<br>Implement Capital Improvements and Major Repairs. | $ | 31,029,109 | $ | 44,649,148 |
| **D.1.2. Strategy:** LAND ACQUISITION | $ | 267,803 | $ | 267,803 |
| **D.1.3. Strategy:** INFRASTRUCTURE ADMINISTRATION<br>Infrastructure Program Administration. | $ | 3,527,236 | $ | 3,616,383 |
| **D.1.4. Strategy:** DEBT SERVICE<br>Meet Debt Service Requirements. | $ | 7,313,213 | $ | 7,208,829 |
| **Total, Goal D:** MANAGE CAPITAL PROGRAMS | $ | 42,137,361 | $ | 55,742,163 |
| **E. Goal:** INDIRECT ADMINISTRATION | | | | |
| **E.1.1. Strategy:** CENTRAL ADMINISTRATION | $ | 8,635,090 | $ | 8,635,090 |
| **E.1.2. Strategy:** INFORMATION RESOURCES | $ | 9,356,911 | $ | 10,261,514 |
| **E.1.3. Strategy:** OTHER SUPPORT SERVICES | $ | 3,030,443 | $ | 3,030,443 |
| **Total, Goal E:** INDIRECT ADMINISTRATION | $ | 21,022,444 | $ | 21,927,047 |
| **Grand Total,** PARKS AND WILDLIFE DEPARTMENT | $ | 241,819,146 | $ | 260,558,154 |
| **Supplemental Appropriations Made in Riders:** | $ | 7,100,000 | $ | 7,100,000 |
| **Object-of-Expense Informational Listing:** | | | | |
| Salaries and Wages | $ | 131,484,415 | $ | 131,296,637 |
| Other Personnel Costs | | 4,427,050 | | 4,476,954 |
| Professional Fees and Services | | 10,282,689 | | 10,067,043 |
| Fuels and Lubricants | | 5,155,925 | | 5,187,004 |
| Consumable Supplies | | 2,308,574 | | 2,330,680 |
| Utilities | | 10,611,526 | | 10,691,596 |
| Travel | | 3,104,627 | | 3,129,466 |
| Rent - Building | | 2,040,125 | | 2,043,124 |
| Rent - Machine and Other | | 1,282,316 | | 1,655,455 |
| Debt Service | | 7,313,213 | | 7,208,829 |
| Other Operating Expense | | 39,814,852 | | 40,881,420 |
| Grants | | 11,782,884 | | 11,782,884 |
| Capital Expenditures | | 19,310,950 | | 36,907,062 |
| **Total, Object-of-Expense Informational Listing** | $ | 248,919,146 | $ | 267,658,154 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | | | |
| Employee Benefits | | | | |
| Retirement | $ | 8,077,677 | $ | 7,491,663 |
| Group Insurance | | 27,085,431 | | 26,168,837 |
| Social Security | | 10,461,066 | | 9,702,143 |
| Benefits Replacement | | 814,471 | | 761,530 |
| Subtotal, Employee Benefits | $ | 46,438,645 | $ | 44,124,173 |

| | | |
|---|---|---|
| Debt Service | | |
| TPFA GO Bond Debt Service | $ 8,951,644 | $ 9,466,415 |
| Lease Payments | 55,328 | 50,554 |
| Subtotal, Debt Service | $ 9,006,972 | $ 9,516,969 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 55,445,617 | $ 53,641,142 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Parks and Wildlife 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 Parks and Wildlife Department. In order to achieve the objectives and service standards established by this Act, the Parks and Wildlife Department shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** CONSERVE NATURAL RESOURCES | | |
| **Outcome (Results/Impact):** | | |
| Percent of Total Land Acreage in Texas Managed to Enhance Wildlife through TPWD Approved Wildlife Management Plans | 16.3% | 16.67% |
| Percent of Fish and Wildlife Kills or Pollution Cases Resolved Successfully | 67.3% | 66.82% |
| **A.1.1. Strategy:** WILDLIFE CONSERVATION | | |
| **Output (Volume):** | | |
| Number of Wildlife Population Surveys Conducted | 2,806 | 2,806 |
| **A.1.2. Strategy:** TECHNICAL GUIDANCE | | |
| **Output (Volume):** | | |
| Number of Active TPWD-Approved Wildlife Management Plans with Private Landowners | 6,700 | 6,800 |
| **A.2.2. Strategy:** INLAND HATCHERIES OPERATIONS | | |
| **Output (Volume):** | | |
| Number of Fingerlings Stocked - Inland Fisheries (in millions) | 16 | 16 |
| **A.2.3. Strategy:** COASTAL FISHERIES MANAGEMENT | | |
| **Output (Volume):** | | |
| Number of Commercial Fishing Licenses Bought Back | 0 | 0 |
| **A.2.4. Strategy:** COASTAL HATCHERIES OPERATIONS | | |
| **Output (Volume):** | | |
| Number of Fingerlings Stocked - Coastal Fisheries (in millions) | 24 | 24 |
| **B. Goal:** ACCESS TO STATE AND LOCAL PARKS | | |
| **Outcome (Results/Impact):** | | |
| Percent of Funded State Park Minor Repair Projects Completed | 75% | 85% |
| **B.1.1. Strategy:** STATE PARK OPERATIONS | | |
| **Output (Volume):** | | |
| Number of State Parks in Operation | 86 | 86 |
| **B.2.1. Strategy:** LOCAL PARK GRANTS | | |
| **Output (Volume):** | | |
| Number of Grant Assisted Projects Completed | 31 | 30 |
| **C. Goal:** INCREASE AWARENESS AND COMPLIANCE | | |
| **Outcome (Results/Impact):** | | |
| Percent of Public Compliance with Agency Rules and Regulations | 97% | 97% |
| **C.1.1. Strategy:** ENFORCEMENT PROGRAMS | | |
| **Output (Volume):** | | |
| Miles Patrolled in Vehicles (in millions) | 11.04 | 10.45 |
| Hours Patrolled in Boats | 138,918 | 131,520 |
| **C.2.1. Strategy:** HUNTER AND BOATER EDUCATION | | |
| **Output (Volume):** | | |
| Number of Students Trained in Hunter Education | 20,000 | 25,000 |
| Number of Students Trained in Boater Education | 6,000 | 6,500 |
| **C.3.1. Strategy:** LICENSE ISSUANCE | | |
| **Output (Volume):** | | |
| Number of Combination Licenses Sold | 535,000 | 535,000 |

| | | |
|---|---|---|
| **D. Goal:** MANAGE CAPITAL PROGRAMS | | |
| **Outcome (Results/Impact):** | | |
| Percent of Major Repair/Construction Projects Completed | 62% | 62% |
| **D.1.1. Strategy:** IMPROVEMENTS AND MAJOR REPAIRS | | |
| **Output (Volume):** | | |
| Number of Major Repair/Construction Projects Completed | 42 | 6 |

**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.

| | 2012 | 2013 |
|---|---|---|
| a. Acquisition of Land and Other Real Property | | |
| (1) Land Acquisition | $ 0 | $ 0 |
| b. Construction of Buildings and Facilities | | |
| (1) Construction and Major Repairs | 19,236,036 | 32,856,093 |
| c. Repair or Rehabilitation of Buildings and Facilities | | |
| (1) Parks Minor Repair Program | 2,769,600 | 2,769,602 |
| d. Acquisition of Information Resource Technologies | | |
| (1) Mainframe Upgrades, Microcomputers, and Other Equipment | 0 | 904,603 |
| (2) Data Center Consolidation | 4,520,162 | 4,303,479 |
| Total, Acquisition of Information Resource Technologies | $ 4,520,162 | $ 5,208,082 |
| e. Transportation Items | | |
| (1) Purchase of Vehicles | 0 | 2,383,991 |
| f. Acquisition of Capital Equipment and Items | | |
| (1) Office, Field, Marine and Lab Equipment | 0 | 687,930 |
| g. Other Lease Payments to the Master Lease Purchase Program (MLPP) | | |
| (1) Lease Payments to Master Lease Purchase Program | 74,896 | 74,445 |
| Total, Capital Budget | $ 26,600,694 | $ 43,980,143 |
| Method of Financing (Capital Budget): | | |
| General Revenue Fund | | |
| General Revenue Fund | $ 1,834,661 | $ 1,834,661 |
| Sporting Goods Sales Tax - Transfer to State Parks Account No. 64 | 0 | 2,380,859 |
| Sporting Goods Sales Tax - Transfer to Texas Recreation and Parks Account No. 467 | 0 | 12,500 |
| Subtotal, General Revenue Fund | $ 1,834,661 | $ 4,228,020 |
| General Revenue Fund - Dedicated | | |
| Game, Fish and Water Safety Account No. 009 | 2,212,962 | 2,931,095 |
| State Parks Account No. 064 | 3,816,986 | 3,714,935 |
| Subtotal, General Revenue Fund - Dedicated | $ 6,029,948 | $ 6,646,030 |
| Federal Funds | 1,468,806 | 0 |
| Other Funds | | |
| Appropriated Receipts | 5,972,907 | 250,000 |

| | | |
|---|---|---|
| Bond Proceeds - General Obligation Bonds | 11,294,372 | 32,856,093 |
| Subtotal, Other Funds | $ 17,267,279 | $ 33,106,093 |
| Total, Method of Financing | $ 26,600,694 | $ 43,980,143 |

3. **Authorization: Purchase of Evidence.** From the amounts appropriated above, the Texas Parks and Wildlife Department is hereby authorized to establish a cash fund, for the purchase of evidence and/or information and surveillance deemed necessary by the department for enforcement of laws under the Parks and Wildlife Code, the Water Code and other statutes enforced by the department.

4. **Appropriation: Unexpended Balance for Construction Projects.** Included in amounts appropriated above in strategy D.1.1, Improvements and Major Repairs are unexpended balances from appropriations made for construction, repair, acquisition, and renovation projects and listed in the capital budget riders of House Bill No. 1, Acts of the Eightieth Legislature, Regular Session and Senate Bill 1, Acts of the Eighty-first Legislature, Regular Session. These unexpended balances are estimated to be $52,092,129 out of the following funds as of August 31, 2011

| | 2012 | 2013 |
|---|---|---|
| General Revenue-Dedicated Accounts | | |
| Game, Fish, and Water Safety Account No. 9 | $ 749,951 | $ 0 |
| Federal Funds | $ 1,468,806 | $ 0 |
| Other Funds | | |
| Appropriated Receipts | $ 5,722,907 | $ 0 |
| Bond Proceeds - General Obligation Bonds | $ 11,294,372 | $ 32,856,093 |
| Total | $ 19,236,036 | $ 32,856,093 |

Except as otherwise noted in this provision, unexpended balances remaining in such appropriation items at August 31, 2011, are hereby appropriated for the same purposes for the fiscal year beginning September 1, 2011 (estimated to be $19,236,036). Amounts appropriated above for fiscal year 2013 include an estimated $32,856,093 in unexpended balances as of August 31, 2011 from general obligation bond proceeds for the Battleship TEXAS ($24,657,730), Mother Neff State Park ($5,656,560) and Palo Duro Canyon State Park ($2,541,803), which are deferred until September 1, 2012. TPWD shall file a report with the Legislative Budget Board, the Governor and the Battleship TEXAS Foundation within 30 days following November 30, February 28, May 31, and August 31 of each fiscal year showing the progress and costs of the Battleship TEXAS project, including a repair schedule and the purpose for each expenditure. Unexpended balances in General Revenue-Related accounts may not be carried forward from fiscal year 2011 to fiscal year 2012 without 45 days prior notification to the Legislative Budget Board and the Governor. Unexpended balances of General Revenue-Related appropriations from the Game, Fish and Water Safety Account No. 9 are not to exceed $749,951 under this provision and are subject to the provisions of Government Code § 403.071 for the purposes of determining the life of an appropriation; therefore, the agency is not authorized to carry forward unexpended balances in General Revenue-Related accounts from fiscal year 2011 to fiscal year 2012 if the original appropriation for the project was made during or before fiscal year 2007. Any appropriation made in this Act to TPWD for construction and improvement projects shall include labor and all necessary costs involved in the project. The Texas Parks and Wildlife Department shall provide the Legislative Budget Board, the Governor, and the Comptroller of Public Accounts a report by no later than December 1 of each fiscal year showing the progress and costs of all projects funded by General Revenue-Related appropriations made by the Seventy-ninth and the Eightieth Legislatures.

5. **Fund Transfer Authority.** The Texas Parks and Wildlife Department is hereby authorized to transfer funds between any funds/accounts authorized by the Parks and Wildlife Code in order to alleviate cash flow problems during the biennium. All funds transferred must be returned to the original fund/account before the end of the biennium.

6. **Authorization: Acceptance of Payment with Goods and Services.** The Texas Parks and Wildlife Department is hereby authorized to accept goods and/or services in lieu of cash for sales of products or rights on the department's public land areas. These goods and services may be on the same public land area as the product or right sold or any other public land area. In order to procure the goods and services in the amounts needed that equal the value of products or rights sold, an escrow bank account may be utilized.

7. **Lease Payments.** Included in amounts appropriated above in Strategy D.1.4, Debt Service are lease payments of $4,683,475 in fiscal year 2012 and $4,586,941 in fiscal year 2013 out of the General Revenue Fund which shall be transferred to the Texas Public Finance Authority for debt service payments on revenue bonds or other revenue obligations as authorized by § 13.0045, Parks and Wildlife Code. Also included in the amounts appropriated above in Strategy D.1.4, Debt Service are lease payments of $2,629,738 in fiscal year 2012 and $2,621,888 in fiscal year 2013 of the General Revenue-Dedicated Game, Fish and Water Safety Account No. 9 which shall be transferred to the Texas Public Finance Authority for debt service payments on revenue bonds or other obligations for the freshwater fish hatchery.

8. **Construction and Landowner Incentive Grants.** Any funds appropriated prior to fiscal year 2012 in Strategies B.2.1, Local Park Grants and B.2.2, Boating Access and Other Grants that are utilized for grants awarded for local park construction projects in excess of $20,000 and any funds appropriated prior to fiscal year 2012 in Strategy A.1.2, Technical Guidance to Private Landowners and the General Public that are utilized for landowner incentive grants shall be treated as construction appropriations for the purpose of determining the life of the appropriation under the provisions of § 403.071, Government Code.

9. **Appropriation: State-owned Housing Authorized.** The Texas Parks and Wildlife Department (TPWD) shall recover at least 20 percent of the established fair market rental value of housing from persons residing in state-owned housing first employed before September 1, 2005 and 100 percent of the established fair market rental value of housing from persons residing in state-owned housing employed on or after September 1, 2005. If the TPWD requires an employee to live on-site in state-owned housing as a condition of employment, then the TPWD shall recover at least 20 percent of the established market rental value of housing regardless of the date of employment. Additionally, the TPWD will report biennially to the Legislative Budget Board and the Governor, the race, gender, and ethnicity, position title and classification, and salary of employees that reside in state-owned housing.

   Included in the amounts appropriated above is rental income collected from employee housing (estimated to be $25,000 in Appropriated Receipts each fiscal year in Strategy A.1.1, Wildlife Conservation; estimated to be $21,000 in Appropriated Receipts each fiscal year in Strategy A.2.2, Inland Hatcheries Operations; estimated to be $5,500 in Appropriated Receipts each fiscal year in Strategy A.2.4, Coastal Hatcheries Operations; and, estimated to be $250,000 in Appropriated Receipts each fiscal year in Strategy B.1.2, Parks Minor Repair Program.) The recovered funds are appropriated to the TPWD for maintenance or replacement of employee housing.

   Additionally, notwithstanding the provisions in Article IX of this Act, the TPWD is authorized to expend amounts in excess of $25,000 per residence for the biennium as necessary to purchase, remodel, repair or replace state-owned housing, provided that the agency submits advanced notification to the Legislative Budget Board and the Governor.

10. **Appropriation: License Plate Receipts.** Included in amounts appropriated above in Strategies A.1.1, Wildlife Conservation, A.2.1, Inland Fisheries Management, A.2.3, Coastal Fisheries Management, B.1.1, State Park Operations and C.2.3, Communication Products and Services, are revenue collected on or after September 1, 2011(not to exceed $578,499 in the Texas Parks and Wildlife Conservation and Capital Account No. 5004; $60,000 in Big Bend National Park Account No. 5030; $45,000 in Waterfowl and Wetland Conservation License Plate Account No. 5057; $11,000 in Texas Lions Camp License Plate Account No. 5116; $13,000 in Marine Mammal Recovery License Plate Account No. 5120; and $28,000 in Marine Conservation License Plate Account No. 5142 over the biennium) from the sale of license plates, including any new license plates that the Texas Parks and Wildlife Department agrees to administer on behalf of a sponsoring organization, as provided by the Texas Transportation Code § 504.606 (Big Bend), § 504.627 (Waterfowl and Wetland), § 504.644 (Marine Mammal Recovery), § 504.656 (Texas Lions Camp), § 504.660 (Coastal Conservation Association Texas) and § 504.801 (other private nonprofit organizations).

    License plate receipts in subaccounts of the Texas Parks and Wildlife Conservation and Capital Account No. 5004 are estimated to be $292,744 for Horned Toad specialty plates; $149,103 for Bluebonnet specialty plates; $85,719 for Whitetail Deer specialty plates; and $50,933 for Largemouth Bass specialty plates for a total of $578,499 noted above.

**11. Appropriation of Certain Concession Receipts.** Concession receipts generated as a result of the efforts of volunteer groups in state parks or other agency facilities are included in amounts appropriated above to Strategy B.1.1, State Park Operations (estimated to be $0 in Appropriated Receipts for the biennium beginning September 1, 2011), and Strategy A.2.4, Coastal Hatcheries Operations (estimated to be $100,000 in Appropriated Receipts for the biennium beginning September 1, 2011). These concession receipts shall be credited for the benefit of the specific state park or other agency facility where the funds are generated by volunteer groups. Concession receipts generated as a result of the efforts of department employees or leased concession contracts with third parties are appropriated in the strategies above and are not subject to this rider.

**12. Payments to License Agents.** Included in amounts appropriated above in Strategy C.3.1, License Issuance, are amounts necessary for payments to license agents (estimated to be $3,657,000 in each fiscal year out of the Game, Fish and Water Safety Account No. 9). Such amounts shall be used for the sole purpose of payments to license agents for the costs of issuing and collecting money associated with the sale of licenses, stamp endorsements, permits, tags and other similar items issued under the Parks and Wildlife Code.

**13. Capital Budget Expenditures from Federal and Other Funding Sources.** TThe Texas Parks and Wildlife Department (TPWD) is hereby exempted from the capital budget rider provisions contained in Article IX of this Act when gifts, grants, interagency funds, inter-local funds and federal funds are received in excess of the amounts identified in the agency's capital budget rider and such funds are designated by the donor, grantor or state/federal agency solely for construction and repairs, land acquisition, or purchase of specific capital items.

Additionally, the TPWD is hereby exempted from the capital budget rider provisions when pass through funds to local entities are received in excess of the amounts identified in the agency's capital budget rider and such funds are designated by the donor, grantor or federal agency solely for the acquisition of land.

Amounts expended from these funding sources shall not count towards the limitation imposed by capital budget provisions elsewhere in this Act. The TPWD shall notify the Legislative Budget Board and the Governor upon receipt of such funds, of the amount received and the items to be purchased.

**14. Appropriation: Land Sale Proceeds.** Included in amounts appropriated above in Strategy D.1.1, Improvements and Major Repairs, and D.1.2, Land Acquisition, are all balances as of August 31, 2011, and all proceeds collected on or after September 1, 2011 (balances and revenues estimated to be $0 in Appropriated Receipts) from the sale of Texas Parks and Wildlife Department (TPWD) lands, including the sale of land identified as underutilized and sold by the General Land Office. In accordance with Parks and Wildlife Code § 13.009, the balances and proceeds from the sale of these lands may be used only to improve or acquire other real property dedicated to the same purpose for which the land sold was dedicated. Any unexpended balances and revenue remaining as of August 31, 2012, are appropriated for the same purpose for the fiscal year beginning September 1, 2012.

**15. Collection and Reporting of Major Equipment Usage Statistics.** Out of funds appropriated above, the Texas Parks and Wildlife Department (TPWD) shall collect usage statistics on all major equipment maintained and operated by TPWD. Major equipment includes such items as dump trucks, mowers, tractors, graders, or other, non-personal transportation, major construction or grounds maintenance equipment used in the operation of the state parks system. The department shall collect, at minimum, the actual hours of operation of each piece of equipment and the geographical distribution of the equipment during the fiscal year studied, but shall also include other usage statistics necessary to determine the actual major equipment needs of the state parks system, including explicit justification for idle equipment. The department shall report the findings of major equipment usage to the Legislative Budget Board and the Governor no later than October 1 of each fiscal year for the preceding fiscal year.

**16. Fish and Shellfish Consumption Advisories.** Out of the amounts appropriated above in Strategies A.2.1, Inland Fisheries Management and A.2.3, Coastal Fisheries Management the Texas Parks and Wildlife Department shall use $20,000 each fiscal year from the General Revenue-Dedicated Game, Fish and Water Safety Account No. 9, to post signs at those water bodies for which the Seafood and Aquatic Life Group of the Texas Department of State Health Services has advisories and bans from consumption of contaminated fish or shellfish.

**17. Border Security.** Included in amounts appropriated above out of the General Revenue Fund is $1,062,596 and 15.0 FTEs and out of the General Revenue-Dedicated Operators and Chauffeurs License Account No. 099 is $825,000 and 15.0 FTEs each fiscal year in Strategy C.1.1, Enforcement Programs for the purposes of enhancing border security.

Employee fringe benefit costs estimated to be $140,512 each fiscal year associated with salaries paid from the Operators and Chauffeurs License Account No. 099 shall be transferred annually by the Texas Department of Public Safety to the Texas Parks and Wildlife Department. Any increases in employee benefit costs due to salary increases paid out of appropriations made from the Operators and Chauffeurs License Account No. 099 shall also be transferred.

**18. Internal Audit Division.** Out of funds appropriated above, the department shall maintain 6.8 auditor positions in the Internal Audit Division. The department shall maintain an internal auditing program in compliance with the provisions of the Texas Internal Auditing Act. Each internal auditor assigned pursuant to this provision shall report either directly to the members of the Texas Parks and Wildlife Commission or to the internal auditor appointed pursuant to Government Code § 2102.006.

**19. Statewide Aquatic Vegetation Management.** Out of the funds appropriated above in Strategy A.2.1, Inland Fisheries Management, $263,346 in each fiscal year from the General Revenue-Dedicated Game, Fish and Water Safety Account No. 9, and $156,654 in each fiscal year from federal funds and 5.0 FTEs shall be used to maintain boat lanes, general access, and outdoor recreational activities, and to improve fish and wildlife habitat on water bodies statewide. Any unexpended balances of these amounts as of August 31, 2012 are hereby appropriated for the same purpose in the fiscal year beginning September 1, 2012. Use of the federal funds referenced above is contingent upon receipt of a federal boating access grant under the Sportfish Restoration Act by the Texas Parks and Wildlife Department.

**20. Informational Listing - Appropriation of Sporting Goods Sales Tax (SGST).** Included in amounts appropriated in this Act are $44,542,531 in fiscal year 2012 and $47,772,771 in fiscal year 2013, or $92,304,752 for the 2012-13 biennium, in sales tax receipts deposited to the General Revenue Fund estimated to be generated by sales of sporting goods items.

The following is an informational listing of Sporting Goods Sales Tax (SGST) receipts appropriated in this Act by agency, account and strategy.

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Article I** | | |
| Texas Historical Commission (THC) | | |
| General Revenue (Sporting Goods Sales Tax) | | |
| A.1.6, Historic Sites | $4,949,950 | $4,908,283 |
| A.2.1, Development Assistance | $ 139,171 | $ 0 |
| Subtotal | $5,089,121 | $4,908,283 |
| **Article VI** | | |
| Texas Parks and Wildlife Department (TPWD) | | |
| SGST Transfer to the General Revenue-Dedicated State Parks Account No. 64 | | |
| B.1.1, State Park Operations | $24,831,055 | $26,541,911 |
| B.1.2, Park Minor Repair Program | $3,179 | $3,179 |
| B.1.3, Parks Support | $3,507 | $3,507 |
| C.2.3, Promote TPWD Efforts | $ 0 | $10,550 |
| D.1.1, Improvements and Major Repairs | $11,233,960 | $11,233,960 |
| D.1.3, Infrastructure Administration | $ 0 | $55,150 |
| E.1.2, Information Resources | $ 0 | $604,303 |
| Subtotal | $36,071,701 | $38,452,560 |
| SGST Transfer to the Texas Recreation and Parks Account No. 467 | | |
| B.2.1, Local Park Grants | $260,688 | $273,188 |
| B.2.2, Boating Access and Other Grants | $160,249 | $160,249 |
| Subtotal | $420,937 | $433,437 |

SGST Transfer to the Large County and Municipality Recreation and Parks Account No. 5150

| | | |
|---|---|---|
| B.2.1, Local Park Grants | $173,792 | $173,792 |
| B.2.2, Boating Access and Other Grants | $128,293 | $128,293 |
| Subtotal | $302,085 | $302,085 |

Texas Public Finance Authority
SGST Transfer to the General Revenue-Dedicated State Parks Account No. 64

| | | |
|---|---|---|
| A.1.1, Bond Debt Service Payments | $2,658,687 | $3,676,406 |

**21. Parks Minor Repair Program.** Notwithstanding capital budget provisions included elsewhere in this Act, appropriations for Strategy B.1.2, Parks Minor Repair Program which are included in the capital budget rider are limited to the appropriation year plus two years as provided under Government Code §403.071 and the Texas Parks and Wildlife Department is not authorized to carry forward any unexpended balances of such appropriations between biennia.

**22. Game Warden Academy.** Cadets participating in the Texas Game Warden Academy of the Parks and Wildlife Department shall not be counted toward the limit on the number of full-time equivalent positions (FTEs) for the department until their graduation. On graduation, the additional officers shall not cause the department to exceed the department's limit on FTEs. The number of participants in the Game Warden Academy must be included in all required reports concerning FTEs and vacancies, but the cadets shall be reported as a separate total from the other FTEs of the department.

**23. Reporting Requirement: Texas State Railroad.** From funds appropriated, the Texas Parks and Wildlife Department (TPWD) shall collaborate with the Texas State Railroad Authority (TSRA) in filing a report with the Legislative Budget Board within 90 days following August 31 of each fiscal year showing disbursements, the purpose of each disbursement, and interest earnings on $2 million in General Revenue in matching funds passed through to the TSRA by the Eightieth Legislature, Regular Session, for federal transportation enhancement funds and $1 million in General Revenue passed through to the TSRA by the Eighty-first Legislature, Regular Session for a loan to support railroad operations, which is due to be repaid to the state through TPWD no later than September 30, 2015.

**24. Contingency Appropriation: Development Revenue.** Contingent upon the passage of House Bill 1300 or similar legislation allowing the Texas Parks and Wildlife Department to expand the scope of its fund-raising and partnership development activities, there is hereby appropriated to the department all revenue derived from these new activities for the purposes stated in the legislation (estimated to be $0) each fiscal year. Specifically, this appropriated revenue includes funds raised, contributed, donated, or collected through private sector partnerships; joint promotional campaigns; licensing of the department brand, logo, or intellectual property; and sale of state park passes in any entity's retail locations. Any related unexpended balance and revenue remaining as of August 31, 2012, are appropriated for the same purpose for the fiscal year beginning September 1, 2012.

**25. Contingency Appropriation: Donation Proceeds.** Contingent upon the passage of House Bill 1301 or similar legislation creating a mechanism for donating money to the Texas Parks and Wildlife Department through the vehicle registration and renewal processes for use in funding the state park system (donation proceeds estimated to be $1,600,000 out of State Parks Account No. 64 in fiscal years 2012 and 2013), there is hereby appropriated donation proceeds to the following Strategies: Strategy B.1.1 State Park Operations, Strategy B.1.2 Parks Minor Repair Program, or Strategy B.1.3. Parks Support. The agency may allocate donation proceeds as it deems appropriate to the three strategies indicated previously. Any unexpended balance and donation proceeds remaining as of August 31, 2012, are appropriated for the same purpose for the fiscal year beginning September 1, 2012.

**26. Coastal Erosion Interagency Contract.** Out of funds appropriated above in Strategy D.1.1, Improvements and Repairs, the Texas Parks and Wildlife Department shall use $11,233,960 each fiscal year out of the Sporting Goods Sales Tax transfer to the State Parks Account No. 64 to contract with the General Land Office for coastal erosion projects. Payments shall be made to the

General Land Office in two equal installments in December and June of each fiscal year after sufficient Sporting Goods Sales Tax revenue has been deposited into the State Parks Account No. 64 by the Comptroller.

**27. Appropriation of Receipts out of the General Revenue-Dedicated Accounts.** For the biennium beginning September 1, 2011, the Texas Parks and Wildlife Department (TPWD) is hereby appropriated any additional revenues that are certified by a Comptroller's finding of fact and are in excess of the amounts reflected in the Comptroller's Biennial Revenue Estimate for each year of the biennium (not to exceed $5 million for the biennium in the General Revenue-Dedicated Game, Fish and Water Safety Account No. 9, and not to exceed $6 million for the biennium in the General Revenue-Dedicated State Parks Account No. 64.)

Any fiscal year 2012 unexpended balances from additional revenue collections in excess of the Biennial Revenue Estimate as of August 31, 2012 are appropriated for fiscal year 2013. TPWD is authorized to expend these funds for purposes authorized by the Parks and Wildlife Code, including capital budget purposes. Such expenditures must comply with limitations established for salary, travel, and capital expenditures, employment levels, and other provisions contained in Article IX of this Act.

Each year, the TPWD shall notify the Comptroller of Public Accounts, the Legislative Budget Board, and the Governor of the amount that the department projects will be received in excess of the amount contained in the Comptroller's Biennial Revenue Estimate for each of the department's General Revenue-Dedicated accounts along with sufficient information to reflect how that estimate was determined. If the Comptroller finds the information sufficient to support the projection of additional revenues, a finding of fact to that effect shall be issued to reflect the additional revenue available for each General Revenue-Dedicated account.

In the event that TPWD generates revenues or otherwise secures funding in amounts sufficient to reopen and restore operations at park sites impacted by funding reductions in the 2012-13 biennium, the number of Full-Time-Equivalents for TPWD shall be increased by a total not to exceed 60.3 FTEs in each year of the 2012-13 biennium. The additional FTEs shall be allocated to Strategy B.1.1, State Park Operations to restore state park operations, services and staffing at affected state park sites.

Appropriations out of the General Revenue-Dedicated State Parks Account No. 64 are contingent upon the Texas Parks and Wildlife Department collecting sufficient revenue to cover, at a minimum, the appropriations made above, as well as "other direct and indirect costs" appropriated elsewhere in this Act and estimated to be $551,628 in fiscal year 2012 and fiscal year 2013. 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.

**28. Unexpended Balances Bond Proceeds.** Included in amounts appropriated above are unexpended and unobligated balances of general obligation bond proceeds that have been approved under the provisions of Article IX, Sections 19.70 and 19.71 of House Bill 1, Eightieth Legislature, Regular Session, 2007, remaining as of August 31, 2011 (estimated to be $25,828,616 for the biennium) for construction projects, for the 2012-13 biennium in Strategy D.1.1, Improvements and Major Repairs. Of this amount, $1,170,886 is provided in 2012 and $24,657,730 is provided in 2013 for the Battleship TEXAS.

Also included in amounts appropriated above are unexpended and unobligated balances of general obligation bond proceeds that have been approved under the provisions of Article IX, Section 17.11 of Senate Bill 1, Eighty-first Legislature, Regular Session, 2009, remaining as of August 31, 2011 (estimated to be $18,321,849 for the biennium) for construction projects, for the 2012-13 biennium in Strategy D.1.1, Improvements and Major Repairs. Of this amount, $10,123,486 is provided in 2012 and $8,198,363 for weather-related repairs at Mother Neff State Park ($5,656,560) and Palo Duro Canyon State Park ($2,541,803) is provided in 2013.

Any unexpended balances in General Obligation Bond Proceeds described herein and remaining as of August 31, 2012, are hereby appropriated for the same purposes for the fiscal year beginning September 1, 2012.

**29. Exemption from Article IX Transferability Provisions.** Notwithstanding provisions in Article IX, Section 14.01, Appropriation Transfers, an appropriation to the Texas Parks and Wildlife

Department contained in this Act may be transferred from any appropriation item to Strategies E.1.1. Central Administration and E.1.2. Information Resources in amounts not to exceed 20 percent of the appropriation item from which the transfer is made for the fiscal year. The Texas Parks and Wildlife Department shall notify the Legislative Budget Board and Governor of the purpose, the method of financing and amount of funds when such transfers are made.

**30. Internship Program Full-Time-Equivalent Exemption.** Full-Time-Equivalent (FTE) positions associated with the Internship Program of the Texas Parks and Wildlife Department (TPWD) shall be exempt from the Article IX, Sec. 6.10 Limitation on State Employment Levels. This provision will not change the cap on the Number of Full-Time-Equivalents (FTE) for TPWD listed elsewhere in this Act. TPWD shall provide a report of the number of FTEs associated with the Internship Program to the Legislative Budget Board, the Governor, and the State Auditor's Office each fiscal year.

**31. Exception for Game Warden Cadet Meals.** Notwithstanding any restrictions on the purchase of food by a state agency, the Texas Parks and Wildlife Department (TPWD) is authorized to purchase food to provide meals to cadets at the Texas Game Warden Training Center. In addition, the TPWD shall recover from cadets the actual costs for the purchase of raw materials needed to provide meals at the training center. Such funds are hereby appropriated above in Strategy C.1.2, Texas Game Warden Training Center (estimated to be $147,000 in Appropriated Receipts each fiscal year) to purchase meals. Any unexpended balances remaining as of August 31, 2012 are appropriated for the same purpose for the fiscal year beginning September 1, 2012.

**32. State Park Volunteer Services.** From funds appropriated above, the Texas Parks and Wildlife Department may provide meals for volunteers when volunteers are on-site and providing labor services for park development, repairs, and cleanup efforts.

**33. Clothing Provision.** It is the intent of the Legislature that no funds may be expended to provide a clothing or cleaning allowance to any non-uniformed personnel. The Texas Parks and Wildlife Department may continue to expend funds for a cleaning allowance not to exceed $500 per employee per year.

**34. Unexpended Balance Authority within the Biennium.** Any unexpended balances as of August 31, 2012 in appropriations made to the Texas Parks and Wildlife Department are hereby appropriated for the same purposes for the fiscal year beginning September 1, 2012.

**35. FTE Cap Flexibility to Manage Reductions-in-Force.** Notwithstanding provisions in Article IX, Section 6.10 Limitation on State Employment Levels, the Full-Time Equivalent (FTE) cap for the Texas Parks and Wildlife Department shall be an average of the fiscal year 2012 and 2013 Number of Full Time Equivalents listed in the Texas Parks and Wildlife Department bill pattern. For the purpose of Article IX, Section 6.10(d), the number of FTEs employed by the Texas Parks and Wildlife Department shall be determined in accordance with the reports filed pursuant to Government Code, Section 2052.103 and based on an average of the eight quarterly reports filed for the 2012-13 biennium.

**36. Appropriation of Receipts and Full Time Equivalent (FTE) Cap Contingency: Off-Highway Vehicle Trail and Recreational Area Program.** The Texas Parks and Wildlife Department (TPWD) is appropriated all receipts collected from increasing the Off-Highway Vehicle decal fee from $8 to $16, pursuant to Parks and Wildlife Code, Chapter 29, for the purpose of implementing and administering the program. Amounts appropriated from increasing the fee are included in amounts appropriated above in Strategy B.2.2, Boating Access and Other Grants, in an estimated amount to be $170,000 each fiscal year from the General Revenue Fund. In the event TPWD generates revenues or otherwise secures funding, including federal funding, to restore program functions, services, or grants impacted by funding reductions in the 2012-2013 biennium, amounts appropriated above in Strategy B.2.2 include 2.0 FTEs to administer the program.

These appropriations are contingent upon the Texas Parks and Wildlife Department assessing fees sufficient to generate, during the 2012-13 biennium, revenue to cover at a minimum the General Revenue appropriations for the program listed above, as well as "other direct and indirect costs" for the Off-Highway Vehicle Trail and Recreational Area Program appropriated elsewhere in this Act and estimated to be $5,362 in fiscal year 2012 and fiscal year 2013. 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.

**37. Receipts from the Sale of Eagle Mountain Lake.** Proceeds previously received by the Texas Parks and Wildlife Department from the sale of Eagle Mountain Lake State Park ($9,266,191) shall be held in a dedicated subaccount within the General Revenue-Dedicated State Parks Account No. 64 for future acquisition and development of a park site to replace Eagle Mountain Lake State Park, and are not appropriated for use during fiscal years 2012-13.

**38. Unexpended Balance Authority: Seized Assets.** Any unexpended balances of forfeited money, proceeds from the sale of forfeited property, or similar monetary awards related to the Texas Parks and Wildlife Department's (TPWD) participation in the seizure of controlled substances or other contraband appropriated under Article IX, Sec. 8.03 of this Act that are remaining as of August 31, 2012 are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2012. TPWD is authorized to expend these funds for purposes authorized by the Parks and Wildlife Code, including capital budget purposes. Such expenditures must comply with limitations established for salary, travel, and capital expenditures, employment levels, and other provisions contained in Article IX of this Act. TPWD shall provide the Legislative Budget Board, the Governor and the Comptroller of Accounts a report by no later than October 1, 2012 of amounts carried forward from August 31, 2012 to September 1, 2012 under this provision, and the purposes for which those amounts would be expended in fiscal year 2013.

## RAILROAD COMMISSION

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 25,756,224 | $ 25,729,467 |
| General Revenue Fund - Dedicated | | |
| Alternative Fuels Research and Education Account No. 101 | 931,377 | 931,377 |
| Oil Field Cleanup Account No. 145 | 20,581,780 | 20,581,779 |
| Subtotal, General Revenue Fund - Dedicated | $ 21,513,157 | $ 21,513,156 |
| Federal Funds | | |
| Federal American Recovery and Reinvestment Fund | 3,428,322 | 108,813 |
| Land Reclamation Fund No. 454 | 161,907 | 161,907 |
| Federal Funds | 7,043,736 | 7,033,236 |
| Subtotal, Federal Funds | $ 10,633,965 | $ 7,303,956 |
| Other Funds | | |
| Appropriated Receipts | 2,072,158 | 2,072,158 |
| Interagency Contracts | 103,614 | 0 |
| Subtotal, Other Funds | $ 2,175,772 | $ 2,072,158 |
| **Total, Method of Financing** | $ 60,079,118 | $ 56,618,737 |
| **Other Direct and Indirect Costs Appropriated Elsewhere in this Act** | $ 1,998,348 | $ 2,089,134 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 635.5 | 635.5 |
| **Number of FTEs in Riders:** | 80.6 | 80.6 |
| **Schedule of Exempt Positions:** | | |
| Railroad Commissioner, Group 6 | (3) $137,500 | $137,500 |

## RAILROAD COMMISSION
(Continued)

| | | | | |
|---|---|---|---|---|
| **Items of Appropriation:** | | | | |
| **A. Goal:** ENERGY RESOURCES | | | | |
| Support Lignite, Oil, and Gas Resource Development. | | | | |
| **A.1.1. Strategy:** ENERGY RESOURCE DEVELOPMENT | $ | 5,751,902 | $ | 5,619,416 |
| Promote Energy Resource Development Opportunities. | | | | |
| **A.2.1. Strategy:** GAS UTILITY COMPLIANCE | $ | 1,700,324 | $ | 1,692,827 |
| Ensure Fair Rates and Compliance to Rate Structures. | | | | |
| **A.3.1. Strategy:** PROMOTE ALTERNATIVE ENERGY RESOURCE | $ | 5,320,757 | $ | 1,995,501 |
| Promote Alternative Energy Resources. | | | | |
| **A.3.2. Strategy:** DISTRIBUTE LP-GAS REBATES | $ | 473,619 | $ | 473,619 |
| **A.3.3. Strategy:** REGULATE ALT ENERGY RESOURCES | $ | 1,347,468 | $ | 1,355,384 |
| Regulate Alternative Energy Resources. | | | | |
| **Total, Goal A:** ENERGY RESOURCES | $ | 14,594,070 | $ | 11,136,747 |
| **B. Goal:** PIPELINE SAFETY PROGRAMS | | | | |
| Advance Pipeline Safety Through Training, Monitoring, and Enforcement. | | | | |
| **B.1.1. Strategy:** PIPELINE SAFETY | $ | 4,336,869 | $ | 4,340,654 |
| Ensure Pipeline Safety. | | | | |
| **B.1.2. Strategy:** PIPELINE DAMAGE PREVENTION | $ | 940,978 | $ | 937,085 |
| **Total, Goal B:** PIPELINE SAFETY PROGRAMS | $ | 5,277,847 | $ | 5,277,739 |
| **C. Goal:** ENVIRONMENTAL PROTECTION | | | | |
| Minimize Harmful Effects of Fossil Fuel Production. | | | | |
| **C.1.1. Strategy:** OIL/GAS MONITOR & INSPECTIONS | $ | 11,377,314 | $ | 11,414,026 |
| Oil and Gas Monitoring and Inspections. | | | | |
| **C.1.2. Strategy:** SURFACE MINING MONITORING/INSPECT | $ | 3,302,431 | $ | 3,298,699 |
| Surface Mining Monitoring and Inspections. | | | | |
| **C.2.1. Strategy:** OIL AND GAS REMEDIATION | $ | 4,360,961 | $ | 4,353,115 |
| **C.2.2. Strategy:** OIL AND GAS WELL PLUGGING | $ | 15,626,064 | $ | 15,610,428 |
| **C.2.3. Strategy:** SURFACE MINING RECLAMATION | $ | 3,209,273 | $ | 3,207,327 |
| **Total, Goal C:** ENVIRONMENTAL PROTECTION | $ | 37,876,043 | $ | 37,883,595 |
| **D. Goal:** PUBLIC ACCESS TO INFO AND SERVICES | | | | |
| Public Access to Information and Services. | | | | |
| **D.1.1. Strategy:** GIS AND WELL MAPPING | $ | 670,113 | $ | 666,707 |
| Geographic Information Systems and Well Mapping. | | | | |
| **D.1.2. Strategy:** PUBLIC INFORMATION AND SERVICES | $ | 1,661,045 | $ | 1,653,949 |
| **Total, Goal D:** PUBLIC ACCESS TO INFO AND SERVICES | $ | 2,331,158 | $ | 2,320,656 |
| **Grand Total,** RAILROAD COMMISSION | $ | 60,079,118 | $ | 56,618,737 |
| **Supplemental Appropriations Made in Riders:** | $ | 8,474,200 | $ | 8,396,503 |
| **Object-of-Expense Informational Listing:** | | | | |
| Salaries and Wages | $ | 34,779,203 | $ | 34,693,866 |
| Other Personnel Costs | | 1,001,502 | | 1,001,502 |
| Professional Fees and Services | | 5,955,116 | | 5,882,199 |
| Fuels and Lubricants | | 1,068,539 | | 1,068,539 |
| Consumable Supplies | | 272,657 | | 260,044 |
| Utilities | | 184,177 | | 184,177 |
| Travel | | 538,466 | | 533,466 |
| Rent - Building | | 416,644 | | 416,644 |
| Rent - Machine and Other | | 285,767 | | 285,767 |
| Other Operating Expense | | 19,924,174 | | 19,912,624 |
| Grants | | 3,233,489 | | 0 |
| Capital Expenditures | | 893,584 | | 776,412 |
| **Total, Object-of-Expense Informational Listing** | $ | 68,553,318 | $ | 65,015,240 |

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

| | | |
|---|---|---|
| Employee Benefits | | |
| Retirement | $ 2,053,899 | $ 2,064,169 |
| Group Insurance | 6,547,956 | 6,669,341 |
| Social Security | 2,643,536 | 2,656,753 |
| Benefits Replacement | 228,561 | 213,705 |
| Subtotal, Employee Benefits | $ 11,473,952 | $ 11,603,968 |
| Debt Service | | |
| Lease Payments | $ 379,439 | $ 318,525 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 11,853,391 | $ 11,922,493 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Railroad 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 Railroad Commission. In order to achieve the objectives and service standards established by this Act, the Railroad Commission shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** ENERGY RESOURCES | | |
| **Outcome (Results/Impact):** | | |
| Percent of Oil and Gas Wells That Are Active | 74% | 74% |
| **A.1.1. Strategy:** ENERGY RESOURCE DEVELOPMENT | | |
| **Output (Volume):** | | |
| Number of Drilling Permit Applications Processed | 15,640 | 16,370 |
| Number of Wells Monitored | 385,000 | 385,000 |
| **Efficiencies:** | | |
| Average Number of Wells Monitored Per Analyst | 34,000 | 34,000 |
| **A.2.1. Strategy:** GAS UTILITY COMPLIANCE | | |
| **Output (Volume):** | | |
| Number of Gas Utility Dockets Filed | 60 | 60 |
| **A.3.1. Strategy:** PROMOTE ALTERNATIVE ENERGY RESOURCE | | |
| **Efficiencies:** | | |
| Administrative Costs as a Percentage of Alternative Fuels Research and Education Account Fee Revenue | 18.6 | 18.6 |
| **Explanatory:** | | |
| Number of Alternative-Fuel Vehicles in Texas | 94,307 | 97,608 |
| **A.3.2. Strategy:** DISTRIBUTE LP-GAS REBATES | | |
| **Output (Volume):** | | |
| Number of Rebate and Incentive Applications Handled | 1,527 | 1,527 |
| **A.3.3. Strategy:** REGULATE ALT ENERGY RESOURCES | | |
| **Output (Volume):** | | |
| Number of LPG/LNG/CNG Safety Inspections Performed | 13,500 | 13,500 |
| **B. Goal:** PIPELINE SAFETY PROGRAMS | | |
| **Outcome (Results/Impact):** | | |
| Average Number of Pipeline Safety Violations Per Equivalent 100 Miles of Pipe Identified through Inspections | 3.16 | 3 |
| **B.1.1. Strategy:** PIPELINE SAFETY | | |
| **Output (Volume):** | | |
| Number of Pipeline Safety Inspections Performed | 2,500 | 2,400 |
| **Efficiencies:** | | |
| Average Number of Pipeline Field Inspections Per Field Inspector | 100 | 95 |
| **B.1.2. Strategy:** PIPELINE DAMAGE PREVENTION | | |
| **Output (Volume):** | | |
| Number of Third Party Damage Enforcement Cases Completed | 6,000 | 5,000 |
| **C. Goal:** ENVIRONMENTAL PROTECTION | | |
| **Outcome (Results/Impact):** | | |
| Percentage of Oil and Gas Facility Inspections That Identify Environmental Violations | 17% | 16% |
| Percentage of Known Orphaned Wells Plugged with the Use of State-Managed Funds | 12.3% | 27.6% |

| | | |
|---|---|---|
| **C.1.1. Strategy:** OIL/GAS MONITOR & INSPECTIONS | | |
| **Output (Volume):** | | |
| Number of Oil and Gas Facility Inspections Performed | 108,000 | 108,000 |
| Number of Oil and Gas Environmental Permit Applications and Reports Processed | 76,850 | 45,350 |
| **Efficiencies:** | | |
| Average Number of Oil and Gas Facility Inspections Performed Per District Office Staff | 900 | 900 |
| **Explanatory:** | | |
| Number of Oil and Gas Wells and Other Related Facilities Subject to Regulation | 399,840 | 400,418 |
| **C.1.2. Strategy:** SURFACE MINING MONITORING/INSPECT | | |
| **Output (Volume):** | | |
| Number of Coal Mining Inspections Performed | 475 | 475 |
| **C.2.1. Strategy:** OIL AND GAS REMEDIATION | | |
| **Output (Volume):** | | |
| Number of Abandoned Pollution Sites Investigated, Assessed, or Cleaned Up with the Use of State-Managed Funds | 52 | 52 |
| **C.2.2. Strategy:** OIL AND GAS WELL PLUGGING | | |
| **Output (Volume):** | | |
| Number of Orphaned Wells Plugged with the Use of State-Managed Funds | 828 | 828 |
| Total Aggregate Plugging Depth of Orphaned Wells Plugged with the Use of State Managed Funds (in Linear Feet) | 1,582,855 | 1,582,855 |
| **D. Goal:** PUBLIC ACCESS TO INFO AND SERVICES | | |
| **D.1.2. Strategy:** PUBLIC INFORMATION AND SERVICES | | |
| **Output (Volume):** | | |
| Number of Documents Provided to Customers by Information Services | 784,125 | 666,517 |

**2. Capital Budget.** Funds appropriated above may be expended for capital budget items listed below. The amounts identified for each item may be adjusted or expended on other capital expenditures, subject to the aggregate dollar restrictions on capital budget expenditures provided in the General Provisions of this Act.

| | 2012 | 2013 |
|---|---|---|
| a. Acquisition of Information Resource Technologies | | |
| (1) Infrastructure Upgrade | $ 199,755 | $ 0 |
| (2) Data Center Consolidation | 2,224,784 | 2,224,784 |
| (3) Personal Computer (PC) Refresh | 147,455 | 147,455 |
| (4) Online Filing of Oil and Gas Annual Well Test | $ 239,980 | $ 239,980 |
| Total, Acquisition of Information Resource Technologies | $ 2,811,974 | $ 2,612,219 |
| b. Transportation Items | | |
| (1) Vehicle Replacements | $ 472,915 | $ 628,957 |
| Total, Capital Budget | $ 3,284,889 | $ 3,241,176 |
| Method of Financing (Capital Budget): | | |
| General Revenue Fund | $ 2,806,440 | $ 2,762,727 |
| General Revenue Fund - Dedicated | | |
| Alternative Fuels Research and Education Account No. 101 | 56,533 | 56,533 |
| Oil Field Cleanup Account No. 145 | 378,368 | 378,368 |
| Subtotal, General Revenue Fund - Dedicated | $ 434,901 | $ 434,901 |
| Appropriated Receipts | 43,548 | 43,548 |
| Total, Method of Financing | $ 3,284,889 | $ 3,241,176 |

3. **Transfer Authority.** Notwithstanding limitations on appropriation transfers contained in the General Provisions of this Act, the Texas Railroad Commission is hereby authorized to direct agency resources and transfer such amounts appropriated above between appropriation line items.

4. **Appropriation: Unexpended Balances Between Fiscal Years within the Biennium.** Any unexpended balances as of August 31, 2012, in the appropriations made herein to the Railroad Commission are hereby appropriated for the same purposes for the fiscal year beginning September 1, 2012.

5. **Appropriations Limited to Revenue Collections and Contingent Revenue: LPG/CNG/LNG Fees.** It is the intent of the Legislature that revenues collected pursuant to Natural Resources Code §§ 113.082, 113.090, 113.093, 113.094, 113.131, 116.032, 116.034, and 116.072 and deposited to Revenue Object Codes 3035 and 3246 in the General Revenue Fund, and $57,000 each fiscal year collected pursuant to Natural Resources Code, § 113.244, in Strategy A.2.1, Gas Utility Compliance, and deposited to Revenue Object Code 3034 in the Alternative Fuels Research and Education Account No. 101, cover, at a minimum, the cost of the appropriations made above for the LP Gas Program and Alternative Fuels Licensing Program in Strategy A.3.3, Regulate Alternative Energy Resources (not to exceed $978,743 in fiscal year 2012 and $992,822 in fiscal year 2013).

   This appropriation is contingent upon the Railroad Commission assessing fees sufficient to generate, during the 2012-13 biennium, revenue to cover these appropriations. 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.

   In addition to amounts appropriated above, there is hereby appropriated to the Railroad Commission for the biennium beginning on September 1, 2011 any revenues collected by the Commission and deposited to Revenue Object Codes 3035 and 3246 in the General Revenue Fund in excess of the Comptroller's Biennial Revenue Estimate for the 2012-13 biennium.

6. **Unexpended Balance and Estimated Appropriation Authority: Oil Field Cleanup Account.** Included in amounts appropriated above in fiscal year 2012 is an amount not to exceed $1,152,836 in Strategy C.2.1, Oil and Gas Remediation, and an amount not to exceed $4,611,346 in Strategy C.2.2, Oil and Gas Well Plugging, in balances remaining in the Oil Field Cleanup Account No. 145 as of August 31, 2011. The agency shall use these funds to carry out duties authorized by Natural Resources Code, Subchapter D, Chapter 91.

   In addition to amounts appropriated above, there is hereby appropriated to the Railroad Commission for the biennium beginning on September 1, 2011, an amount not to exceed $991,762 in fiscal year 2012 and $917,255 in fiscal year 2013 in revenues received in the Oil Field Cleanup Account No. 145 in excess of the Comptroller's Biennial Revenue Estimate for (BRE) 2012-13. These funds shall be used to increase staffing in the oil and gas field operations and technical permitting programs in an attempt to reduce permitting times and prevent permitting backlogs.

   In addition, the Number of Full-Time Equivalents (FTE) for the Railroad Commission is hereby increased by 21.0 in each fiscal year of the 2012-13 biennium. These positions shall be filled only in the event that revenues exceed the BRE for 2012-13 and shall be used to reduce permitting times and to prevent permitting backlogs.

7. **Fee Appropriation: Liquid Propane (LP) Gas Licensing, Training, and Examination Renewal Fees.** Included in amounts appropriated above in Strategy A.3.1, Promote Alternative Energy Resources, is $580,651 in each fiscal year of the biennium beginning September 1, 2011, in Appropriated Receipts (Revenue Object Code 3722) and $1,000 in each fiscal year of the biennium in General Revenue (Revenue Object Code 3245) from fees assessed and collected pursuant to Natural Resources Code, §§ 113.088 and 116.034. These amounts may only be used for the purpose of providing training and examinations to licensees and certificate holders. In addition to amounts appropriated above, any additional amounts collected by the Railroad Commission pursuant to Natural Resources Code, §§ 113.088 and 116.034, on or after September 1, 2011, are hereby appropriated to the Commission for the same purpose.

8. **Appropriation: Abandoned Mine Land Funds.** Included in amounts appropriated above in Strategy C.2.3, Surface Mining Reclamation, is an amount estimated to be $323,814 in unexpended balances remaining on August 31, 2011, in the Land Reclamation Fund Account No.

454 (Federal Funds). In addition to amounts appropriated above, the Railroad Commission is hereby appropriated any additional federal grant funds from the US Department of Interior for the purposes authorized by Natural Resources Code, Chapter 134, Subchapter G, Abandoned Mine Reclamation.

**9. Appropriation Limited to Revenue Collections: Surface Mining Permits and Contingency Appropriation for Fee Increase.** Included in the amounts appropriated above is $1,874,662 in fiscal year 2012 and $1,867,352 in fiscal year 2013in Strategy C.1.2, Surface Mining Monitoring and Inspections, from surface mining fee revenues deposited to the General Revenue Fund to cover the cost of permitting and inspecting coal mining facilities. Of this appropriation, $351,913 in fiscal year 2012 and $351,345 in 2013 is contingent upon the Railroad Commission increasing surface mining permit fees and shall be limited to revenues deposited to the credit of Revenue Object Code 3329 in excess of the Comptroller's Biennial Revenue Estimate (BRE) for 2012-13.

This appropriation is contingent upon the Railroad Commission assessing fees sufficient to generate, during the 2012-13 biennium, revenue to cover the General Revenue appropriations for the Surface Mining Program as well as "Other direct and indirect costs" for the program appropriated elsewhere in this Act. "Other direct and indirect costs" are estimated to be $774,031 in fiscal year 2012 and $806,964 in fiscal year 2013. 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.

The Railroad Commission, upon completion of necessary actions to assess or increase the surface mining permit fee, shall furnish copies of the minutes and other information supporting the estimated revenues to be generated for the 2012-13 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues in excess of those estimated in the BRE for 2012-13, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purpose.

In addition to amounts appropriated above, there is hereby appropriated for the biennium beginning on September 1, 2011, any revenues received from surface mining fee increases deposited to the credit of Revenue Object Code No. 3329 in excess of the Comptroller's Biennial Revenue Estimate for 2012-13.

**10. Appropriation for Pipeline Safety Fees.** Included in the amounts appropriated above are revenues from fees assessed on pipelines and pipeline facilities and deposited to Revenue Object Code 3553 in the General Revenue Fund pursuant to Utilities Code, § 121.211 in an amount not to exceed $2,269,031 in fiscal year 2012 and $2,299,535 in fiscal year 2013. These funds shall be used to operate programs in Strategy B.1.1, Pipeline Safety, and Strategy B.1.2, Pipeline Damage Prevention, and the geographic information systems mapping program in Strategy D.1.1, Geographic Information Systems and Well Mapping.

The Railroad Commission is hereby authorized to transfer appropriations made pursuant to this provision to the appropriate strategy items.

These appropriations are contingent upon the Railroad Commission assessing fees sufficient to generate, during the 2012-13 biennium, revenue to cover, at a minimum the General Revenue appropriations for the Pipeline Safety program and the underground pipeline damage prevention program as well as "Other direct and indirect costs" for the programs, appropriated elsewhere in this Act. "Other direct and indirect costs" are estimated to be $1,166,609 in fiscal year 2012 and $1,220,460 in fiscal year 2013. 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 the Comptroller of Public Accounts to reduce the appropriation authority provided above to be within the amount of revenue expected to be available.

In addition to amounts appropriated above, there is hereby appropriated for the biennium beginning on September 1, 2011, any revenues received from pipeline safety fee revenues deposited to the credit of Revenue Object Code No. 3553 in the General Revenue Fund in excess of the Comptroller's Biennial Revenue Estimate for 2012-13.

**11. Capital Budget Expenditures: Federal Funds and Appropriated Receipts.** To comply with the legislative intent to maximize the use of federal funds and to fulfill grant requirements required for the receipt and expenditure of Federal Funds, the Railroad Commission (RRC) is hereby

exempted from the Capital Budget Rider Provisions contained in Article IX, Sec. 14.03, of this Act, "Limitations on Expenditures - Capital Budget," when Federal Funds and Appropriated Receipts are received in excess of amounts identified in the agency's Capital Budget Rider. The RRC shall notify the Legislative Budget Board and the Governor upon receipt of such funds, of the amount received and items to be purchased.

**12. Appropriation: Uranium Mining Regulatory Program.** Included in amounts appropriated above out of the General Revenue Fund in Strategy C.1.2, Surface Mining Monitoring and Inspections, is $178,535 in each fiscal year 2012 and $182,113 in fiscal year 2013 for the uranium mining regulatory program. These appropriations are contingent upon the Railroad Commission assessing fees sufficient to generate, during the 2012-13 biennium, revenue to cover, at a minimum the General Revenue appropriations for the Uranium Mining Regulatory program as well as "Other direct and indirect costs" for the program, appropriated elsewhere in this Act. "Other direct and indirect costs" are estimated to be $57,709 in fiscal year 2012 and $61,710 in fiscal year 2013. 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 the Comptroller of Public Accounts to reduce the appropriation authority provided above to be within the amount of revenue expected to be available.

**13. Appropriation: Anthropogenic Carbon Dioxide Storage Trust Fund Revenues in Excess of the Biennial Revenue Estimate.** Included in the amounts appropriated above in Strategy A.1.1, Energy Resource Development, is $88,603 in General Revenue in each year of the biennium beginning on September 1, 2011 to be used for the Anthropogenic Carbon Dioxide Storage Program. In addition to the amounts appropriated above, there is hereby appropriated to the Railroad Commission for the biennium beginning on September 1, 2011, any revenues received in the Anthropogenic Carbon Dioxide Storage Trust fund No. 827 (Other Funds). In accordance with Water Code, Chapter 27, Subchapter C-1, these funds shall be used for the costs of: (1) permitting, monitoring, and inspecting anthropogenic carbon dioxide injection wells for geologic storage and geologic storage facilities; and (2) enforcing and implementing this subchapter and rules adopted by the Railroad Commission under this subchapter.

**14. Sunset Contingency.** Funds appropriated above for the Railroad Commission for fiscal year 2013 are made contingent on the continuation of the Railroad Commission by the 82nd Legislature. In the event that the agency is not continued, funds appropriated for fiscal year 2012, or as much thereof as may be necessary, are to be used to provide for the phase out of agency operations.

**15. Contingency Appropriation: Appropriation of New Fee Revenues for Oil- and Gas-Related Activities.** In addition to amounts appropriated above and contingent upon passage of legislation by the 82nd Legislature, 2011, creating a new dedicated account for fees collected to cover the costs of oil- and gas-related programs at the Railroad Commission, appropriations to the Railroad Commission are hereby increased by the following amounts in the 2012-13 biennium.

| | 2012 | 2013 |
|---|---|---|
| Strategy A.1.1, Energy Resource Development | $ 297,736 | $ 297,736 |
| Strategy C.1.1, Oil and Gas Monitoring and Inspections | $1,595,121 | $1,600,365 |
| Strategy C.2.1, Oil and Gas Remediation | $1,007,119 | $1,004,909 |
| Strategy C.2.2, Oil and Gas Well Plugging | $4,431,155 | $4,425,943 |
| Strategy D.1.2, Public Information | $ 151,307 | $ 150,295 |

In addition, the Railroad Commission's Number of Full-Time Equivalents (FTE) is hereby increased by 59.6 in each fiscal year of the 2012-13 biennium.

This appropriation shall be limited to the amount of revenue collected by the Railroad Commission for oil- and gas-related programs in excess of amounts included in the Comptroller's Biennial Revenue Estimate for 2012-13 for fees otherwise deposited to the General Revenue Fund and the Oil Field Cleanup Account No. 145 for oil- and gas-related activities.

**16. Oil and Gas Division Permitting Efficiencies .** It is the intent of the Legislature that the Railroad Commission shall maintain staffing levels in its Oil and Gas Division in both its Austin office and in each district office in a manner sufficient to be able to review and respond to all permits within 10 business days of receipt, except for disposal or injection well permits, which

shall be responded to within 30 days of receipt. In addition, the Railroad Commission shall issue a final decision on contested case oil and gas permitting matters within 60 business days of the hearing date.

17. **Enforcement and Compliance Data and Public Information.** Out of the monies appropriated to the Railroad Commission of Texas for Strategy D.1.2, Public Information and Services, the agency shall publish information about enforcement data on its website, including inspection and enforcement activity, violations and the amount of final enforcement penalties assessed to the operator. The agency shall also make available on its website quarterly trends of enforcement data, including the number of complaints received and how the complaints were resolved, the number and severity of violations sent for enforcement action, the number of violations sent for enforcement action for each Commission rule, and the number of repeat violations found for each operator.

## SOIL AND WATER CONSERVATION BOARD

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 14,042,847 | $ 14,042,846 |
| Federal Funds | 6,000,000 | 6,000,000 |
| **Total, Method of Financing** | $ 20,042,847 | $ 20,042,846 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 72.1 | 72.1 |
| **Schedule of Exempt Positions:** | | |
| Executive Director, Group 3 | $92,600 | $92,600 |
| **Items of Appropriation:** | | |
| **A. Goal:** SOIL & WATER CONSERVATION ASSIST<br>Soil and Water Conservation Assistance. | | |
| **A.1.1. Strategy:** PROGRAM MANAGEMENT & ASSISTANCE<br>Program Expertise, Financial & Conservation Implementation Assistance. | $ 5,922,663 | $ 5,922,662 |
| **B. Goal:** NONPOINT SOURCE POLLUTION ABATEMENT<br>Administer a Program for Abatement of Agricl Nonpoint Source Pollution. | | |
| **B.1.1. Strategy:** STATEWIDE MANAGEMENT PLAN<br>Implement a Statewide Management Plan for Controlling NPS Pollution. | $ 7,297,346 | $ 7,297,346 |
| **B.1.2. Strategy:** POLLUTION ABATEMENT PLAN<br>Pollution Abatement Plans for Problem Agricultural Areas. | $ 4,067,971 | $ 4,067,971 |
| **Total, Goal B:** NONPOINT SOURCE POLLUTION ABATEMENT | $ 11,365,317 | $ 11,365,317 |
| **C. Goal:** WATER SUPPLY ENHANCEMENT<br>Protect and Enhance Water Supplies. | | |
| **C.1.1. Strategy:** WATER CONSERVATION AND ENHANCEMENT<br>Provide Financial/Technical Assistance for Water Quantity Enhancement. | $ 2,135,413 | $ 2,135,413 |
| **D. Goal:** INDIRECT ADMINISTRATION | | |
| **D.1.1. Strategy:** INDIRECT ADMINISTRATION | $ 619,454 | $ 619,454 |
| **Grand Total,** SOIL AND WATER CONSERVATION BOARD | $ 20,042,847 | $ 20,042,846 |

| | | |
|---|---|---|
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 3,493,891 | $ 3,493,891 |
| Other Personnel Costs | 109,260 | 109,260 |
| Professional Fees and Services | 20,000 | 20,000 |
| Fuels and Lubricants | 59,450 | 59,450 |
| Consumable Supplies | 46,500 | 46,500 |
| Utilities | 79,250 | 79,250 |
| Travel | 418,200 | 418,200 |
| Rent - Building | 222,451 | 222,451 |
| Rent - Machine and Other | 42,500 | 42,500 |
| Other Operating Expense | 350,028 | 342,878 |
| Grants | 15,175,817 | 15,175,816 |
| Capital Expenditures | 25,500 | 32,650 |
| **Total, Object-of-Expense Informational Listing** | $ 20,042,847 | $ 20,042,846 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 183,311 | $ 184,227 |
| Group Insurance | 538,920 | 544,534 |
| Social Security | 264,906 | 266,231 |
| Benefits Replacement | 13,758 | 12,863 |
| Subtotal, Employee Benefits | $ 1,000,895 | $ 1,007,855 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 1,000,895 | $ 1,007,855 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Soil and Water Conservation Board. 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 Soil and Water Conservation Board. In order to achieve the objectives and service standards established by this Act, the Soil and Water Conservation Board shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** SOIL & WATER CONSERVATION ASSIST | | |
| **Outcome (Results/Impact):** | | |
| Percent of District Financial Needs Met by Soil and Water Conservation Board Grants | 50% | 50% |
| **A.1.1. Strategy:** PROGRAM MANAGEMENT & ASSISTANCE | | |
| **Output (Volume):** | | |
| Number of Contacts with Districts to Provide Conservation Education Assistance | 15,396 | 15,396 |
| **B. Goal:** NONPOINT SOURCE POLLUTION ABATEMENT | | |
| **Outcome (Results/Impact):** | | |
| Percent of Agricultural and Silvicultural Operations with a Potential to Cause Nonpoint Pollution in Problem Areas As Identified and Designated by the TSSWCB | 50% | 50% |
| **B.1.1. Strategy:** STATEWIDE MANAGEMENT PLAN | | |
| **Output (Volume):** | | |
| Number of Proposals for Federal Grant Funding Evaluated by TSSWCB Staff | 20 | 20 |
| **B.1.2. Strategy:** POLLUTION ABATEMENT PLAN | | |
| **Output (Volume):** | | |
| Number of Pollution Abatement Plans Certified | 589 | 589 |
| **C. Goal:** WATER SUPPLY ENHANCEMENT | | |
| **C.1.1. Strategy:** WATER CONSERVATION AND ENHANCEMENT | | |
| **Output (Volume):** | | |
| Number of Acres of Brush Treated | 23,138 | 23,138 |

2. **Matching Requirements.** Funds appropriated above for conservation assistance grants for soil and water conservation districts may be expended only when matched by equal amounts from sources other than state funds or earnings from state funds, not to exceed $7,500 in any district per fiscal year.

3. **Allocation of Grant Funds.** Out of the amounts appropriated above to the Soil and Water Conservation Board, any Conservation Implementation Technical Assistance grant funds to the soil and water conservation districts shall be used for expenses occurring in the fiscal year in which the grant funds are allocated. Grant distributions are made contingent upon districts filing annual Conservation Implementation Technical Assistance expenditure summary reports with the Soil and Water Conservation Board and are subject to a year-end reconciliation.

4. **Water Quality Management Plans.** Included in amounts appropriated above in Strategy B.1.2, Pollution Abatement Plan, is $406,818 out of the General Revenue Fund in fiscal years 2012 and 2013 for administrative costs associated with the preparation of water quality management plans for poultry operators and $3,661,153 out of the General Revenue fund in fiscal years 2012 and 2013 for the planning and implementation of water quality management plans. Any unexpended balances from this appropriation as of August 31, 2012 are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2012.

5. **Conservation Assistance to the Soil and Water Conservation Districts.** Out of the amounts appropriated above to the Soil and Water Conservation Board, any conservation assistance grants awarded to soil and water conservation districts on a matching basis and requiring districts to raise funds from sources other than the Soil and Water Conservation Board prior to receiving such grants shall remain permanently with the soil and water conservation district granted the funds. The Soil and Water Conservation Board shall not require the soil and water conservation districts to return conservation assistance grant funds at the end of a fiscal year or at the end of a biennium.

6. **Brush Control.** Included in amounts appropriated above in Strategy C.1.1, Water Conservation and Enhancement, is $2,135,413 in fiscal year 2012 and $2,135,413 in fiscal year 2013 out of the General Revenue Fund for the brush control program. These funds shall be used for supporting existing and implementing new brush control projects designated by the Soil and Water Conservation Board. Any unexpended balances from this appropriation as of August 31, 2012 are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2012.

7. **Sunset Contingency.** Funds appropriated above for fiscal year 2013 for the Texas State Soil and Water Conservation Board are made contingent on the continuation of the Texas Soil and Water Conservation Board by the Eighty-second Legislature. In the event that the agency is not continued, the funds appropriated for fiscal year 2012, or as much thereof as may be necessary are to be used to provide for the phase out of agency operations.

8. **Appropriation: Flood Control Dam Operation, Maintenance, and Structural Repair.** Included in the amounts appropriated above in Strategy A.1.1, Program Management and Assistance, is $2,000,000 in each fiscal year out of the General Revenue Fund to provide for operations and maintenance, structural repair, and rehabilitation needs to flood control dams. Any unexpended balances from this appropriation as of August 31, 2012 are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2012.

## WATER DEVELOPMENT BOARD

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 18,496,273 | $ 20,263,358 |
| Federal Funds | | |
| Federal American Recovery and Reinvestment Fund | 2,602,777 | 2,518,735 |
| Federal Funds | 31,671,647 | 31,671,647 |
| Subtotal, Federal Funds | $ 34,274,424 | $ 34,190,382 |
| Other Funds | | |
| Appropriated Receipts | 5,568,337 | 5,543,337 |
| Interagency Contracts | 556,049 | 556,049 |

| | | |
|---|---|---|
| Water Assistance Fund No. 480 | 2,995,861 | 1,295,861 |
| Agricultural Water Conservation Fund No. 358 | 969,934 | 969,934 |
| Subtotal, Other Funds | $ 10,090,181 | $ 8,365,181 |
| **Total, Method of Financing** | $ 62,860,878 | $ 62,818,921 |
| **This bill pattern represents an estimated 5.8% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 370.4 | 370.4 |
| **Schedule of Exempt Positions:** | | |
| Executive Administrator, Group 5 | $135,000 | $135,000 |
| **Items of Appropriation:** | | |
| **A. Goal:** WATER RESOURCE PLANNING | | |
| Plan and Guide Conservation & Management of State's Water Resources. | | |
| **A.1.1. Strategy:** ENVIRONMENTAL IMPACT INFORMATION | $ 1,210,405 | $ 1,210,405 |
| Collection, Analysis and Reporting of Environmental Impact Information. | | |
| **A.1.2. Strategy:** WATER RESOURCES DATA | $ 3,241,036 | $ 3,241,036 |
| **A.1.3. Strategy:** AUTO INFO COLLECT., MAINT. & DISSEM | $ 2,258,634 | $ 2,258,634 |
| Automated Information Collection, Maintenance, and Dissemination. | | |
| **A.2.1. Strategy:** TECHNICAL ASSISTANCE & MODELING | $ 2,480,837 | $ 2,480,837 |
| Technical Assistance and Modeling. | | |
| **A.2.2. Strategy:** WATER RESOURCES PLANNING | $ 7,892,949 | $ 7,892,949 |
| **A.3.1. Strategy:** WATER CONSERVATION EDUCATION & ASST | $ 1,558,842 | $ 1,558,842 |
| Water Conservation Education and Assistance. | | |
| **A.4.1. Strategy:** PERFORM COMM ASSIST RELATED TO NFIP | $ 22,489,141 | $ 22,489,141 |
| Perform Community Assistance Pursuant to the NFIP. | | |
| **Total, Goal A:** WATER RESOURCE PLANNING | $ 41,131,844 | $ 41,131,844 |
| **B. Goal:** WATER PROJECT FINANCING | | |
| Provide Financing for the Development of Water-related Projects. | | |
| **B.1.1. Strategy:** STATE & FEDERAL FIN ASSIST PROGRAM | $ 12,152,008 | $ 12,067,966 |
| State and Federal Financial Assistance Programs. | | |
| **B.1.2. Strategy:** ECONOMICALLY DISTRESSED AREAS | $ 1,250,140 | $ 1,250,140 |
| Economically Distressed Areas Program. | | |
| **Total, Goal B:** WATER PROJECT FINANCING | $ 13,402,148 | $ 13,318,106 |
| **C. Goal:** INDIRECT ADMINISTRATION | | |
| **C.1.1. Strategy:** CENTRAL ADMINISTRATION | $ 3,654,420 | $ 3,654,420 |
| **C.1.2. Strategy:** INFORMATION RESOURCES | $ 4,017,913 | $ 4,059,998 |
| **C.1.3. Strategy:** OTHER SUPPORT SERVICES | $ 654,553 | $ 654,553 |
| **Total, Goal C:** INDIRECT ADMINISTRATION | $ 8,326,886 | $ 8,368,971 |
| **Grand Total,** WATER DEVELOPMENT BOARD | $ 62,860,878 | $ 62,818,921 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 22,404,758 | $ 22,404,758 |
| Other Personnel Costs | 486,306 | 486,306 |
| Professional Fees and Services | 5,045,242 | 5,003,285 |
| Fuels and Lubricants | 101,033 | 101,033 |
| Consumable Supplies | 372,469 | 372,469 |
| Utilities | 42,952 | 42,952 |
| Travel | 561,800 | 561,800 |
| Rent - Building | 218,090 | 218,090 |
| Rent - Machine and Other | 116,698 | 116,698 |

| | | |
|---|---|---|
| Other Operating Expense | 1,780,153 | 1,780,018 |
| Grants | 31,304,877 | 31,305,012 |
| Capital Expenditures | 426,500 | 426,500 |
| **Total, Object-of-Expense Informational Listing** | $ 62,860,878 | $ 62,818,921 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 1,299,459 | $ 1,305,956 |
| Group Insurance | 3,100,731 | 3,152,236 |
| Social Security | 1,735,487 | 1,744,165 |
| Benefits Replacement | 90,383 | 84,508 |
| Subtotal, Employee Benefits | $ 6,226,060 | $ 6,286,865 |
| Debt Service | | |
| Lease Payments | $ 179,371 | $ 152,697 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 6,405,431 | $ 6,439,562 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Water Development Board. 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 Water Development Board. In order to achieve the objectives and service standards established by this Act, the Water Development Board shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** WATER RESOURCE PLANNING | | |
| **Outcome (Results/Impact):** | | |
| Percent of Information Available to Adequately Monitor the State's Water Supplies | 69.3% | 69.3% |
| Percent of Key Regional and Statewide Water Planning Activities Completed | 84.6% | 84.6% |
| Percent of Eligible Texas Communities and Other Entities Receiving Technical and/or Financial Assistance for Water Planning and Conservation | 8.7% | 8.7% |
| **A.1.1. Strategy:** ENVIRONMENTAL IMPACT INFORMATION | | |
| **Output (Volume):** | | |
| Number of Bay and Estuary and Instream Study Elements Completed | 8 | 8 |
| **A.1.3. Strategy:** AUTO INFO COLLECT., MAINT. & DISSEM | | |
| **Explanatory:** | | |
| Number of Responses to Requests for TNRIS-related Information | 278,413 | 278,413 |
| **A.2.1. Strategy:** TECHNICAL ASSISTANCE & MODELING | | |
| **Output (Volume):** | | |
| Number of Responses to Requests for Water Resources Information | 2,551 | 2,551 |
| **A.2.2. Strategy:** WATER RESOURCES PLANNING | | |
| **Output (Volume):** | | |
| Number of Active Grants for Regional Water, Wastewater, Flood and Research Studies Funded from the Research and Planning Fund | 112 | 112 |
| **A.3.1. Strategy:** WATER CONSERVATION EDUCATION & ASST | | |
| **Output (Volume):** | | |
| Number of Responses to Requests for Water Conservation Information, Literature, Data, Technical Assistance and Educational Activities Provided by the Texas Water Development Board Staff | 849 | 849 |

| | | |
|---|---|---|
| **B. Goal:** WATER PROJECT FINANCING | | |
| **Outcome (Results/Impact):** | | |
| Total Dollars Committed as a Percent of Total Financial Assistance Dollars Available | 79% | 79% |
| **B.1.1. Strategy:** STATE & FEDERAL FIN ASSIST PROGRAM | | |
| **Output (Volume):** | | |
| Number of Financial Assistance/Loan Commitments Provided to State Participation Projects | 0 | 0 |
| Total Dollars Committed to Projects to Implement the State Water Plan (SWP) | 50,000,000 | 50,000,000 |
| Number of Commitments to State Water Plan Projects | 3 | 3 |
| **B.1.2. Strategy:** ECONOMICALLY DISTRESSED AREAS | | |
| **Output (Volume):** | | |
| Number of Completed Economically Distressed Areas Projects | 90 | 92 |

**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.

| | 2012 | 2013 |
|---|---|---|
| a. Acquisition of Information Resource Technologies | | |
| (1) Data Center Consolidation | $ 2,332,533 | $ 2,399,618 |
| (2) PC and Server Replacement | 108,532 | 108,532 |
| (3) Strategic Mapping Pool | 308,000 | 308,000 |
| (4) TxWise | 25,000 | 0 |
| (5) Water Information Integration and Dissemination Project | $ 139,762 | $ 139,762 |
| Total, Acquisition of Information Resource Technologies | $ 2,913,827 | $ 2,955,912 |
| b. Transportation Items | | |
| (1) Purchase of Vehicles and Boats | $ 70,000 | $ 70,000 |
| c. Acquisition of Capital Equipment and Items | | |
| (1) Gauging and Other Equipment | $ 4,500 | $ 4,500 |
| Total, Capital Budget | $ 2,988,327 | $ 3,030,412 |
| Method of Financing (Capital Budget): | | |
| General Revenue Fund | $ 2,332,533 | $ 2,399,618 |
| Federal Funds | 179,972 | 179,972 |
| Agricultural Water Conservation Fund No. 358 | 27,500 | 27,500 |
| Appropriated Receipts | 393,822 | 368,822 |
| Interagency Contracts | 54,500 | 54,500 |
| Total, Method of Financing | $ 2,988,327 | $ 3,030,412 |

**3. Transfer Authorized.** Included in amounts appropriated above in Strategy A.2.1, Technical Assistance and Modeling, and Strategy A.2.2, Water Resources Planning, is up to $480,146 in fiscal year 2012 and $2,180,146 in fiscal year 2013 out of the General Revenue Fund to be transferred to the Water Assistance Fund No. 480, for the sole purpose of making grants to regional planning groups pursuant to Water Code, § 15.4061. The Texas Water Development Board is authorized to transfer these funds from the Water Assistance Fund to other accounts as authorized under Water Code, § 15.011 as needed to support the regional planning process.

Also included in amounts appropriated above in Strategy A.2.1, Technical Assistance and Modeling, is $239,989 and in A.2.2, Water Resources Planning, is $4,051,733 out of the Water Assistance Fund No. 480 for the 2012-13 biennium. These amounts also shall be used for the purpose of making grants to regional planning groups pursuant to Water Code, § 15.4061.

4. **Safe Drinking Water Act State Revolving Fund.** Included in amounts appropriated above in Strategy B.1.1, State and Federal Financial Assistance Programs, is up to $2,336,171 out of the General Revenue Fund in each fiscal year of the biennium for the state match portion of the community/non-community water system and economically disadvantaged community accounts established under the Safe Drinking Water Act State Revolving Fund.

5. **Appropriation: Water Assistance Fund.** Included in the amounts appropriated above are balances in the Water Assistance Fund No. 480 (WAF) as of August 31, 2011 and revenues accruing to the WAF during the 2012-13 biennium, estimated to be $4,291,722 during the 2012-13 biennium. In addition to the amounts appropriated above, there is hereby appropriated to the Water Development Board all revenues accruing to the Water Assistance Fund No. 480 during the biennium beginning on September 1, 2011, including receipts from the Water Resources Finance Authority. These funds shall be used as authorized in Chapter 15, Water Code.

6. **Appropriation: Water Resources Fund.** In addition to amounts appropriated above, any monies deposited into the Texas Water Resources Fund No. 591, including but not limited to proceeds from revenue bond sales, investment earnings, and loan repayments, are hereby appropriated to the Board for the biennium beginning with the effective date of this Act.

7. **Appropriation: Agricultural Water Conservation Fund.** Included in the amounts appropriated above out of the Agricultural Water Conservation Fund No. 358 is $969,934 in fiscal year 2012 and $969,934 in fiscal year 2013 for use pursuant to § 50-d of Article III of the Texas Constitution and Water Code, Chapter 17, Subchapter J. In addition to amounts appropriated above, there are hereby appropriated such amounts as may be necessary to administer and disburse funds for loans and grants through the agricultural water conservation program and to pay the principal and interest on agricultural water conservation bonds that mature or become due during the biennium beginning with the effective date of this Act, pursuant to § 50-d of Article III of the Texas Constitution and Water Code, Chapter 17, Subchapter J, to be transferred to the Agricultural Water Conservation Interest and Sinking Fund No. 359.

8. **Coordination with the Texas Department of Rural Affairs.** The Texas Water Development Board (TWDB) and the Texas Department of Rural Affairs (TDRA) shall continue to coordinate funds out of the Economically Distressed Areas Program (EDAP) administered by the TWDB and the Colonia Fund administered by TDRA as outlined in a Memorandum of Understanding (MOU) to maximize delivery of the funds and minimize administrative delay in their expenditure. At the beginning of each fiscal year of the 2012-13 biennium, the TWDB shall provide TDRA a list of EDAP-funded areas whose colonia residents cannot afford the cost of service lines, hook-ups, and plumbing improvements associated with being connected to an EDAP-funded system. No later than September 15, 2012, the TWDB and TDRA shall submit a joint report to the Legislative Budget Board that describes and analyzes the effectiveness of projects funded as a result of coordinated Colonia Fund/EDAP efforts, including an estimate of the amount each agency has saved by reduced duplication of efforts.

9. **Fee Appropriation: State Revolving Fund Program Operation.** In addition to the amounts appropriated above, the Water Development Board is hereby appropriated any additional fee revenue collected for administration and operation of revolving fund programs for the biennium beginning September 1, 2011.

   All fee revenue collected pursuant to the State Revolving Fund (SRF) program and additional state revolving funds may be deposited into an operating fund held in the Texas Treasury Safekeeping Trust Company. Monies in the SRF or additional SRFs operating fund, including interest, may be used only for the purposes of reimbursing expenditures from appropriations in this Act. Such reimbursement shall include both direct expenditures for salaries and other expenditures and fringe benefits. In addition, the Texas Water Development Board may transfer amounts from the operating fund to the SRF or additional SRFs for uses pursuant to the Water Code, Chapter 15, Subchapter J.

10. **Use of Texas Water Resources Finance Authority (TWRFA) Funds.** Included in the amounts appropriated above in Strategy A.1.1, Environmental Impact Information, Strategy A.1.3, Automated Information Collection, Maintenance, and Dissemination, Strategy A.2.1, Technical Assistance and Modeling, Strategy A.2.2, Water Resources Planning, Strategy B.1.1, State and Federal Financial Assistance Programs, Strategy C.1.1, Central Administration, and Strategy C.1.2, Information Resources, is $1,513,004 in fiscal year 2012 and $1,488,004 in fiscal year 2013 in Appropriated Receipts derived from cash flows from the Texas Water Resources Finance Authority (TWRFA). Also included in amounts appropriated above in Strategy B.1.1, State and

Federal Financial Assistance Programs, is $8,619 in fiscal year 2012 and $8,619 in fiscal year 2013 in Appropriated Receipts derived from cash flows and reserved as operating costs of TWRFA and used to reimburse TWDB for administrative expenditures incurred by the Water Development Board in administering the TWRFA portfolio.

**11. Appropriation: Unexpended Balances in the Groundwater District Loan Assistance Fund.** In addition to amounts appropriated above, the Texas Water Development Board is hereby appropriated any unexpended balances in the Groundwater District Loan Assistance Fund No. 363 as of August 31, 2011. Any unexpended balances as of August 31, 2012 are hereby appropriated for the fiscal year beginning September 1, 2012.

**12. Appropriation: Cost Recovery for the State Participation Program.** In addition to the amounts appropriated above, and out of Appropriated Receipts, there is hereby appropriated to the Texas Water Development Board any additional revenues (estimated to be $0 in each fiscal year) collected for the administration and operation of the State Participation Program for the same purposes.

**13. Rural Water Assistance Fund.** In addition to the amounts appropriated above, there is hereby appropriated to the Texas Water Development Board (TWDB) available balances in the Rural Water Assistance Fund, money that TWDB may place into the Rural Water Assistance Fund from any sources legally available, including but not limited to proceeds from bonds issued by the Board, money transferred to the fund, and any revenues that may accrue to the Rural Water Assistance Fund (amounts estimated to be $0 in each fiscal year).

**14. Economically Disadvantaged Community Account.** Funds previously appropriated to the Texas Water Development Board for the Community/Noncommunity Water System Financial Assistance Account of the Safe Drinking Water Revolving Fund (SDWRF) and any interest earned on such funds may be transferred by the Board in whole or in part to the Economically Disadvantaged Community Account of the SDWRF for authorized use (amounts estimated to be $0 in each fiscal year).

**15. Capital Budget Expenditures: Federal Funds and Appropriated Receipts Exemption.** To comply with the legislative intent to maximize the use of federal funds, to maximize the use of state funds, and to fulfill grant requirements required for the receipt and expenditure of federal funds, the Water Development Board is hereby exempted from the Capital Budget Rider Provisions contained in Article IX of this Act, "Limitations on Expenditures - Capital Budget," when Federal Funds or Appropriated Receipts are received in excess of amounts identified in the agency's Capital Budget Rider. The Water Development Board shall notify the Legislative Budget Board and the Governor upon receipt of such Federal Funds or Appropriated Receipts, of the amount received and items to be purchased.

**16. Nuisance Surveys for the Economically Distressed Areas Program.** Out of amounts appropriated above out of the General Revenue Fund in Strategy B.1.2, Economically Distressed Areas, the Water Development Board shall reimburse the Texas Department of State Health Services for costs incurred by the Department in conducting nuisance surveys for applicants for financial assistance through the Economically Distressed Areas program administered by the Board. The Board shall reimburse such costs through Interagency Contracts with the Texas Department of State Health Services in an amount not to exceed a total of $250,000 for the biennium beginning on September 1, 2011.

**17. Appropriation: Water Infrastructure Fund.** In addition to the amounts appropriated above, there is hereby appropriated to the Water Development Board for the biennium beginning on September 1, 2011, all available funds in the Water Infrastructure Fund (WIF) No. 302, including, but not limited to fund balances, revenues, bonds issued by the Water Development Board, and funds transferred to the WIF.

**18. Unexpended Balances Within the Biennium.** Any unexpended balances as of August 31, 2012 in appropriations made to the Water Development Board are hereby appropriated for the same purposes for the fiscal year beginning September 1, 2012.

**19. Travel Cap Exemption for Bond Travel.** Travel expenses incurred by the staff of the Texas Water Development Board related to the issuance of debt and paid from bond proceeds are exempt from the requirements of Article IX, relating to the Limitation on Travel Expenditures, and the limitations on such expenditures set forth therein.

**20. Reimbursement of Advisory Committees.** Pursuant to Government Code, § 2110.004, reimbursement of expenses for advisory committee members out of funds appropriated above is limited to the following advisory committees: the Texas Environmental Flows Science Advisory Committee and the Basin and Bay Expert Science Teams.

**21. Financing of Water and Wastewater Connections and Plumbing Improvements in Economically Distressed Areas.** It is the intent of the legislature that, to the extent permitted by law, a political subdivision be permitted to use money from financial assistance under Subchapter K, Chapter 17, Water Code to pay: (1) costs to connect a residence to a water distribution system constructed under the subchapter; (2) costs to provide yard service connections; (3) costs of connecting a residence to a sewer collection system constructed under that subchapter; (4) necessary connection fees and permit fees; and (5) necessary costs of design related to plumbing improvements described in subdivisions (1) through (4) of this section.

**22. Playa Lakes Study.** Out of amounts appropriated above, the Water Development Board may expend up to $69,000 in each fiscal year of the 2012-13 biennium to be used to continue work on the Playa Lakes Study.

## DEBT SERVICE PAYMENTS - NON-SELF SUPPORTING G.O. WATER BONDS

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 51,073,337 | $ 48,738,566 |
| Other Funds | | |
| Water Infrastructure Fund No. 302 | 41,546,281 | 46,189,425 |
| Economically Distressed Areas Bond Payment Account No. 357 | 2,383,415 | 2,380,932 |
| State Participation Program Bond Payment Account | 9,562,125 | 11,401,591 |
| Subtotal, Other Funds | $ 53,491,821 | $ 59,971,948 |
| **Total, Method of Financing** | $ 104,565,158 | $ 108,710,514 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Items of Appropriation:** | | |
| **A. Goal:** GEN OBLIGATION BOND DEBT SERVICE | | |
| Fulfill All General Obligation Bond Debt Service Commitments. | | |
| **A.1.1. Strategy:** EDAP DEBT SERVICE | $ 23,651,663 | $ 25,630,077 & UB |
| General Obligation Bond Debt Service Payments for EDAP. | | |
| **A.1.2. Strategy:** STATE PARTICIPATION DEBT SERVICE | $ 9,562,125 | $ 11,401,591 & UB |
| General Obligation Bond Debt Service Payments for State Participation. | | |
| **A.1.3. Strategy:** WIF DEBT SERVICE | $ 71,351,370 | $ 71,678,846 & UB |
| G.O. Bond Debt Service Payments for the Water Infrastructure Fund Pgm. | | |
| **Total, Goal A:** GEN OBLIGATION BOND DEBT SERVICE | $ 104,565,158 | $ 108,710,514 |
| **Grand Total,** DEBT SERVICE PAYMENTS - NON-SELF SUPPORTING G.O. WATER BONDS | $ 104,565,158 | $ 108,710,514 |
| **Object-of-Expense Informational Listing:** | | |
| Debt Service | $ 104,565,158 | $ 108,710,514 |
| **Total, Object-of-Expense Informational Listing** | $ 104,565,158 | $ 108,710,514 |

## DEBT SERVICE PAYMENTS - NON-SELF SUPPORTING G.O. WATER BONDS
(Continued)

1. **Payment of Debt Service: Economically Distressed Areas Bonds.** All monies received by the Texas Water Development Board and deposited to the Economically Distressed Areas Bond Payment Account No. 357 are hereby appropriated for the payment of principal and interest on bonds issued to provide financial assistance for water and wastewater infrastructure through the Economically Distressed Areas Program that mature or become due during the biennium beginning with the effective date of this Act, pursuant to §§ 49-c, 49-d-7, 49-d-8, and 49-d-10 of Article III of the Texas Constitution and Water Code, Chapter 17, Subchapters C and L, including amounts issued prior to the effective date of this Act. The amounts identified above in the Method of Financing as the Economically Distressed Areas Bond Payment Account No. 357 are estimated amounts to be received from repayments of loan principal and interest on such bonds that mature or become due during the biennium.

   Included in the amounts appropriated above, out of the General Revenue Fund, the Texas Water Development Board is also appropriated $1,982,778 in fiscal year 2012 and $4,066,092 in fiscal year 2013 for the payment of principal and interest on $100,000,000 in Economically Distressed Areas Program Bonds hereby authorized to be issued and sold during the 2012-13 biennium to provide financial assistance for water and wastewater infrastructure through the Economically Distressed Areas Program pursuant to §§ 49-c, 49-d-7, 49-d-8, and 49-d-10 of Article III of the Texas Constitution and Water Code, Chapter 17, Subchapters C and L.

   The actual amount of funds to be paid from the General Revenue Fund shall be the total amount of debt service obligations due in each fiscal year less the amount available in the Economically Distressed Areas Bond Payment Account No. 357 for Debt Service Payments for the Economically Distressed Areas Program. The provisions contained herein shall not be construed, however, to abrogate the obligation of the State under §§ 49-c, 49-d-7, 49-d-8, and 49-d-10 of Article III of the Texas Constitution to provide for the payment in full of the principal and interest on such bonds that mature or become due during the biennium.

2. **Payment of Debt Service: State Participation Bonds.** All monies received by the Texas Water Development Board and deposited to the State Participation Program Bond Payment Account No. 8432 are hereby appropriated for the payment of principal and interest on bonds issued to provide financial assistance for State Participation projects that mature or become due during the biennium beginning with the effective date of this Act, pursuant to §§ 49-c, 49-d-7, 49-d-8, and 49-d-9 of Article III of the Texas Constitution and Water Code, Chapter 17, Subchapters C and L, including amounts issued prior to the effective date of this Act. The amounts identified above in the Method of Financing as the State Participation Program Bond Payment Account No. 8432 are estimated amounts of payments received from political subdivisions representing the purchase of the state's ownership interest in projects dedicated to the payment of principal and interest on such bonds that mature or become due during the biennium.

   The actual amount of funds to be paid from the General Revenue Fund shall be the total amount of debt service obligations due in each fiscal year less the amount available in the State Participation Program Bond Payment Account No. 8432 for Debt Service Payments for the State Participation Program. The provisions contained herein shall not be construed, however, to abrogate the obligation of the State under §§ 49-c, 49-d-7, 49-d-8, and 49-d-9 of Article III of the Texas Constitution to provide for the payment in full of the principal and interest on such bonds that mature or become due during the biennium.

3. **Payment of Debt Service: Water Infrastructure Fund Bonds.** All monies deposited or transferred to the Water Infrastructure Fund (WIF) No. 302, pursuant to Texas Water Code, Section 15.974 (a)(4), are hereby appropriated for the payment of principal and interest on Water Infrastructure Fund bonds issued pursuant to Texas Water Code, Section 17.952, Water Financial Assistance Bonds, to provide financial assistance for projects related to the implementation of the State Water Plan. The amounts identified above in the Method of Financing table as Water Infrastructure Fund No. 302 are estimated amounts to be received from repayments of loan principal and interest on such bonds that mature or become due during the biennium.

   Included in the amounts appropriated above, out of the General Revenue Fund, the Texas Water Development Board is also appropriated $3,955,833 in fiscal year 2012 and $4,850,346 in fiscal year 2013 for the payment of principal and interest on $200,000,000 in Water Infrastructure Fund Bonds hereby authorized to be issued and sold during the 2012-13 biennium to provide financial assistance for water infrastructure through the Water Infrastructure Fund Program pursuant to §§ 49-c, 49-d-8, and 49-d-9 of Article III of the Texas Constitution.

## DEBT SERVICE PAYMENTS - NON-SELF SUPPORTING G.O. WATER BONDS
(Continued)

The actual amount of funds to be paid from the General Revenue Fund shall be the total amount of debt service obligations due in each fiscal year less amounts deposited to the Water Infrastructure Fund (WIF) No. 302 for loan repayments and interest earnings. The provisions contained herein shall not be construed, however, to abrogate the obligation of the State under §§ 49-c, 49-d-8 and 49-d-9, of Article III of the Texas Constitution to provide for the payment in full of the principal and interest on such bonds that mature or become due during the biennium.

4. **Bond Issuance Authority by Program.** Based on demand in the various programs under the Non-Self Supporting G.O. Water Bonds, the authority to issue bonds may be transferred between programs provided: 1) debt service for such bonds does not exceed the General Revenue appropriation for debt service; 2) the issuance of the bonds is approved by the Bond Review Board; and 3) the Legislative Budget Board, upon receiving a request for bond issuance from the Water Development Board, does not issue a written disapproval not later than the 15th day after the date the staff of the Legislative Budget Board concludes its review and forwards those findings to the Board.

5. **Bond Issuance and Payment of Debt Service.** Within the amounts appropriated above, the Texas Water Development Board is authorized to issue Non-Self Supporting G.O. Water Bonds for State Participation, Economically Distressed Areas Program and Water Infrastructure Fund purposes, provided: 1) debt service for such bonds does not exceed the General Revenue appropriation for debt service; 2) the issuance of the bonds is approved by the Bond Review Board; and 3) the Legislative Budget Board, upon receiving a request for bond issuance from the Water Development Board, does not issue a written disapproval not later than the 15th day after the date the staff of the Legislative Budget Board concludes its review and forwards those findings to the Board.

## RETIREMENT AND GROUP INSURANCE

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund, estimated | $ 59,316,443 | $ 64,163,985 |
| General Revenue Dedicated Accounts, estimated | 24,422,581 | 25,283,599 |
| Federal Funds, estimated | 10,967,126 | 11,424,362 |
| Other Special State Funds, estimated | 4,659,880 | 5,060,758 |
| **Total, Method of Financing** | $ 99,366,030 | $ 105,932,704 |
| **Items of Appropriation:** | | |
| **A. Goal:** EMPLOYEES RETIREMENT SYSTEM | | |
| **A.1.1. Strategy:** RETIREMENT CONTRIBUTIONS<br>Retirement Contributions. Estimated. | $ 24,621,131 | $ 26,001,027 |
| **A.1.2. Strategy:** GROUP INSURANCE<br>Group Insurance Contributions. Estimated. | $ 74,744,899 | $ 79,931,677 |
| **Total, Goal A:** EMPLOYEES RETIREMENT SYSTEM | $ 99,366,030 | $ 105,932,704 |
| **Grand Total,** RETIREMENT AND GROUP INSURANCE | $ 99,366,030 | $ 105,932,704 |

## SOCIAL SECURITY AND BENEFIT REPLACEMENT PAY

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund, estimated | $ 9,246,505 | $ 9,113,713 |

## SOCIAL SECURITY AND BENEFIT REPLACEMENT PAY
(Continued)

| | | |
|---|---|---|
| General Revenue Dedicated Accounts, estimated | 18,220,758 | 17,682,308 |
| Federal Funds, estimated | 4,944,676 | 4,807,539 |
| Other Special State Funds, estimated | 2,234,024 | 2,229,011 |
| **Total, Method of Financing** | $ 34,645,963 | $ 33,832,571 |
| **Items of Appropriation:** | | |
| **A. Goal:** SOCIAL SECURITY/BENEFIT REPLACEMENT | | |
| Comptroller - Social Security. | | |
| **A.1.1. Strategy:** STATE MATCH -- EMPLOYER | $ 32,140,339 | $ 31,489,813 |
| State Match — Employer. Estimated. | | |
| **A.1.2. Strategy:** BENEFIT REPLACEMENT PAY | $ 2,505,624 | $ 2,342,758 |
| Benefit Replacement Pay. Estimated. | | |
| **Total, Goal A:** SOCIAL SECURITY/BENEFIT REPLACEMENT | $ 34,645,963 | $ 33,832,571 |
| **Grand Total,** SOCIAL SECURITY AND BENEFIT REPLACEMENT PAY | $ 34,645,963 | $ 33,832,571 |

## BOND DEBT SERVICE PAYMENTS

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | | |
| General Revenue Fund | $ 5,454,484 | $ 4,945,101 |
| Sporting Goods Sales Tax - Transfer to State Parks Account No. 64 | 2,658,687 | 3,676,406 |
| Subtotal, General Revenue Fund | $ 8,113,171 | $ 8,621,507 |
| Federal Funds | 108,994 | 108,994 |
| Current Fund Balance | 731,625 | 738,000 |
| **Total, Method of Financing** | $ 8,953,790 | $ 9,468,501 |
| **Items of Appropriation:** | | |
| **A. Goal:** FINANCE CAPITAL PROJECTS | | |
| **A.1.1. Strategy:** BOND DEBT SERVICE | $ 8,953,790 | $ 9,468,501 & UB |
| To Texas Public Finance Authority for Payment of Bond Debt Service. | | |
| **Grand Total,** BOND DEBT SERVICE PAYMENTS | $ 8,953,790 | $ 9,468,501 |

## LEASE PAYMENTS

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 3,815,546 | $ 3,176,632 |
| **Total, Method of Financing** | $ 3,815,546 | $ 3,176,632 |

## LEASE PAYMENTS
(Continued)

| | | |
|---|---|---|
| **Items of Appropriation:** | | |
| **A. Goal:** FINANCE CAPITAL PROJECTS | | |
| **A.1.1. Strategy:** LEASE PAYMENTS | $ 3,815,546 | $ 3,176,632 & UB |
| To TFC for Payment to TPFA. | | |
| **Grand Total,** LEASE PAYMENTS | $ 3,815,546 | $ 3,176,632 |

## RECAPITULATION - ARTICLE VI
## NATURAL RESOURCES
## (General Revenue)

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| Department of Agriculture | $ 49,248,196 | $ 45,194,353 |
| Rider Appropriations | 862,260 | 25,000 |
| Total | 50,110,456 | 45,219,353 |
| Animal Health Commission | 6,148,281 | 6,227,489 |
| Contingency Appropriations | 4,963,653 | 4,963,653 |
| Total | 11,111,934 | 11,191,142 |
| Commission on Environmental Quality | 6,268,507 | 5,966,983 |
| Contingency Appropriations | 30,000 | 30,000 |
| Total | 6,298,507 | 5,996,983 |
| General Land Office and Veterans' Land Board | 647,390 | 647,390 |
| Parks and Wildlife Department | 68,123,422 | 70,420,247 |
| Railroad Commission | 25,756,224 | 25,729,467 |
| Soil and Water Conservation Board | 14,042,847 | 14,042,846 |
| Water Development Board | 18,496,273 | 20,263,358 |
| Debt Service Payments - Non-Self Supporting G.O. Water Bonds | 51,073,337 | 48,738,566 |
| Subtotal, Natural Resources | $ 245,660,390 | $ 242,249,352 |
| Retirement and Group Insurance | 59,316,443 | 64,163,985 |
| Social Security and Benefit Replacement Pay | 9,246,505 | 9,113,713 |
| Subtotal, Employee Benefits | $ 68,562,948 | $ 73,277,698 |
| Bond Debt Service Payments | 8,113,171 | 8,621,507 |
| Lease Payments | 3,815,546 | 3,176,632 |
| Subtotal, Debt Service | $ 11,928,717 | $ 11,798,139 |
| TOTAL, ARTICLE VI - NATURAL RESOURCES | $ 326,152,055 | $ 327,325,189 |

## RECAPITULATION - ARTICLE VI
## NATURAL RESOURCES
## (General Revenue - Dedicated)

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| Department of Agriculture | $ 2,800,000 | $ 0 |
| Commission on Environmental Quality | 288,173,792 | 277,327,141 |
| Contingency Appropriations | 10,674,344 | 11,147,545 |
| Total | 298,848,136 | 288,474,686 |
| General Land Office and Veterans' Land Board | 10,756,646 | 10,761,912 |
| Parks and Wildlife Department | 118,535,666 | 120,459,500 |
| Contingency Appropriations | 7,100,000 | 7,100,000 |
| Total | 125,635,666 | 127,559,500 |
| Railroad Commission | 21,513,157 | 21,513,156 |
| Contingency Appropriations | 8,474,200 | 8,396,503 |
| Total | 29,987,357 | 29,909,659 |
| Subtotal, Natural Resources | $ 468,027,805 | $ 456,705,757 |
| Retirement and Group Insurance | 24,422,581 | 25,283,599 |
| Social Security and Benefit Replacement Pay | 18,220,758 | 17,682,308 |
| Subtotal, Employee Benefits | $ 42,643,339 | $ 42,965,907 |
| TOTAL, ARTICLE VI - NATURAL RESOURCES | $ 510,671,144 | $ 499,671,664 |

## RECAPITULATION - ARTICLE VI
## NATURAL RESOURCES
## (Federal Funds)

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| Department of Agriculture | $ 424,746,438 | $ 458,688,393 |
| Animal Health Commission | 4,114,407 | 3,702,966 |
| Commission on Environmental Quality | 39,167,519 | 39,397,825 |
| General Land Office and Veterans' Land Board | 14,747,481 | 15,626,565 |
| Parks and Wildlife Department | 34,122,870 | 32,728,905 |
| Railroad Commission | 10,633,965 | 7,303,956 |
| Soil and Water Conservation Board | 6,000,000 | 6,000,000 |
| Water Development Board | 34,274,424 | 34,190,382 |
| Subtotal, Natural Resources | $ 567,807,104 | $ 597,638,992 |
| Retirement and Group Insurance | 10,967,126 | 11,424,362 |
| Social Security and Benefit Replacement Pay | 4,944,676 | 4,807,539 |
| Subtotal, Employee Benefits | $ 15,911,802 | $ 16,231,901 |
| Bond Debt Service Payments | 108,994 | 108,994 |
| Subtotal, Debt Service | $ 108,994 | $ 108,994 |
| TOTAL, ARTICLE VI - NATURAL RESOURCES | $ 583,827,900 | $ 613,979,887 |

## RECAPITULATION - ARTICLE VI
## NATURAL RESOURCES
## (Other Funds)

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| Department of Agriculture | $ 4,027,918 | $ 2,171,199 |
| Commission on Environmental Quality | 9,070,074 | 9,070,074 |
| General Land Office and Veterans' Land Board | 52,073,702 | 52,098,893 |
| Parks and Wildlife Department | 21,037,188 | 36,949,502 |
| Railroad Commission | 2,175,772 | 2,072,158 |
| Water Development Board | 10,090,181 | 8,365,181 |
| Debt Service Payments - Non-Self Supporting G.O. Water Bonds | 53,491,821 | 59,971,948 |
| Subtotal, Natural Resources | $ 151,966,656 | $ 170,698,955 |
| Retirement and Group Insurance | 4,659,880 | 5,060,758 |
| Social Security and Benefit Replacement Pay | 2,234,024 | 2,229,011 |
| Subtotal, Employee Benefits | $ 6,893,904 | $ 7,289,769 |
| Bond Debt Service Payments | 731,625 | 738,000 |
| Subtotal, Debt Service | $ 731,625 | $ 738,000 |
| Less Interagency Contracts | $ 20,820,213 | $ 20,716,599 |
| TOTAL, ARTICLE VI - NATURAL RESOURCES | $ 138,771,972 | $ 158,010,125 |

# RECAPITULATION - ARTICLE VI
# NATURAL RESOURCES
# (All Funds)

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| Department of Agriculture | $ 480,822,552 | $ 506,053,945 |
| Rider Appropriations | 862,260 | 25,000 |
| Total | 481,684,812 | 506,078,945 |
| Animal Health Commission | 10,262,688 | 9,930,455 |
| Contingency Appropriations | 4,963,653 | 4,963,653 |
| Total | 15,226,341 | 14,894,108 |
| Commission on Environmental Quality | 342,679,892 | 331,762,023 |
| Contingency Appropriations | 10,704,344 | 11,177,545 |
| Total | 353,384,236 | 342,939,568 |
| General Land Office and Veterans' Land Board | 78,225,219 | 79,134,760 |
| Parks and Wildlife Department | 241,819,146 | 260,558,154 |
| Contingency Appropriations | 7,100,000 | 7,100,000 |
| Total | 248,919,146 | 267,658,154 |
| Railroad Commission | 60,079,118 | 56,618,737 |
| Contingency Appropriations | 8,474,200 | 8,396,503 |
| Total | 68,553,318 | 65,015,240 |
| Soil and Water Conservation Board | 20,042,847 | 20,042,846 |
| Water Development Board | 62,860,878 | 62,818,921 |
| Debt Service Payments - Non-Self Supporting G.O. Water Bonds | 104,565,158 | 108,710,514 |
| Subtotal, Natural Resources | $ 1,433,461,955 | $ 1,467,293,056 |
| Retirement and Group Insurance | 99,366,030 | 105,932,704 |
| Social Security and Benefit Replacement Pay | 34,645,963 | 33,832,571 |
| Subtotal, Employee Benefits | $ 134,011,993 | $ 139,765,275 |
| Bond Debt Service Payments | 8,953,790 | 9,468,501 |
| Lease Payments | 3,815,546 | 3,176,632 |
| Subtotal, Debt Service | $ 12,769,336 | $ 12,645,133 |
| Less Interagency Contracts | $ 20,820,213 | $ 20,716,599 |
| TOTAL, ARTICLE VI - NATURAL RESOURCES | $ 1,559,423,071 | $ 1,598,986,865 |
| Number of Full-Time-Equivalents (FTE) | 8,353.6 | 8,358.9 |

## ARTICLE VII

## BUSINESS AND ECONOMIC DEVELOPMENT

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 business and economic development agencies.

## DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 8,110,265 | $ 8,177,145 |
| Federal Funds | | |
| Community Affairs Federal Fund No. 127 | 160,219,848 | 160,219,848 |
| Federal American Recovery and Reinvestment Fund | 5,610,716 | 0 |
| Subtotal, Federal Funds | $ 165,830,564 | $ 160,219,848 |
| Other Funds | | |
| Appropriated Receipts | 18,681,157 | 18,367,246 |
| Interagency Contracts | 69,343 | 69,343 |
| Subtotal, Other Funds | $ 18,750,500 | $ 18,436,589 |
| **Total, Method of Financing** | $ 192,691,329 | $ 186,833,582 |
| **Other Direct and Indirect Costs Appropriated Elsewhere in this Act** | $ 1,186,559 | $ 1,375,786 |
| **This bill pattern represents an estimated 12% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 417.0 | 387.0 |
| **Schedule of Exempt Positions:** | | |
| Executive Director, Group 5 | $129,250 | $129,250 |
| **Items of Appropriation:** | | |
| **A. Goal:** AFFORDABLE HOUSING | | |
| Increase Availability of Safe/Decent/Affordable Housing. | | |
| **A.1.1. Strategy:** MRB PROGRAM - SINGLE FAMILY Federal Mortgage Loans & MCCs through the SF MRB Program. | $ 1,448,087 | $ 1,445,761 |
| **A.1.2. Strategy:** HOME PROGRAM Provide Funding through the HOME Program for Affordable Housing. | $ 45,516,318 | $ 45,515,977 |
| **A.1.3. Strategy:** HOUSING TRUST FUND Provide Funding through the HTF for Affordable Housing. | $ 5,850,000 | $ 5,850,000 |
| **A.1.4. Strategy:** SECTION 8 RENTAL ASSISTANCE Federal Rental Assistance through Section 8 Certificates and Vouchers. | $ 6,024,000 | $ 6,024,000 |
| **A.1.5. Strategy:** FEDERAL TAX CREDITS Provide Federal Tax Credits to Develop Rental Housing for VLI and LI. | $ 2,027,013 | $ 1,504,672 |
| **A.1.6. Strategy:** MRB PROGRAM - MULTIFAMILY Federal Mortgage Loans through the MF Mortgage Revenue Bond Program. | $ 446,963 | $ 447,103 |
| **Total, Goal A:** AFFORDABLE HOUSING | $ 61,312,381 | $ 60,787,513 |

| | | |
|---|---|---|
| **B. Goal:** INFORMATION & ASSISTANCE | | |
| Provide Information and Assistance. | | |
| **B.1.1. Strategy:** HOUSING RESOURCE CENTER | $ 983,004 | $ 929,920 |
| Center for Housing Research, Planning, and Communications. | | |
| **B.2.1. Strategy:** COLONIA SERVICE CENTERS | $ 283,391 | $ 281,511 |
| Assist Colonias, Border Communities, and Nonprofits. | | |
| **Total, Goal B:** INFORMATION & ASSISTANCE | $ 1,266,395 | $ 1,211,431 |
| **C. Goal:** POOR AND HOMELESS PROGRAMS | | |
| Improve Poor/Homeless Living Conditions & Reduce VLI Energy Costs. | | |
| **C.1.1. Strategy:** POVERTY-RELATED FUNDS | $ 43,312,890 | $ 43,012,210 |
| Administer Poverty-related Funds through a Network of Agencies. | | |
| **C.2.1. Strategy:** ENERGY ASSISTANCE PROGRAMS | $ 62,000,036 | $ 56,690,000 |
| Administer State Energy Assistance Programs. | | |
| **Total, Goal C:** POOR AND HOMELESS PROGRAMS | $ 105,312,926 | $ 99,702,210 |
| **D. Goal:** ENSURE COMPLIANCE | | |
| Ensure Compliance with Program Mandates. | | |
| **D.1.1. Strategy:** MONITOR HOUSING REQUIREMENTS | $ 2,558,777 | $ 2,560,872 |
| Monitor and Inspect for Federal & State Housing Program Requirements. | | |
| **D.1.2. Strategy:** MONITOR CONTRACT REQUIREMENTS | $ 9,417,320 | $ 9,417,661 |
| Monitor Subrecipient Contracts. | | |
| **Total, Goal D:** ENSURE COMPLIANCE | $ 11,976,097 | $ 11,978,533 |
| **E. Goal:** MANUFACTURED HOUSING | | |
| Regulate Manufactured Housing Industry. | | |
| **E.1.1. Strategy:** TITLING & LICENSING | $ 1,825,645 | $ 1,844,704 |
| Provide SOL and Licensing Services in a Timely Manner. | | |
| **E.1.2. Strategy:** INSPECTIONS | $ 1,855,258 | $ 1,951,789 |
| Conduct Inspections of Manufactured Homes in a Timely Manner. | | |
| **E.1.3. Strategy:** ENFORCEMENT | $ 1,771,209 | $ 1,869,539 |
| Process Complaints/Conduct Investigations/Take Administrative Actions. | | |
| **E.1.4. Strategy:** TEXASONLINE | $ 19,120 | $ 19,120 |
| TexasOnline fees. Estimated and Nontransferable. | | |
| **Total, Goal E:** MANUFACTURED HOUSING | $ 5,471,232 | $ 5,685,152 |
| **F. Goal:** INDIRECT ADMIN AND SUPPORT COSTS | | |
| Indirect Administration and Support Costs. | | |
| **F.1.1. Strategy:** CENTRAL ADMINISTRATION | $ 5,385,581 | $ 5,497,655 |
| **F.1.2. Strategy:** INFORMATION RESOURCE TECHNOLOGIES | $ 1,414,740 | $ 1,420,260 |
| **F.1.3. Strategy:** OPERATING/SUPPORT | $ 551,977 | $ 550,828 |
| Operations and Support Services. | | |
| **Total, Goal F:** INDIRECT ADMIN AND SUPPORT COSTS | $ 7,352,298 | $ 7,468,743 |
| **Grand Total,** DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS | $ 192,691,329 | $ 186,833,582 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 25,613,890 | $ 24,337,024 |
| Other Personnel Costs | 454,151 | 469,805 |
| Professional Fees and Services | 9,488,782 | 6,492,354 |
| Consumable Supplies | 696,196 | 511,895 |
| Utilities | 451,988 | 441,988 |
| Travel | 1,776,500 | 1,264,762 |
| Rent - Building | 374,674 | 374,674 |
| Rent - Machine and Other | 251,558 | 235,558 |

| | | |
|---|---|---|
| Other Operating Expense | 3,220,748 | 2,977,787 |
| Client Services | 4,787,206 | 4,787,240 |
| Grants | 145,415,612 | 144,782,128 |
| Capital Expenditures | 160,024 | 158,367 |
| **Total, Object-of-Expense Informational Listing** | $ 192,691,329 | $ 186,833,582 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 1,542,450 | $ 1,265,498 |
| Group Insurance | 3,273,124 | 2,722,109 |
| Social Security | 2,078,200 | 1,652,031 |
| Benefits Replacement | 100,258 | 80,190 |
| Subtotal, Employee Benefits | $ 6,994,032 | $ 5,719,828 |
| Debt Service | | |
| Lease Payments | $ 13,109 | $ 10,550 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 7,007,141 | $ 5,730,378 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Department of Housing and Community Affairs. 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 Housing and Community Affairs. In order to achieve the objectives and service standards established by this Act, the Department of Housing and Community Affairs shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** AFFORDABLE HOUSING | | |
| **Outcome (Results/Impact):** | | |
| Percent of Households/Individuals of Very Low, Low, and Moderate Income Needing Affordable Housing That Subsequently Receive Housing or Housing-related Assistance | 0.41% | 0.43% |
| Percent of Households/Individuals of Very Low Income Needing Affordable Housing That Subsequently Receive Housing or Housing-related Assistance | 0.34% | 0.35% |
| Percent of Households/Individuals of Low Income Needing Affordable Housing That Subsequently Receive Housing or Housing-related Assistance | 0.77% | 0.84% |
| Percent of Households/Individuals of Moderate Income Needing Affordable Housing That Subsequently Receive Housing or Housing-related Assistance | 0.22% | 0.22% |
| **A.1.1. Strategy:** MRB PROGRAM - SINGLE FAMILY | | |
| **Output (Volume):** | | |
| Number of Households Assisted with Single Family Mortgage Revenue Bond Funds | 2,002 | 2,002 |
| **A.1.2. Strategy:** HOME PROGRAM | | |
| **Output (Volume):** | | |
| Number of Households Assisted with Single Family HOME Funds | 580 | 580 |
| **A.1.3. Strategy:** HOUSING TRUST FUND | | |
| **Output (Volume):** | | |
| Number of Single Family Households Assisted through the Single Family Housing Trust Fund Program | 206 | 206 |
| **A.1.4. Strategy:** SECTION 8 RENTAL ASSISTANCE | | |
| **Output (Volume):** | | |
| Number of Households Assisted through Statewide Housing Assistance Payments Program | 1,100 | 1,100 |
| **A.1.5. Strategy:** FEDERAL TAX CREDITS | | |
| **Output (Volume):** | | |
| Number of Households Assisted through the Housing Tax Credit Program | 5,657 | 6,031 |
| **A.1.6. Strategy:** MRB PROGRAM - MULTIFAMILY | | |
| **Output (Volume):** | | |
| Number of Households Assisted through the Multifamily Mortgage Revenue Bond Program | 750 | 1,000 |

| | | |
|---|---|---|
| **B. Goal:** INFORMATION & ASSISTANCE | | |
| **B.1.1. Strategy:** HOUSING RESOURCE CENTER | | |
| **Output (Volume):** | | |
| Number of Information and Technical Assistance Requests Completed | 5,000 | 5,000 |
| **B.2.1. Strategy:** COLONIA SERVICE CENTERS | | |
| **Output (Volume):** | | |
| Number of Technical Assistance Contacts and Visits Conducted Annually from the Border Field Offices | 900 | 900 |
| **C. Goal:** POOR AND HOMELESS PROGRAMS | | |
| **Outcome (Results/Impact):** | | |
| Percent Eligible PopulationThat Received Homeless and Poverty-Related Assistance | 11.85% | 11.87% |
| Percent of Very Low Income Households Receiving Energy Assistance | 1.64% | 2.8% |
| **C.1.1. Strategy:** POVERTY-RELATED FUNDS | | |
| **Output (Volume):** | | |
| Number of Persons Assisted through Homeless and Poverty-related Funds | 599,032 | 599,032 |
| Number of Persons Assisted That Achieve Incomes above Poverty Level | 1,200 | 1,200 |
| **C.2.1. Strategy:** ENERGY ASSISTANCE PROGRAMS | | |
| **Output (Volume):** | | |
| Number of Households Assisted through the Comprehensive Energy Assistance Program | 47,653 | 47,653 |
| Number of Dwelling Units Weatherized by the Department | 2,610 | 2,594 |
| **D. Goal:** ENSURE COMPLIANCE | | |
| **D.1.1. Strategy:** MONITOR HOUSING REQUIREMENTS | | |
| **Output (Volume):** | | |
| Total Number of Onsite Reviews Conducted | 933 | 825 |
| **D.1.2. Strategy:** MONITOR CONTRACT REQUIREMENTS | | |
| **Output (Volume):** | | |
| Total Number of Contract Monitoring Reviews Conducted | 208 | 208 |
| **E. Goal:** MANUFACTURED HOUSING | | |
| **Outcome (Results/Impact):** | | |
| Percent of Consumer Complaint Inspections Conducted within 30 Days of Request | 100% | 100% |
| Percent of Complaints Resulting in Disciplinary Action | 20% | 20% |
| **E.1.1. Strategy:** TITLING & LICENSING | | |
| **Output (Volume):** | | |
| Number of Manufactured Housing Statements of Ownership and Location (SOL) Issued | 70,000 | 70,000 |
| **E.1.2. Strategy:** INSPECTIONS | | |
| **Explanatory:** | | |
| Number of Installation Reports Received | 11,000 | 11,000 |
| **E.1.3. Strategy:** ENFORCEMENT | | |
| **Output (Volume):** | | |
| Number of Complaints Resolved | 600 | 600 |
| **Efficiencies:** | | |
| Average Time for Complaint Resolution (Days) | 180 | 180 |
| **Explanatory:** | | |
| Number of Jurisdictional Complaints Received | 550 | 550 |

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 Government Code § 1232.103. Upon approval from the Legislative Budget Board, capital budgeted funds listed below under "Acquisition of Information Resource Technologies" may be used to lease information resources hardware and/or software versus the purchase of information resources hardware and/or software, if determined by agency management to be in the best interest of the State of Texas.

| | 2012 | 2013 |
|---|---|---|
| a. Acquisition of Information Resource Technologies | | |
| (1) Purchase of Information Resources - Scheduled Replacement of Items | $ 95,000 | $ 95,000 |
| Total, Capital Budget | $ 95,000 | $ 95,000 |
| Method of Financing (Capital Budget): | | |
| Community Affairs Federal Fund No. 127 | $ 38,159 | $ 34,981 |
| Appropriated Receipts | 56,841 | 60,019 |
| Total, Method of Financing | $ 95,000 | $ 95,000 |

3. **Low/Moderate Income Housing Construction.** Out of the funds appropriated above, no less than $500,000 each year of the biennium shall be expended on low/moderate income housing construction in enterprise zone areas.

4. **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 for the strategy items in Goal E, Manufactured Housing, the cost of the appropriations required for manufactured housing consumer claims payments according to the Occupations Code § 1201, Manufactured Housing Standards Act, as well as the "other direct and indirect costs" associated with this goal, appropriated elsewhere in this Act. "Other direct and indirect costs" for Goal E, Manufactured Housing, are estimated to be $1,186,559 for fiscal year 2012 and $1,375,786 for fiscal year 2013. 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.

5. **Housing Assistance.** To the extent allowed by state and federal program guidelines the department shall adopt an annual goal to apply no less than $30,000,000 of the funds available from the Housing Trust Fund, HOME Program, Section 8 Program, and Housing Tax-Credit Program's total housing funds toward housing assistance for individuals and families earning less than 30 percent of the Area Median Family Income (AMFI). No less than 20 percent of the funds available from the Housing Trust Fund, HOME Program, Section 8 Program, and Housing Tax-Credit Program shall be spent for individuals and families earning between 31 percent and 60 percent of the area median family income. To the extent allowed by state and federal program guidelines in those counties where the area median family income is lower than the state average median family income, the department shall use the average state median income in interpreting this rider. The department shall provide an annual report to the Legislative Budget Board documenting its expenditures in each income category.

6. **Conversions of Executory Contracts.**

   a. Out of the funds appropriated above, the department shall spend not less than $4,000,000 for the biennium for the sole purpose of contract for deed conversions for families that reside in a colonia and earn 60 percent or less of the applicable area median family income. It is the intent of the Legislature that the department shall make a good-faith effort to complete at least 200 contract for deed conversions by August 31, 2013.

   b. The Department of Housing and Community Affairs shall provide a quarterly report to the Legislative Budget Board detailing the number of, and cost for each, contract for deed conversions completed.

7. **Colonia Set-Aside Program Allocation.** The Texas Department of Rural Affairs (TDRA) shall allocate 2.5 percent of the yearly allocation of Community Development Block Grant (CDBG) monies to support the operation of the Colonia Self-Help Centers and shall transfer such funds to the Department of Housing and Community Affairs on September 1 each year of the biennium.

   Consistent with federal rules and regulations, the funds provided from TDRA to the Colonia Self-Help Center in El Paso county shall be used to provide internet access and training for parents and their children attending elementary schools in colonias, to establish technology centers within those elementary school libraries, to purchase wireless devices and laptop computers to loan out from the technology centers, and improve internet access for students and parents.

**8. Appropriation: Housing Trust Fund Interest Earnings and Loan Repayments.** Interest earnings and loan repayments received from loans made through the Housing Trust Fund program from the General Revenue Fund are included above in Strategy A.1.3, Housing Trust Fund, estimated to be $1,550,000 each year.

**9. Housing Trust Fund Deposits to the Texas Treasury Safekeeping Trust Company.**

a. Out of funds appropriated above in Strategy A.1.3, Housing Trust Fund, all funds above those retained for administrative purposes in fiscal year 2012 and fiscal year 2013 shall be deposited in the Housing Trust Fund in the Texas Treasury Safekeeping Trust Company established under Government Code, Chapter 2306, at the beginning of each fiscal year. The amounts to be transferred in fiscal years 2012 and 2013 include an estimated $1,550,000 in each fiscal year from interest earnings and loan repayments received, identified above in Rider 8, Appropriation: Housing Trust Fund Interest Earnings and Loan Repayments.

b. Interest earnings and loan repayments received from loans made through the Housing Trust Fund program from the General Revenue Fund shall be deposited in the Housing Trust Fund in the Texas Treasury Safekeeping Trust Company established under Government Code, Chapter 2306, for the same purpose.

c. The Department of Housing and Community Affairs shall provide an annual report to the Legislative Budget Board, the House Appropriations Committee, and the Senate Finance Committee no later than October 1 detailing the agency's plan to expend funds from the Housing Trust Fund during the current fiscal year.

d. Out of funds appropriated above in Strategy A.1.3, Housing Trust Fund, all funds above those retained for administrative purposes in fiscal year 2012 and fiscal year 2013 and above amounts required in Sections (a) of this rider, shall be deposited in the Housing Trust Fund in the Texas Treasury Safekeeping Trust Company established under Government Code, Chapter 2306, no later than October 1 of each fiscal year.

e. At the end of each fiscal year, any unexpended administrative balances appropriated under Strategy A.1.3, Housing Trust Fund, shall be transferred to the Housing Trust Fund in the Texas Treasury Safekeeping Trust Company established under Government Code, Chapter 2306.

**10. Mortgage Revenue Bond Program.** The Department of Housing and Community Affairs shall operate the First-Time Homebuyer Mortgage Revenue Bond Program in a manner that maximizes the creation of very low-income single family housing by ensuring that at least 30 percent of the lendable bond proceeds are set aside for a period of one year for individuals and families at 80 percent and below the area median family income (AMFI), while assuring the highest reasonable bond rating. In an effort to facilitate the origination of single family mortgage loans to individuals and families at 80 percent and below the AMFI, the department shall utilize down payment and closing cost assistance or other assistance methods.

**11. Additional Appropriated Receipts.**

a. Except during an emergency as defined by the Governor, no appropriation of appropriated receipts in addition to the estimated amounts above may be expended by the Department of Housing and Community Affairs unless:

(1) the department's governing board files a finding of fact along with a written plan outlining the source, use, and projected impact of the funds on performance measures with the Legislative Budget Board and the Governor and indicating that additional appropriations are required to maintain adequate levels of program performance; and,

(2) the Legislative Budget Board nor the Governor issues a written disapproval not later than: the 10th day after the date the staff of the Legislative Budget Board concludes its review of the findings of fact and forwards those findings of fact along with the conclusions or comments of the Legislative Budget Board staff to the Chair of the Housing Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor; and within 10 business days of the receipt of the finding of fact by the Governor and the written plan, which would not prohibit the agency from responding in an emergency.

b. This provision does not apply to appropriated receipts included in the amounts appropriated above that are collected under Object Codes 3719 and 3802. Appropriated receipts collected under these revenue object codes are governed under provisions found in Article IX, Sec 8.03 and Article IX, Sec 12.02.

**12. Manufactured Homeowner Consumer Claims.** Included above in Goal E, Manufactured Housing, the Manufactured Housing Division of the Department of Housing and Community Affairs is appropriated an amount required for the purpose of paying manufactured housing consumer claims from Appropriated Receipts according to the Occupations Code Chapter 1201, Manufactured Housing Standards Act, from Statement of Ownership and Location (SOL) issuance fees involving manufactured housing that are collected during the 2012-13 biennium. No General Revenue is appropriated for the payment of these claims.

**13. CDBG Disaster Reporting Requirement.** The Department of Housing and Community Affairs shall provide a quarterly report to the Governor, the Legislative Budget Board, the House Appropriations Committee, the Senate Finance Committee and to those members of the Legislature representing counties eligible for Community Development Block Grant (CDBG) Disaster funding, detailing the receipt and expenditures of CDBG disaster funds received by the Department.

**14. Affordable Housing Research and Information Program.** Out of funds appropriated above in Strategy B.1.1, Housing Resource Center, the Department of Housing and Community Affairs shall conduct the Affordable Housing Research and Information Program with the assistance of the Texas Department of Rural Affairs, to the extent allowed by state law, in order to avoid a duplication of effort. It is the intent of the Legislature that no funds shall be transferred between the Department of Housing and Community Affairs and the Texas Department of Rural Affairs for this purpose.

**15. Reporting on Weatherization Efforts.** As part of its efforts to help low-income Texans eligible for weatherization to conserve energy and lower bills, Texas Department of Housing and Community Affairs (TDHCA) shall use funds appropriated above to coordinate with investor-owned utilities, from which TDHCA receives funds, and that offer energy efficiency programs for Texans meeting low-income eligibility criteria to make sure the monies available for low-income energy efficiency programs spent both through the agency and through utility programs are effectively and adequately spent. The TDHCA shall use funds appropriated above to produce an annual report with information about the number of low-income household benefiting from energy efficiency monies through state, federal and utility-funded programs, the amount overall electric energy saved, the amount of money saved and the number of job and job years created. A copy of the annual report shall be delivered to the Lieutenant Governor, Speaker and Governor, as well as made available on TDHCA's website by January 15th of 2012 and January 15th of 2013.

**16. Travel Cap.** Notwithstanding any other provisions in this act, out-of-state travel expenditures associated with federal programs and paid out of federal funds are exempt from the limitation on travel expenditures established by this Act in Article IX, Sec. 5.08, Limitation on Travel Expenditures.

**17. Sunset Contingency.** Funds appropriated above for fiscal year 2013 for the Texas Department of Housing and Community Affairs are made contingent on the continuation of the Texas Department of Housing and Community Affairs by the Eighty-second Legislature. In the event that the agency is not continued, the funds appropriated for fiscal year 2012 or as much thereof as may be necessary are to be used to provide for the phase out of the agency operations.

**18. Removal and Cleanup.** Out of federal funds appropriated above to the Texas Department of Housing and Community Affairs (TDHCA) in Strategy D.1.2, Monitor Contract Requirements, the agency may spend up to $1,100,000 in Federal Funds in fiscal year 2012 to eliminate conditions that have been found to be detrimental to public health and safety relating to the removal of housing repair debris related to hurricane damage in Jefferson County. Also out of these appropriations above, TDHCA may pay for necessary actions to meet federal requirements and to provide funding to other entities, units of government, or hire contractors to complete this operation, consistent with any state and/or federal law.

**19. Transfer of the Veterans Housing Assistance Program.** Out of funds appropriated above, in Strategy A.1.3, Housing Trust Fund, the Texas Department of Housing and Community Affairs shall transfer 10 percent, not to exceed $4,300,110 for the 2012-13 biennium ($4,200,110 for grants and $100,000 and 1.0 full-time equivalents for administration), to the appropriate fund or

account with the Texas Veterans' Commission for the purpose of administering a Veterans Housing Assistance Program that will assist Texas veterans and their families in obtaining, maintaining or improving housing.

## TEXAS LOTTERY COMMISSION

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 16,006,806 | $ 16,006,806 |
| GR Dedicated - Lottery Account No. 5025 | 172,880,148 | 174,234,238 |
| **Total, Method of Financing** | $ 188,886,954 | $ 190,241,044 |
| **Other Direct and Indirect Costs Appropriated Elsewhere in this Act** | $ 424,676 | $ 446,843 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 309.5 | 309.5 |
| **Schedule of Exempt Positions:** | | |
| Executive Director, Group 6 | $185,350 | $185,350 |
| **Items of Appropriation:** | | |
| **A. Goal:** OPERATE LOTTERY | | |
| Run Self-supporting, Revenue-producing, and Secure Lottery. | | |
| **A.1.1. Strategy:** LOTTERY OPERATIONS | $ 7,316,998 | $ 7,402,080 |
| **A.1.2. Strategy:** LOTTERY FIELD OPERATIONS | $ 2,642,533 | $ 2,643,216 |
| **A.1.3. Strategy:** MARKETING AND PROMOTION | $ 5,010,411 | $ 5,011,026 |
| **A.1.4. Strategy:** SECURITY | $ 4,542,546 | $ 4,508,975 |
| **A.1.5. Strategy:** CENTRAL ADMINISTRATION | $ 13,322,950 | $ 12,682,251 |
| **A.1.6. Strategy:** LOTTERY OPERATOR CONTRACT(S) | $ 83,445,824 | $ 83,887,804 |
| Lottery Operator Contract(s). Estimated and Nontransferable. | | |
| **A.1.7. Strategy:** INSTANT TICKET PRODUCT. CONTRACT(S) | $ 18,000,000 | $ 19,500,000 |
| Instant Ticket Production Contract(s). | | |
| **A.1.8. Strategy:** MASS MEDIA ADVERTISING CONTRACT(S) | $ 32,000,000 | $ 32,000,000 |
| **A.1.9. Strategy:** DRAWING & BROADCAST CONTRACT(S) | $ 1,467,716 | $ 1,467,716 |
| Drawing and Broadcast Services Contract(s). | | |
| **A.1.10. Strategy:** MARKET RESEARCH CONTRACT(S) | $ 931,170 | $ 931,170 |
| Market Research Services Contract(s). | | |
| **A.1.11. Strategy:** RETAILER BONUS | $ 4,200,000 | $ 4,200,000 |
| **Total, Goal A:** OPERATE LOTTERY | $ 172,880,148 | $ 174,234,238 |
| **B. Goal:** ENFORCE BINGO LAWS | | |
| Enforce Bingo Laws/Rules for Fairness to Ensure Proceeds Used Lawfully. | | |
| **B.1.1. Strategy:** BINGO LICENSING | $ 1,995,011 | $ 1,995,011 |
| Determine Eligibility and Process Applications. | | |
| **B.1.2. Strategy:** BINGO EDUCATION AND DEVELOPMENT | $ 140,528 | $ 140,528 |
| Provide Education and Training for Bingo Regulatory Requirements. | | |
| **B.1.3. Strategy:** BINGO LAW COMPLIANCE FIELD OPER | $ 1,058,515 | $ 1,058,515 |
| Bingo Law Compliance Field Operations. | | |
| **B.1.4. Strategy:** BINGO PRIZE FEE COLLECTION & ACCT | $ 177,252 | $ 177,252 |
| Bingo Prize Fee Collections and Accounting. | | |

| | | |
|---|---|---|
| **B.1.5. Strategy:** BINGO PRIZE FEE ALLOCATIONS<br>Bingo Prize Fee Allocations. Estimated and Nontransferable. | $ 12,635,500 | $ 12,635,500 |
| **Total, Goal B:** ENFORCE BINGO LAWS | $ 16,006,806 | $ 16,006,806 |
| **Grand Total,** TEXAS LOTTERY COMMISSION | $ 188,886,954 | $ 190,241,044 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 19,321,116 | $ 19,321,116 |
| Other Personnel Costs | 493,880 | 493,880 |
| Professional Fees and Services | 6,560,323 | 5,897,323 |
| Fuels and Lubricants | 4,000 | 4,000 |
| Consumable Supplies | 154,535 | 154,535 |
| Utilities | 518,459 | 518,459 |
| Travel | 477,493 | 477,493 |
| Rent - Building | 3,383,465 | 3,467,710 |
| Rent - Machine and Other | 1,078,432 | 1,078,432 |
| Other Operating Expense | 143,959,751 | 146,192,596 |
| Grants | 12,635,500 | 12,635,500 |
| Capital Expenditures | 300,000 | 0 |
| **Total, Object-of-Expense Informational Listing** | $ 188,886,954 | $ 190,241,044 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 1,110,294 | $ 1,115,846 |
| Group Insurance | 2,287,949 | 2,306,403 |
| Social Security | 1,414,941 | 1,422,016 |
| Benefits Replacement | 118,669 | 110,956 |
| Subtotal, Employee Benefits | $ 4,931,853 | $ 4,955,221 |
| Debt Service | | |
| Lease Payments | $ 31,243 | $ 32,690 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 4,963,096 | $ 4,987,911 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas Lottery 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 Texas Lottery Commission. In order to achieve the objectives and service standards established by this Act, the Texas Lottery Commission shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** OPERATE LOTTERY | | |
| **Outcome (Results/Impact):** | | |
| Percent of Retailers Satisfied with Lottery Commission | 95% | 95% |
| State Revenue Received Per Advertising Dollar Expended | 33.13 | 33.13 |
| **A.1.1. Strategy:** LOTTERY OPERATIONS | | |
| **Output (Volume):** | | |
| Number of Retailer Business Locations Licensed | 16,900 | 17,000 |
| **A.1.3. Strategy:** MARKETING AND PROMOTION | | |
| **Efficiencies:** | | |
| Average Cost Per Survey Issued | 1.76 | 1.76 |
| **A.1.8. Strategy:** MASS MEDIA ADVERTISING CONTRACT(S) | | |
| **Output (Volume):** | | |
| Dollar Amount of Advertising Budget Spent on Television Advertising (Millions) | 12.25 | 12.25 |
| **Efficiencies:** | | |
| Percentage of Adult Texans Aware of Lottery Advertising | 59% | 59% |

| | | |
|---|---|---|
| **B. Goal:** ENFORCE BINGO LAWS | | |
| **Outcome (Results/Impact):** | | |
| Percent of Complaints Referred for Disciplinary Action | 10% | 10% |
| Net Bingo Games Revenue Received by Charitable Organizations (in Millions) | 38 | 38 |
| Percentage of Organizations Who Met the Statutory Charitable Distribution Requirement | 98% | 98% |
| **B.1.1. Strategy:** BINGO LICENSING | | |
| **Output (Volume):** | | |
| Number of Licenses Issued to Individuals and Organizations | 8,500 | 8,500 |
| **B.1.3. Strategy:** BINGO LAW COMPLIANCE FIELD OPER | | |
| **Output (Volume):** | | |
| Number of Bingo Complaints Completed | 100 | 100 |
| **B.1.4. Strategy:** BINGO PRIZE FEE COLLECTION & ACCT | | |
| **Output (Volume):** | | |
| Number of Days to Allocate Payments to Local Jurisdictions | 14 | 14 |

2. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. If a finding of fact is not issued by the Comptroller of Public Accounts to make the contingent appropriations specified in Rider 15, Contingent Revenue Rider, the capital budget expenditure and transfer authority provided to the Lottery Commission by Article IX Section 14.03, Limitations on Capital Expenditures - Capital Budget, of this act, only applies to $300,000 in fiscal year 2012 for Capitalized Lottery Drawing Equipment. 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 the provision as appropriations either for "Lease Payments to the Master Equipment 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. Upon approval from the Legislative Budget Board, capital budgeted funds listed below under "Acquisition of Information Resource Technologies" may be used to lease information resources hardware and/or software versus the purchase of information resources hardware and/or software, if determined by commission management to be in the best interest of the State of Texas.

| | 2012 | 2013 |
|---|---|---|
| a. Acquisition of Capital Equipment and Items | | |
| (1) Capitalized Lottery Drawing Equipment | $ 300,000 | $ 0 |
| Total, Acquisition of Capital Equipment and Items | $ 300,000 | $ 0 |
| b. Acquisition of Information Resource Technologies | | |
| (1) Rider 15 Contingency - Automated Charitable Bingo System (ACBS) Redesign | 1,250,000 | 1,250,000 |
| Total, Acquisition of Information Resource Technologies | $ 1,250,000 | $ 1,250,000 |
| Total, Capital Budget | $ 1,550,000 | $ 1,250,000 |
| Method of Financing (Capital Budget): | | |
| General Revenue Fund | $ 1,250,000 | $ 1,250,000 |
| GR Dedicated - Lottery Account No. 5025 | 300,000 | 0 |
| Total, Method of Financing | $ 1,550,000 | $ 1,250,000 |

3. **Operate Lottery.** Pursuant to Government Code, Chapter 466, appropriations made to Goal A, Operate Lottery, shall not exceed twelve percent of the gross revenue from the sale of lottery tickets. This appropriation shall be used for the administration of the lottery and for retailer commissions.

4. **Appropriation: Payment of Prizes.** In addition to the amounts appropriated above for the administration of the lottery and retailer commissions, there is hereby appropriated pursuant to Government Code, Chapter 466, out of the State Lottery Account in the General Revenue Fund, sufficient funds for the payment of prizes to the holders of winning tickets.

5. **Limitation: Pooled Reserve Fund.** Pursuant to Government Code, Chapter 466, the Executive Director of the Texas Lottery Commission shall maintain balances in a pooled reserve fund to cover the potential loss of state revenue as a result of lottery retailer defaults. The Executive Director of the Texas Lottery Commission shall transfer all pooled reserve fund revenues and balances that exceed $5 million to the Foundation School Fund No. 193 monthly.

6. **Limitation: Out-of-Country and Out-of-State Travel.** Notwithstanding any other provisions included in this Act, it is the intent of the Legislature that the Texas Lottery Commission shall not be allowed to travel out-of-country, with the exception of travel to Mexico or Canada which is reimbursable by a third party. In addition, the Texas Lottery Commission shall not exceed amounts expended on out-of-state travel, for each fiscal year of the biennium, by an amount equal to 80 percent of travel expenditure amounts for fiscal year 1998.

7. **Appropriations Limited to Revenue Collections.** Fees, fines, and other miscellaneous revenues as authorized and generated by the operation of charity bingo shall cover, at a minimum, the cost of the appropriations made above for the strategy items in Goal B, Enforce Bingo Laws, as well as the "other direct and indirect costs" associated with this goal, appropriated elsewhere in this Act. "Other direct and indirect costs" for Goal B, Enforce Bingo Laws, are estimated to be $424,676 for fiscal year 2012 and $446,843 for fiscal year 2013. 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. **Petty Cash Fund Authorized.** The Texas Lottery Commission is authorized to establish a petty cash fund to be used by Commission employees for the purchase of evidence and/or information and other expenses deemed necessary for agency security and enforcement activities, including audits and expenses, incurred by auditing. The petty cash fund, not to exceed $1,500, may be maintained in cash or at a local bank and shall be subject to such rules and regulations as the executive director may recommend and the commission may adopt.

9. **Local Bingo Prize Fees.** The amounts appropriated above in Strategy B.1.5, Bingo Prize Fee Allocations, include $12,635,500 in 2012 and $12,635,500 in 2013 from bingo prize fees collected pursuant to Texas Occupations Code, Section 2001.504 for allocation to counties and municipalities as required by the Texas Occupations Code, Section 2001.503. Bingo prize fees collected in excess of amounts appropriated above are hereby appropriated for the same purpose.

10. **Retailer Commissions.**

    a. Pursuant to Government Code, Chapter 466, an amount equal to 5 percent of gross sales shall be made available for the purpose of paying retailer commissions.

    b. In addition to the 5 percent retailer commission amount in subsection (a) above, an amount not to exceed an additional one-half of one percent of gross sales each fiscal year may be made available for the purpose of paying sales performance retailer commissions. Prior to providing an additional retail commission above 5 percent of gross sales, the Texas Lottery Commission shall provide a report to the Governor and the Legislative Budget Board outlining the Texas Lottery Commission's plans to implement a retailer sales performance commission or similar sales performance incentive program and the projected benefits of the program to lottery ticket sales and state revenues.

11. **Lottery Operator Contract.** The amounts included above in Strategy A.1.6, Lottery Operator Contract, are estimated appropriations out of the State Lottery Account in the General Revenue Fund and may only be used for payment of lottery operator contractual obligations. The estimated amount appropriated for fiscal year 2012 is an amount equal to 2.2099 percent of gross sales in fiscal year 2012; and the estimated amount appropriated in fiscal year 2013 is an amount equal to 2.2099 percent of gross sales in fiscal year 2013.

12. **Appropriation of Increased Revenues.** In addition to the amounts appropriated above, there is hereby appropriated out of the State Lottery Account in the General Revenue Fund, an amount equal to 1.49 percent of the amount by which gross sales exceed $3,776,000,000 in fiscal year 2012 and the amount by which gross sales exceed $3,796,000,000 in fiscal year 2013 for the purpose of fulfilling contractual obligations and other administrative costs in administration of the Lottery. Any unexpended balances remaining from this appropriation as of August 31, 2012, are hereby appropriated for the same purposes for the fiscal year beginning September 1, 2013.

**13. Instant Ticket Game Closure.** The commission shall provide a semi-annual report on April 1 and October 1 of each fiscal year, to the Legislative Budget Board detailing the number of instant ticket games closed and the amount of time to end the sale of each game following closure.

**14. Sale of Lottery.** None of the funds appropriated above may be spent for the purpose of exploring, investigating, negotiating, calculating, or otherwise taking any action that would result in selling the Texas Lottery.

**15. Contingent Revenue.** Out of the amounts appropriated above to the Lottery Commission in Strategy B.1.1, Bingo Licensing, the amount of $1,250,000 in 2012 and $1,250,000 in 2013 in General Revenue are contingent upon the Lottery Commission assessing or increasing fees sufficient to generate, during the 2012-13 biennium, $2,500,000 in excess of $5,988,000 (Object Code 3152), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2012 and 2013. The Lottery Commission, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Lottery Commission's minutes and other information supporting the estimated revenues to be generated for the 2012-13 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

## DEPARTMENT OF MOTOR VEHICLES

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 14,911,870 | $ 14,911,870 |
| Federal Reimbursements | 171,000 | 171,000 |
| State Highway Fund No. 006 | 147,557,971 | 102,855,435 |
| **Total, Method of Financing** | $ 162,640,841 | $ 117,938,305 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 647.0 | 647.0 |
| **Schedule of Exempt Positions:** | | |
| Executive Director, Group 5 | $175,000 | $175,000 |
| **Items of Appropriation:** | | |
| **A. Goal:** DEPARTMENT OF MOTOR VEHICLES | | |
| **A.1.1. Strategy:** VEHICLE REGISTRATION AND TITLING<br>Vehicle Registration, Titling and Plates. | $ 121,403,174 | $ 76,511,908 |
| **A.2.1. Strategy:** VEHICLE DEALER REGULATION<br>Motor Vehicle Dealer Licensing and Regulation. | $ 8,422,688 | $ 8,432,485 |
| **A.2.2. Strategy:** MOTOR CARRIER REGISTRATION<br>Motor Carrier Registration and Regulation. | $ 3,927,740 | $ 3,927,740 |
| **A.3.1. Strategy:** AUTOMOBILE THEFT PREVENTION<br>Automobile Burglary and Theft Prevention. | $ 14,911,870 | $ 14,911,870 |
| **Total, Goal A:** DEPARTMENT OF MOTOR VEHICLES | $ 148,665,472 | $ 103,784,003 |
| **B. Goal:** INDIRECT ADMINISTRATION | | |
| **B.1.1. Strategy:** INDIRECT ADMINISTRATION | $ 13,975,369 | $ 14,154,302 |
| **Grand Total,** DEPARTMENT OF MOTOR VEHICLES | $ 162,640,841 | $ 117,938,305 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 31,517,504 | $ 31,517,704 |
| Other Personnel Costs | 1,235,687 | 1,243,367 |

| | | |
|---|---|---|
| Professional Fees and Services | 56,196,316 | 16,130,587 |
| Fuels and Lubricants | 95,000 | 95,000 |
| Consumable Supplies | 1,303,678 | 1,321,831 |
| Utilities | 487,638 | 503,313 |
| Travel | 765,441 | 740,763 |
| Rent - Building | 1,296,700 | 1,309,200 |
| Rent - Machine and Other | 282,977 | 289,717 |
| Other Operating Expense | 52,437,049 | 48,963,972 |
| Grants | 13,861,870 | 13,861,870 |
| Capital Expenditures | 3,160,981 | 1,960,981 |
| **Total, Object-of-Expense Informational Listing** | $ 162,640,841 | $ 117,938,305 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 1,468,995 | $ 1,476,339 |
| Group Insurance | 3,066,777 | 3,066,777 |
| Social Security | 1,874,087 | 1,883,458 |
| Benefits Replacement | 169,756 | 158,721 |
| Subtotal, Employee Benefits | $ 6,579,615 | $ 6,585,295 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 6,579,615 | $ 6,585,295 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Department of Motor Vehicles. 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 Motor Vehicles. In order to achieve the objectives and service standards established by this Act, the Department of Motor Vehicles shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** DEPARTMENT OF MOTOR VEHICLES | | |
| **Outcome (Results/Impact):** | | |
| Percent of Motor Vehicle Consumer Complaints Resolved | 70 | 70 |
| **A.1.1. Strategy:** VEHICLE REGISTRATION AND TITLING | | |
| **Output (Volume):** | | |
| Number of Vehicle Titles Issued | 5,630,407 | 5,697,971 |
| Total Number of Registered Vehicles | 22,222,244 | 22,555,577 |
| **A.2.1. Strategy:** VEHICLE DEALER REGULATION | | |
| **Output (Volume):** | | |
| Number of Motor Vehicle Consumer Complaints Resolved | 550 | 550 |
| **Efficiencies:** | | |
| Average Number of Weeks to Resolve a Motor Vehicle Complaint | 26 | 26 |

2. **Capital Budget.** Funds appropriated above may be expended for capital budget items listed below. Notwithstanding the General Provisions of this Act relating to limitations on the expenditure of appropriated funds on capital budget items, upon approval of the board of the Department of Motor Vehicles, (1) the amounts identified for each item below may be adjusted or may be expended on other capital budget items within the strategy to which the funds are appropriated or transferred to another capital budget item in another strategy; and (2) any funds appropriated above to the Department of Motor Vehicles may be expended for the acquisition of capital items, excluding construction of buildings and facilities and acquisition of land and other real property. If the Department of Motor Vehicles transfers an amount of appropriations into or out of a capital budget item in excess of 25 percent of the amount listed below for the capital budget item or acquires any capital budget items not expressly listed in this rider, the chair of the board of the Department of Motor Vehicles shall report such a transfer or acquisition in a quarterly report to the Governor and the Legislative Budget Board. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase Program" or for items with a "(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. Upon approval from the Legislative Budget Board, capital budgeted funds listed below under "Acquisition of Information Resource Technologies" may be used to lease information resources hardware and/or software, if determined by agency management to be in the best interest of the State of Texas.

| | 2012 | 2013 |
|---|---|---|
| a. Acquisition of Information Resource Technologies | | |
| (1) TxDMV Automation System (Formerly Vision 21-Core System) | $ 45,889,330 | $ 0 |
| (2) Growth and Enhancements - Agency Operations Support | 702,681 | 702,681 |
| (3) Technology Replacement & Upgrades - Regional Support for County Tax Assessor Collector Offices | 6,808,953 | 6,858,953 |
| (4) Data Center Consolidation | 4,164,118 | 4,337,719 |
| Total, Capital Budget | $ 57,565,082 | $ 11,899,353 |
| Method of Financing (Capital Budget): | | |
| State Highway Fund No. 006 | $ 57,565,082 | $ 11,899,353 |
| Total, Method of Financing | $ 57,565,082 | $ 11,899,353 |

3. **Unexpended Balance and Capital Authority: TxDMV Automation Systems.** Out of funds appropriated above to the Department of Motor Vehicles from State Highway Fund No. 006 in Strategy A.1.1, Vehicle Registration and Titling, an amount not to exceed $45,889,330 in fiscal year 2012 is from unexpended balances anticipated to be remaining as of August 31, 2011, from appropriations made to the Department of Transportation in Strategy D.1.2, Registration and Titling, for the state fiscal biennium ending August 31, 2011, and transferred to the Department of Motor Vehicles pursuant to Article IX, Sec. 17.30, Subsection (b), General Appropriations Act, Eighty-first Legislature, for the purposes of financing the TxDMV Automation System (formerly Vision 21-Core System) capital budget project listed in Rider 2, Capital Budget, above. In the event that the actual unexpended balances are insufficient for the appropriations identified above, the Comptroller of Public Accounts is hereby directed to reduce the appropriation authority in Strategy A.1.1, Vehicle Registration and Titling, and the capital budget authority in Rider 2 (a)(1), TxDMV Automation Systems (Formerly Vision 21-Core System) to be within the amount of the unexpended balances expected to be available.

4. **Appropriation of Special License Plate Fees.** In addition to amounts appropriated above in Strategy A.1.1, Vehicle Registration and Titling, fees collected from the sale of personalized and specialty license plates (Object Code 3014) and deposited to the credit of State Highway Fund No. 006 for the purposes of making contract payments to the vendor selected by the Department of Motor Vehicles for the marketing and sale of personalized and specialty license plates pursuant to Transportation Code §§ 504.851 and 504.852 are appropriated for the same purpose. Any unobligated or unexpended balances of these funds remaining as of August 31, 2012, are appropriated in the fiscal year beginning September 1, 2012, for the same purpose.

5. **Contingency for Senate Bill 9 or House Bill 2153: Automobile Burglary and Theft Prevention Authority Appropriation.** Out of the amounts appropriated above to the Department of Motor Vehicles in Strategy A.3.1, Automobile Theft Prevention, the amounts of $14,911,870 in fiscal year 2012 and $14,911,870 in fiscal year 2013 from General Revenue are contingent upon certification by the Comptroller of Public Accounts that Senate Bill 9, House Bill 2153, or similar legislation enacted by the Eighty-second Legislature, Regular Session, 2011, relating to the structure of Automobile Burglary and Theft Prevention Authority Fees, increases fees or fee assessments pursuant to VTCS, Title 70, Article 4413 (37), in amounts sufficient to generate during the 2012-13 biennium $29,975,109 in excess of $38,744,000 (Object Code 3206) contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2012 and 2013. Also, the “Number of Full-Time-Equivalents (FTE)” figure above includes 5.0 FTEs in each fiscal year contingent upon the Comptroller's certification of increased revenue indicated above. If the Comptroller finds that the enacted legislation increases fees sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation

shall be made available for the intended purposes. For informational purposes, the amount of increased revenue identified above reflects amounts sufficient to cover direct appropriations of $29,823,740 and other direct and indirect costs (estimated to be $151,369 for the 2012-13 biennium).

## TEXAS DEPARTMENT OF RURAL AFFAIRS

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | | |
| General Revenue Fund | $ 1,049,466 | $ 1,041,794 |
| Match for Community Development Block Grants | 1,790,615 | 1,790,615 |
| Subtotal, General Revenue Fund | $ 2,840,081 | $ 2,832,409 |
| GR Dedicated - Permanent Fund Rural Health Facility Capital Improvement Account No. 5047 | 2,203,550 | 2,203,550 |
| Federal Funds | | |
| Texas Department of Rural Affairs Federal Fund No. 5091 | 528,156,932 | 132,710,153 |
| Federal American Recovery and Reinvestment Fund | 224,652 | 0 |
| Federal Funds | 1,855,381 | 1,855,381 |
| Subtotal, Federal Funds | $ 530,236,965 | $ 134,565,534 |
| Other Funds | | |
| Appropriated Receipts | 750 | 750 |
| Interagency Contracts | 25,000 | 25,000 |
| Permanent Endowment Fund for Rural Communities Health Care Investment Program | 154,000 | 154,000 |
| Subtotal, Other Funds | $ 179,750 | $ 179,750 |
| **Total, Method of Financing** | $ 535,460,346 | $ 139,781,243 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 118.7 | 118.7 |
| **Schedule of Exempt Positions:** | | |
| Executive Director, Group 4 | $106,500 | $106,500 |
| **Items of Appropriation:** | | |
| **A. Goal:** COMMUNITY ECONOMIC DEVELOPMENT | | |
| Support Community and Econ Development, Housing and Health Projects. | | |
| **A.1.1. Strategy:** PROVIDE GRANTS | $ 530,001,275 | $ 134,329,844 |
| Provide Grants for Community and Economic Development Projects. | | |
| **B. Goal:** EQUITABLE ACCESS TO MEDICAL CARE | | |
| Promote Equitable Access to Medical Care and Eliminate Disparities. | | |
| **B.1.1. Strategy:** HEALTH CARE ACCESS PROGRAMS | $ 2,666,631 | $ 2,661,763 |
| Develop Programs to Increase Access to Health Care in Rural Areas. | | |
| **B.1.2. Strategy:** RURAL PHYSICIAN RELIEF PROGRAM | $ 0 | $ 0 |
| Rural Physician Relief Program. Nontransferable. | | |

| | | |
|---|---|---|
| **B.2.1. Strategy:** HEALTH FACILITY CAPITAL IMPROVEMENT<br>Rural Health Facility Capital Improvements. | $ 2,143,700 | $ 2,143,700 |
| **Total, Goal B:** EQUITABLE ACCESS TO MEDICAL CARE | $ 4,810,331 | $ 4,805,463 |
| **C. Goal:** OUTREACH AND ASSISTANCE | | |
| **C.1.1. Strategy:** RURAL POLICY AND RESEARCH | $ 162,676 | $ 161,746 |
| **C.1.2. Strategy:** EMERGENCY SERVICES DISTRICTS<br>Emergency Services Districts Assistance. | $ 0 | $ 0 |
| **C.1.3. Strategy:** RENEWABLE ENERGY OUTREACH | $ 0 | $ 0 |
| **Total, Goal C:** OUTREACH AND ASSISTANCE | $ 162,676 | $ 161,746 |
| **D. Goal:** INDIRECT ADMINISTRATION | | |
| **D.1.1. Strategy:** CENTRAL ADMINISTRATION | $ 407,654 | $ 408,596 |
| **D.1.2. Strategy:** INFORMATION RESOURCES | $ 78,410 | $ 75,594 |
| **Total, Goal D:** INDIRECT ADMINISTRATION | $ 486,064 | $ 484,190 |
| **Grand Total,** TEXAS DEPARTMENT OF RURAL AFFAIRS | $ 535,460,346 | $ 139,781,243 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 7,763,536 | $ 7,763,536 |
| Other Personnel Costs | 400,473 | 400,473 |
| Professional Fees and Services | 60,959,446 | 48,115,570 |
| Consumable Supplies | 101,308 | 101,308 |
| Utilities | 81,154 | 81,154 |
| Travel | 727,281 | 727,281 |
| Rent - Building | 279,134 | 279,134 |
| Rent - Machine and Other | 88,898 | 88,898 |
| Other Operating Expense | 799,168 | 791,496 |
| Client Services | 516,906 | 516,906 |
| Grants | 463,743,042 | 80,915,487 |
| **Total, Object-of-Expense Informational Listing** | $ 535,460,346 | $ 139,781,243 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 369,929 | $ 367,809 |
| Group Insurance | 642,079 | 636,446 |
| Social Security | 549,566 | 546,774 |
| Benefits Replacement | 25,320 | 23,674 |
| Subtotal, Employee Benefits | $ 1,586,894 | $ 1,574,703 |
| Debt Service | | |
| Lease Payments | $ 37,663 | $ 31,685 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 1,624,557 | $ 1,606,388 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas Department of Rural Affairs. 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 Texas Department of Rural Affairs. In order to achieve the objectives and service standards established by this Act, the Texas Department of Rural Affairs shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** COMMUNITY ECONOMIC DEVELOPMENT | | |
| **Outcome (Results/Impact):** | | |
| Percent of the Small Communities' Population Benefiting from Public Facility, Economic Development, Housing Assistance and Planning Projects | 74% | 31% |

| | | |
|---|---|---|
| **A.1.1. Strategy:** PROVIDE GRANTS | | |
| **Output (Volume):** | | |
| Number of New Community/Economic Development Contracts Awarded | 555 | 284 |
| Number of Projected Beneficiaries from New Community/Economic Development Contracts Awarded | 18,042,457 | 485,100 |
| Number of Programmatic Monitoring Activities Performed | 397 | 392 |
| **B. Goal:** EQUITABLE ACCESS TO MEDICAL CARE | | |
| **B.1.1. Strategy:** HEALTH CARE ACCESS PROGRAMS | | |
| **Output (Volume):** | | |
| Number of Primary Care Practitioners Recruited/Retained in Rural Areas | 0 | 0 |
| **B.2.1. Strategy:** HEALTH FACILITY CAPITAL IMPROVEMENT | | |
| **Output (Volume):** | | |
| Number of Low Interest Loans and Grants Awarded | 35 | 35 |

2. **Administrative Allocation: Councils of Governments.** From the federal administrative monies made available to the Texas Department of Rural Affairs under the Community Development Block Grant Program, an amount up to 19 percent of such monies shall be allocated for the councils of government, based upon agreements between the Texas Department of Rural Affairs and each council of government, to continue staff support to the 24 Regional Review Committees of local elected officials appointed by the Governor and/or for other technical assistance services so long as the staff support activities comply with the rules, policies, and standards established by the U.S. Department of Housing and Urban Development.

3. **Estimated Appropriation and Unexpended Balance.**

   a. The estimated amounts appropriated above out of the Permanent Endowment Fund for Rural Communities Healthcare Investment Program, are out of the amounts available for distribution or investment returns of the funds. Amounts available for distribution or investment returns in excess of the amounts estimated above are also appropriated to the Texas Department of Rural Affairs. In the event that amounts available for distribution or investment returns are less than the amounts estimated above, this Act may not be construed as appropriating funds to make up the difference. Any unexpended appropriations made above as of August 31, 2012, are hereby appropriated for the same purposes for fiscal year 2013.

   b. The estimated amounts appropriated above out of the Permanent Fund for Rural Health Facility Capital Improvement are out of the available earnings of the fund. Available earnings in excess of the amounts estimated above are appropriated to the Texas Department of Rural Affairs. In the event that amounts available for distribution or investment returns are less than the amounts estimated above, this Act may not be construed as appropriating funds to make up the difference. Any unexpended appropriations made above as of August 31, 2012, are hereby appropriated for the same purposes for fiscal year 2013.

4. **Limitation on Use of Funds.**

   a. State agencies that are appropriated funds from the receipts collected pursuant to the Comprehensive Tobacco Settlement Agreement and Release, including distributions from funds, shall submit a budget by November 1 of each year of the biennium to the Legislative Budget Board and the Governor. This budget shall describe the purposes and amounts for which such funds will be expended by the state agency. No funds described in this budget may be expended by the state agency or institution of higher education until the Legislative Budget Board and the Governor receive the budget.

   b. Authorized managers of permanent funds and endowments whose earnings are appropriated to the Texas Department of Rural Affairs shall provide a copy of year end financial reports to the Legislative Budget Board and the Governor by November 1 of each year of the biennium. These reports should include, at a minimum, an income statement and balance sheet for each fund, and a summary of the investment return of the fund during the preceding fiscal year.

5. **Coordination with Texas Water Development Board.** The Texas Department of Rural Affairs (TDRA) and the Texas Water Development Board (TWDB) shall continue to coordinate funds as outlined in a Memorandum of Understanding (MOU) so as to assure that none of the funds appropriated above are expended in a manner that aids the proliferation of colonias or are

otherwise used in a manner inconsistent with the intent of the Economically Distressed Areas Program (EDAP) operated by the Texas Water Development Board (TWDB), and maximize delivery of the funds and minimize administrative delay in their expenditure. The MOU shall be amended, if necessary, prior to the distribution of the Colonia Fund in fiscal years 2012 and 2013. None of the funds appropriated above for Strategy A.1.1, Provide Grants, may be expended in EDAP-eligible counties that have not adopted, or are not enforcing, the Model Subdivision Rules established pursuant to § 16.343 of the Water Code. No later than September 15, 2012, TDRA and the TWDB shall submit a joint report to the Legislative Budget Board that describes and analyzes the effectiveness of projects funded as a result of coordinated Colonia Fund/EDAP efforts including an estimate of the amount each agency has saved by reduced duplication of efforts. If there is an insufficient number of TWDB EDAP projects ready for Colonia Economically Distressed Areas Program (CEDAP) connection funding, the CEDAP funds may be transferred at TDRA's discretion as stated within the current Community Development Block Grant action plan.

6. **Colonia Set-Aside Program Allocation.** The Texas Department of Rural Affairs (TDRA) shall continue the Community Development Block Grant (CDBG) Colonia Set-Aside Program by allocating not less than 10 percent of the yearly allocation of CDBG funds for eligible activities to assist in providing for the housing, planning, and infrastructure needs in colonias. From this 10 percent yearly allocation, $2,000,000 shall be reserved to provide financial assistance to units of general local government located in economically distressed areas as defined by § 17.921, Water Code, to pay for residential service lines, hookups, and plumbing improvements associated with being connected to a water supply or sewer service system, any part of which is financed under the economically distressed areas program established under Subchapter J, Chapter 16, Water Code and Subchapter K, Chapter 17, Water Code.

   In addition, TDRA shall allocate 2.5 percent of the CDBG monies to support the operation of the Colonia Self-Help Centers and shall transfer such funds to the Department of Housing and Community Affairs.

7. **Administration of Public Health Funds.** Funds are appropriated above out of the Permanent Fund for Rural Health Facility Capital Improvement for the purpose of implementing House Bill 1676, Seventy-sixth Legislature, 1999. In no event shall the administrative costs to implement the provisions of the bill exceed three percent. Grants and program costs must compose at least 97 percent of the expenditures to implement the provisions of the bill.

8. **Informational Listing - Permanent Funds and Endowments.** The following is an informational list of the amounts used to capitalize certain Permanent Funds and Endowments created by House Bill 1676, Seventy-sixth Legislature and by Senate Bill 126, Seventy-seventh Legislature, and does not make appropriations.

| | | |
|---|---|---|
| Permanent Fund for Rural Health Facility Capital Improvement (Rural Hospital Infrastructure) | $ | 50,000,000 |
| Permanent Endowment Fund for the Rural Communities Healthcare Investment Program | $ | 2,500,000 |

9. **Unexpended Balances, Grants, and Contracts.** Any unexpended and unobligated general revenue balances remaining from amounts appropriated above as of August 31, 2012 are hereby appropriated to the Texas Department of Rural Affairs for the fiscal year beginning September 1, 2012 for the same purposes.

10. **Reimbursement of Advisory Committee Members.** Pursuant to Government Code § 2110.004, reimbursement of expenses for advisory committee members, out of amounts appropriated above, is limited to the following advisory committees: State Review Committee.

11. **Appropriation of Loan Repayments.** Loan repayments, interest, and reimbursements of expenses received by the Texas Department of Rural Affairs pursuant to Government Code, Chapter 487, are hereby appropriated to the agency as Appropriated Receipts in the 2012-13 biennium for the same purpose. The Texas Department of Rural Affairs may also expend these funds for the purpose of reimbursing community matching fund contributions for forgivable educational loans made pursuant to Government Code, Section 487.154.

12. **Affordable Housing Research and Information Program.** Out of funds appropriated above, the Texas Department of Rural Affairs shall assist the Department of Housing and Community Affairs in conducting the Affordable Housing Research and Information Program, to the extent allowed

by state law, in order to avoid any duplication of effort. It is the intent of the Legislature that no funds shall be transferred between the Department of Housing and Community Affairs and the Texas Department of Rural Affairs for this purpose.

**13. Travel Expenditures.** Out of funds appropriated above, the Texas Department of Rural Affairs is authorized to spend up to $26,700 each year of the biennium for out-of-state travel. This limitation shall not apply to out-of-state travel associated with federal programs if the cost of such travel is paid for or reimbursed by the federal government.

## DEPARTMENT OF TRANSPORTATION

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | | |
| General Revenue Fund | $ 116,562,045 | $ 117,162,748 |
| General Revenue - Insurance Companies Maintenance Tax and Insurance Department Fees | 750,000 | 750,000 |
| Subtotal, General Revenue Fund | $ 117,312,045 | $ 117,912,748 |
| GR Dedicated - Texas Highway Beautification Account No. 071 | 888,824 | 900,510 |
| Federal Funds | | |
| Federal American Recovery and Reinvestment Fund | 470,659,947 | 106,163,591 |
| Federal Reimbursements | 2,828,374,818 | 2,609,497,260 |
| Federal Funds | 62,876,128 | 62,876,128 |
| Subtotal, Federal Funds | $ 3,361,910,893 | $ 2,778,536,979 |
| Other Funds | | |
| State Highway Fund No. 006, estimated | 2,691,541,076 | 2,626,820,838 |
| State Highway Fund No. 006 - Toll Revenue, estimated | 583,514,825 | 574,047,192 |
| State Highway Fund No. 006 - Concession Fees, estimated | 2,000,000 | 4,300,000 |
| Bond Proceeds - State Highway Fund, estimated | 787,432,569 | 303,916,124 |
| State Highway Fund - Debt Service, estimated | 298,571,835 | 415,464,266 |
| Bond Proceeds - Texas Mobility Fund, estimated | 185,089,291 | 126,987,582 |
| Texas Mobility Fund - Debt Service, estimated | 320,948,867 | 325,145,628 |
| Bond Proceeds - General Obligation Bonds | 24,000,000 | 0 |
| Bond Proceeds - GO Bonds (Proposition 12, 2007) | 2,109,756,223 | 2,035,161,347 |
| Interagency Contracts | 4,500,000 | 4,500,000 |
| Subtotal, Other Funds | $ 7,007,354,686 | $ 6,416,342,977 |
| **Total, Method of Financing** | $ 10,487,466,448 | $ 9,313,693,214 |
| **Other Direct and Indirect Costs Appropriated Elsewhere in this Act** | $ 308,909 | $ 329,025 |
| **This bill pattern represents an estimated 97% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 12,203.0 | 12,203.0 |
| **Schedule of Exempt Positions:** | | |
| Executive Director, Group 8 | $192,500 | $192,500 |
| Commissioner | (5) 15,914 | (5) 15,914 |
| **Items of Appropriation:** | | |
| **A. Goal:** PROVIDE TRANSPORTATION PLANNING | | |
| **A.1.1. Strategy:** PLAN/DESIGN/MANAGE Plan, Design, and Manage Transportation Projects. | $ 308,072,136 | $ 298,493,553 |

| | | |
|---|---|---|
| **A.1.2. Strategy:** CONTRACTED PLANNING AND DESIGN | $ 355,139,975 | $ 372,293,681 & UB |
| Contracted Planning and Design of Transportation Projects. | | |
| **A.1.3. Strategy:** RIGHT-OF-WAY ACQUISITION | $ 589,889,339 | $ 418,715,132 & UB |
| Optimize Timing of Transportation Right-of-way Acquisition. | | |
| **A.1.4. Strategy:** RESEARCH | $ 22,071,515 | $ 22,079,607 |
| Fund Research and Development to Improve Transportation Operations. | | |
| **Total, Goal A:** PROVIDE TRANSPORTATION PLANNING | $ 1,275,172,965 | $ 1,111,581,973 |
| **B. Goal:** TRANSPORTATION IMPROVEMENTS | | |
| Implement Transportation Improvements. | | |
| **B.1.1. Strategy:** EXISTING CONSTRUCTION CONTRACTS | $ 2,726,768,598 | $ 581,612,487 & UB |
| Existing Construction Contracts from Prior Fiscal Years. Estimated. | | |
| **B.1.2. Strategy:** NEW CONSTRUCTION CONTRACTS | $ 651,041,674 | $ 1,623,803,010 & UB |
| New Construction Contracts. Estimated. | | |
| **B.1.3. Strategy:** CONSTRUCTION GRANTS & SERVICES | $ 491,448,909 | $ 423,744,046 & UB |
| Grants, Loans, Pass-through Payments, and Other Services. Estimated. | | |
| **B.1.4. Strategy:** AVIATION SERVICES | $ 109,651,115 | $ 84,302,257 & UB |
| Support and Promote General Aviation. | | |
| **Total, Goal B:** TRANSPORTATION IMPROVEMENTS | $ 3,978,910,296 | $ 2,713,461,800 |
| **C. Goal:** PRESERVE THE TRANSPORTATION SYSTEM | | |
| **C.1.1. Strategy:** EXISTING MAINTENANCE CONTRACTS | $ 1,108,879,566 | $ 360,985,330 & UB |
| Existing Maintenance Contracts from Prior Fiscal Years. | | |
| **C.1.2. Strategy:** NEW MAINTENANCE CONTRACTS | $ 816,379,002 | $ 1,796,283,893 & UB |
| **C.1.3. Strategy:** CONTRACTED ROUTINE MAINTENANCE | $ 674,671,274 | $ 628,219,294 & UB |
| Contract for Routine Transportation System Maintenance. | | |
| **C.1.4. Strategy:** ROUTINE MAINTENANCE | $ 767,258,780 | $ 764,934,144 & UB |
| Provide for State Transportation System Routine Maintenance/Operations. | | |
| **C.1.5. Strategy:** GULF WATERWAY | $ 875,275 | $ 826,459 & UB |
| Support the Gulf Intracoastal Waterway. | | |
| **C.1.6. Strategy:** FERRY SYSTEM | $ 47,189,312 | $ 48,743,747 & UB |
| Maintain and Operate Ferry Systems in Texas. | | |
| **Total, Goal C:** PRESERVE THE TRANSPORTATION SYSTEM | $ 3,415,253,209 | $ 3,599,992,867 |
| **D. Goal:** OPTIMIZE SERVICES AND SYSTEMS | | |
| **D.1.1. Strategy:** PUBLIC TRANSPORTATION | $ 92,939,660 | $ 92,968,396 & UB |
| Support and Promote Public Transportation. | | |
| **D.2.1. Strategy:** TRAFFIC SAFETY | $ 71,933,635 | $ 71,996,827 & UB |
| **D.3.1. Strategy:** TRAVEL INFORMATION | $ 17,112,664 | $ 17,071,352 & UB |
| **Total, Goal D:** OPTIMIZE SERVICES AND SYSTEMS | $ 181,985,959 | $ 182,036,575 |
| **E. Goal:** ENHANCE RAIL TRANSPORTATION | | |
| **E.1.1. Strategy:** RAIL PLAN/DESIGN/MANAGE | $ 2,163,001 | $ 2,327,350 |

| | | | | |
|---|---|---|---|---|
| **E.1.2. Strategy:** CONTRACT RAIL PLAN/DESIGN | $ | 5,373,370 | $ | 1,700,000 & UB |
| Contract for Planning and Design of Rail Transportation Infrastructure. | | | | |
| **E.1.3. Strategy:** RAIL CONSTRUCTION | $ | 38,000,000 | $ | 2,500,000 & UB |
| **E.1.4. Strategy:** RAIL MAINTENANCE | $ | 953,549 | $ | 0 & UB |
| **E.1.5. Strategy:** RAIL SAFETY | $ | 1,137,644 | $ | 1,147,075 |
| Ensure Rail Safety through Inspection and Public Education. | | | | |
| **Total, Goal E:** ENHANCE RAIL TRANSPORTATION | $ | 47,627,564 | $ | 7,674,425 |
| **F. Goal:** INDIRECT ADMINISTRATION | | | | |
| **F.1.1. Strategy:** CENTRAL ADMINISTRATION | $ | 47,311,212 | $ | 47,445,084 |
| **F.1.2. Strategy:** INFORMATION RESOURCES | $ | 67,835,149 | $ | 65,943,912 |
| **F.1.3. Strategy:** OTHER SUPPORT SERVICES | $ | 38,668,603 | $ | 38,592,887 |
| **F.1.4. Strategy:** REGIONAL ADMINISTRATION | $ | 51,365,435 | $ | 49,114,804 |
| **Total, Goal F:** INDIRECT ADMINISTRATION | $ | 205,180,399 | $ | 201,096,687 |
| **G. Goal:** DEBT SERVICE PAYMENTS | | | | |
| Debt Service Payments for Bonds, Notes, and Other Credit Agreements. | | | | |
| **G.1.1. Strategy:** GENERAL OBLIGATION BONDS | $ | 127,967,471 | $ | 128,558,743 & UB |
| General Obligation Bond Debt Service Payments. | | | | |
| **G.1.2. Strategy:** STATE HIGHWAY FUND BONDS | $ | 320,429,127 | $ | 437,321,558 & UB |
| State Highway Fund Bond Debt Service Payments. | | | | |
| **G.1.3. Strategy:** TEXAS MOBILITY FUND BONDS | $ | 344,252,801 | $ | 348,449,562 & UB |
| Texas Mobility Fund Bond Debt Service Payments. | | | | |
| **G.1.4. Strategy:** OTHER DEBT SERVICE | $ | 5,171,832 | $ | 5,171,832 & UB |
| Other Debt Service Payments. | | | | |
| **Total, Goal G:** DEBT SERVICE PAYMENTS | $ | 797,821,231 | $ | 919,501,695 |
| **H. Goal:** DEVELOP SH 121 SUBACCOUNT PROJECTS | | | | |
| Deliver Transportation Projects through SH 121 Toll Project Funds. | | | | |
| **H.1.1. Strategy:** PLAN/DESIGN/MANAGE - SH 121 | $ | 5,000,000 | $ | 5,000,000 |
| Plan, Design, and Manage Transportation Projects with SH 121 Funds. | | | | |
| **H.1.2. Strategy:** CONTRACTED PLAN/DESIGN - SH 121 | $ | 17,000,000 | $ | 12,000,000 & UB |
| Contract Planning/Design of Transportation Projects with SH 121 Funds. | | | | |
| **H.1.3. Strategy:** RIGHT-OF-WAY ACQUISITION - SH 121 | $ | 106,514,825 | $ | 97,047,192 & UB |
| Optimize Timing of Transportation ROW Acquisition with SH 121 Funds. | | | | |
| **H.1.4. Strategy:** EXISTING CONSTRUCTION - SH 121 | $ | 35,000,000 | $ | 10,000,000 & UB |
| Existing SH 121 Construction Contracts from Prior Fiscal Years. | | | | |
| **H.1.5. Strategy:** NEW CONSTRUCTION - SH 121 | $ | 420,000,000 | $ | 450,000,000 & UB |
| New State Highway 121 Fund Construction Contracts. | | | | |
| **Total, Goal H:** DEVELOP SH 121 SUBACCOUNT PROJECTS | $ | 583,514,825 | $ | 574,047,192 |

| | | |
|---|---|---|
| **I. Goal:** DEVELOP SH 130 SUBACCOUNT PROJECTS<br>Deliver Transportation Projects through SH 130 Toll Project Funds. | | |
| **I.1.1. Strategy:** NEW CONSTRUCTION - SH 130 | $ 2,000,000 | $ 4,300,000 & UB |
| New State Highway 130 Fund Construction Contracts. | | |
| **Grand Total,** DEPARTMENT OF TRANSPORTATION | $ 10,487,466,448 | $ 9,313,693,214 |
| **Supplemental Appropriations Made in Riders:** | $ 5,500,000 | $ 5,500,000 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 574,353,335 | $ 573,399,209 |
| Other Personnel Costs | 24,054,873 | 25,131,661 |
| Professional Fees and Services | 533,018,916 | 540,825,911 |
| Fuels and Lubricants | 43,978,601 | 45,907,454 |
| Consumable Supplies | 6,679,940 | 6,684,182 |
| Utilities | 48,360,452 | 49,226,405 |
| Travel | 6,055,059 | 6,060,468 |
| Rent - Building | 4,351,718 | 4,335,868 |
| Rent - Machine and Other | 7,890,137 | 7,910,303 |
| Debt Service | 788,625,571 | 910,312,091 |
| Other Operating Expense | 1,201,669,988 | 1,133,339,737 |
| Client Services | 8,879,248 | 4,675,624 |
| Grants | 596,896,318 | 532,291,978 |
| Capital Expenditures | 6,648,152,292 | 5,479,092,323 |
| **Total, Object-of-Expense Informational Listing** | $ 10,492,966,448 | $ 9,319,193,214 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 34,526,993 | $ 34,699,628 |
| Group Insurance | 143,486,441 | 146,780,101 |
| Social Security | 43,244,281 | 43,460,503 |
| Benefits Replacement | 4,728,414 | 4,421,067 |
| Subtotal, Employee Benefits | $ 225,986,129 | $ 229,361,299 |
| Debt Service | | |
| TPFA GO Bond Debt Service | $ 11,807,995 | $ 13,946,746 |
| Lease Payments | 1,197,301 | 993,648 |
| Subtotal, Debt Service | $ 13,005,296 | $ 14,940,394 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 238,991,425 | $ 244,301,693 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Department of Transportation. 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 Transportation. In order to achieve the objectives and service standards established by this Act, the Department of Transportation shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** PROVIDE TRANSPORTATION PLANNING | | |
| **Outcome (Results/Impact):** | | |
| Percent of Design Projects Delivered on Time | 91% | 92% |
| Percent of Design Projects Delivered on Budget | 36% | 37% |
| **A.1.1. Strategy:** PLAN/DESIGN/MANAGE | | |
| **Output (Volume):** | | |
| Number of Construction Project Preliminary Engineering Plans Completed | 550 | 550 |
| Dollar Volume of Construction Contracts Awarded in Fiscal Year (Millions) | 2,280 | 3,110 |
| Number of Projects Awarded | 640 | 600 |

| | | |
|---|---|---|
| **B. Goal:** TRANSPORTATION IMPROVEMENTS | | |
| **Outcome (Results/Impact):** | | |
| Percent of Construction Projects Completed on Budget | 91% | 95% |
| Percent of Two-lane Highways with Improved Shoulders | 58.2% | 58.7% |
| Percent of Railroad Crossings with Signalization | 60% | 60.8% |
| Percent of Construction Projects Completed on Time | 70% | 70% |
| Percent of General Aviation Airport Pavement in Good or Excellent Condition | 75.5% | 76% |
| **B.1.4. Strategy:** AVIATION SERVICES | | |
| **Output (Volume):** | | |
| Number of Grants Approved for Airports Selected for Financial Assistance | 90 | 90 |
| **C. Goal:** PRESERVE THE TRANSPORTATION SYSTEM | | |
| **Outcome (Results/Impact):** | | |
| Percent of Bridges Rated in Good Condition or Higher | 81.8% | 82.5% |
| Statewide Maintenance Assessment Program Condition Score | 77 | 76 |
| Statewide Traffic Assessment Program Condition Score | 86.8 | 86.9 |
| **C.1.2. Strategy:** NEW MAINTENANCE CONTRACTS | | |
| **Output (Volume):** | | |
| Number of Lane Miles Contracted for Resurfacing | 15,720 | 13,719 |
| **C.1.4. Strategy:** ROUTINE MAINTENANCE | | |
| **Output (Volume):** | | |
| Number of Oversize/Overweight Permits Issued | 563,000 | 580,000 |
| Number of Highway Lane Miles Resurfaced by State Forces | 7,518 | 7,756 |
| **D. Goal:** OPTIMIZE SERVICES AND SYSTEMS | | |
| **Outcome (Results/Impact):** | | |
| Percent Change in the Number of Small Urban and Rural Transit Trips | 1.5% | 1% |
| Number of Fatalities Per 100,000,000 Miles Traveled | 1.26 | 1.25 |
| **E. Goal:** ENHANCE RAIL TRANSPORTATION | | |
| **E.1.5. Strategy:** RAIL SAFETY | | |
| **Output (Volume):** | | |
| Number of Federal Railroad Administration (FRA) Units Inspected | 115,360 | 118,820 |

2. **Capital Budget.** Notwithstanding the capital budget provisions in the General Provisions of this act, 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. No additional funds may be transferred to the capital budget items listed below without first obtaining written approval from the Legislative Budget Board and the Governor. 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. Upon approval from the Legislative Budget Board, capital budgeted funds listed below under "Acquisition of Information Resource Technologies" may be used to lease information resources hardware and/or software versus the purchase of information resources hardware and/or software, if determined by agency management to be in the best interest of the State of Texas.

The Department of Transportation shall submit to the Legislative Budget Board, in the format prescribed by the Legislative Budget Board, an annual report of expenditures made under this authority no later than 10 days after September 1 of each year.

| | 2012 | 2013 |
|---|---|---|
| a. Acquisition of Land and Other Real Property | $ 900,000 | $ 650,000 |
| b. Construction of Buildings and Facilities | 4,560,000 | 970,000 |
| c. Repair or Rehabilitation of Buildings and Facilities | 7,109,000 | 5,626,000 |

| | | |
|---|---|---|
| d. Acquisition of Information Resource Technologies | | |
| (1) Data Center Consolidation | 15,369,146 | 15,522,640 |
| (2) Technology Replacement & Upgrade | 13,173,528 | 10,929,482 |
| (3) Texas Statewide Railroad Grade Crossing Inventory System 2 | 594,000 | 594,000 |
| (4) MMIS Client Server Systems Replacement | 2,000,000 | 500,000 |
| (5) Statewide Traffic Analysis & Reporting System II | 605,000 | 635,000 |
| (6) Statewide Analysis Model II | 535,300 | 25,000 |
| (7) Highway Performance Monitoring System (HPMS) Conversion to Geographic Information System (GIS) | 2,400,000 | 1,600,000 |
| (8) Mainframe Modernization | 23,000,000 | 23,000,000 |
| (9) Texas Environmental Compliance Oversight System | 695,613 | 695,613 |
| Total, Acquisition of Information Resource Technologies | $ 58,372,587 | $ 53,501,735 |
| e. Transportation Items | 7,085,696 | 6,919,609 |
| f. Acquisition of Capital Equipment and Items | 41,034,580 | 40,026,986 |
| Total, Capital Budget | $ 119,061,863 | $ 107,694,330 |
| Method of Financing (Capital Budget): | | |
| Federal Reimbursements | $ 594,000 | $ 594,000 |
| State Highway Fund No. 006 | 118,467,863 | 107,100,330 |
| Total, Method of Financing | $ 119,061,863 | $ 107,694,330 |

**3. Transfer Authority.**

a. Subject to the prior written approval of the Legislative Budget Board, the Department of Transportation may transfer appropriations from any Strategy into Strategies A.1.2, Contracted Planning and Design, A.1.3, Right-of-Way Acquisition, B.1.1, Existing Construction Contracts, B.1.2, New Construction Contracts, B.1.3, Construction Grants & Services, C.1.1, Existing Maintenance Contracts, C.1.2, New Maintenance Contracts, and C.1.3, Contracted Routine Maintenance. In addition, subject to the prior written approval of the Legislative Budget Board, appropriations may be transferred in any amount among Strategies A.1.2, Contracted Planning and Design, A.1.3, Right-of-Way Acquisition, B.1.1, Existing Construction Contracts, B.1.2, New Construction Contracts, B.1.3, Construction Grants & Services, C.1.1, Existing Maintenance Contracts, C.1.2, New Maintenance Contracts, C.1.3, Contracted Routine Maintenance.

b. No appropriations may be transferred into, among, or out of the strategies identified in subsection (a) of this rider unless the Department of Transportation submits a report to the Legislative Budget Board, in a format prescribed by the Legislative Budget Board, that provides information regarding the purposes and the projected impact of the transfers on transportation projects and future appropriation needs; and the Legislative Budget Board issues written approval.

**4. Magazine Appropriations.** The Department of Transportation is directed to set subscription rates and other charges for Texas Highways Magazine at a level that will generate receipts approximately sufficient to cover the costs incurred in the production and distribution of the magazine. In addition to funds appropriated above, the department is hereby appropriated to Strategy D.3.1, Travel Information, any magazine revenues generated above $4,676,202 for the 2012 fiscal year and $4,700,725 for the 2013 fiscal year. Funds may be utilized only for the purpose of magazine costs. The Department of Transportation may transfer revenues available from prior years subscription fees to Strategy D.3.1, Travel Information, in the event of unforeseen or unusual expenditures associated with the production costs of the Texas Highways Magazine. The Department of Transportation is hereby appropriated all revenue collected from the sale of promotional items as authorized by Transportation Code § 204.009.

5. **Limitation on Residences.** None of the funds appropriated herein above may be expended for the purchase, construction, or maintenance of residences for employees of the Department of Transportation except maintenance camps in isolated areas.

6. **Refunds and Lawsuit Costs.** Any necessary amounts appropriated above may be used by the Department of Transportation to pay refunds authorized by law and to pay judgments, settlements, and other costs associated with lawsuits involving the department, including suits involving right-of-way acquisition or inverse condemnation.

7. **Minimum Wage Contracts.** In contracting for maintenance and construction contract work with the private sector from funds appropriated above, the Department of Transportation shall require that contractors and subcontractors are paying all employees and contract labor at a rate at least equal to the federal minimum wage. The department shall withhold payments to contractors until their contractual obligations for paying employees and the contract labor have been fulfilled.

8. **Aviation Services Appropriations.** Out of funds appropriated above in Strategy B.1.4, Aviation Services, to the Department of Transportation from State Highway Fund No. 006, an amount not to exceed $25,000,000 in fiscal year 2012 is contingent upon balances of the same amount remaining in Strategy B.1.4, Aviation Services, as of August 31, 2011, from appropriations made to the department for airport development grants in the 2010-11 biennium. In the event that actual and/or projected balances are insufficient for appropriations identified above for this purpose, the Comptroller is hereby directed to reduce the appropriation authority in Strategy B.1.4, Aviation Services, provided by this Act to the Department of Transportation to be within the amount expected to be available each year.

9. **Trust Fund 927.** The Department of Transportation is hereby authorized to receive and hold funds in Trust Fund No. 927 (county or political subdivision road participation account) from governmental and private entities for purposes of reimbursing State Highway Fund No. 006 for expenses incurred with transportation projects, including highway and aviation.

10. **State Highway Fund Reimbursement.** To the extent that funds are made available from local governments under Transportation Code § 22.055(b), the department is hereby appropriated amounts as necessary from State Highway Fund No. 006 for purposes authorized by Chapter 22 of the Texas Transportation Code. Funds made available to the department under Transportation Code § 22.055(b) are to be used only for the purpose of reimbursing State Highway Fund No. 006.

11. **District Discretionary Funds.** Out of the funds appropriated above in Goal B, Transportation Improvements, the Department of Transportation shall allocate a minimum of $2.5 million for each district to the State District Discretionary Category each fiscal year. In addition, the Department of Transportation shall submit to the Legislative Budget Board and the Governor's Office an annual report no later than November 1st each fiscal year detailing the amount of District Discretionary category funds used by each district for project cost overruns.

12. **Travel Information.** If the department determines that it cannot meet anticipated production and distribution for the Texas State Travel Guide and related travel literature from funds appropriated in Strategy D.3.1, Travel Information, the department shall transfer sufficient funds to meet the demand for each year of the biennium from any Strategy except that no transfers shall be made into Strategy D.3.1, Travel Information, from Strategy A.1.2, Contracted Planning and Design, Strategy A.1.3, Right-of-Way Acquisition, Strategy B.1.1, Existing Construction Contracts, B.1.2, New Construction Contracts, B.1.3, Construction Grants & Services, C.1.1, Existing Maintenance Contracts, C.1.2, New Maintenance Contracts, C.1.3, Contracted Routine Maintenance, G.1.1, General Obligation Bonds, G.1.2, State Highway Fund Bonds, G.1.3, Texas Mobility Fund Bonds, G.1.4, Other Debt Service, strategies in Goal H, Develop SH 121 Subaccount Projects, and strategies in Goal I, Develop SH 130 Subaccount Projects.

13. **Full-Time Equivalent: Summer Hire Program.** Full-Time-Equivalent (FTE) positions associated with the Summer Hire Program of the Department of Transportation, in an amount not to exceed 1,200 FTEs, shall be exempt from the Article IX provision establishing a limitation on state agency employment levels for the third and fourth quarters of each fiscal year. This provision will not change the "Number of Full-Time-Equivalents (FTE)" listed elsewhere in this Act. The Department of Transportation shall provide to the Legislative Budget Board, the Governor, and the State Auditor's Office a report of the number of FTEs associated with the Summer Hire Program each fiscal year. Out of individuals hired for the Summer Hire Program, the department shall hire no less than 10 interns each year for the Texas Prefreshman Engineering Program (TexPREP).

**14. Reporting Requirements.**

a. **Trade Transportation Activities.** The Department of Transportation shall provide a report to the department's border district legislators and to the respective metropolitan planning organizations on department's trade transportation activities in such border districts during the 2012-13 biennium. The department shall report annually no later than January 1, each year of the biennium. The report shall also be provided to the Governor and the Legislative Budget Board.

b. **Cash Forecast.** In addition to other information that might be requested by the Legislative Budget Board, the Department of Transportation shall submit to the Legislative Budget Board, in the format prescribed by the Legislative Budget Board, a monthly cash forecast report to the Legislative Budget Board and the Governor on state and federal funds received in State Highway Fund No. 006 as specified by the Legislative Budget Board. At any time, if the department becomes aware of any variances to estimated amounts appropriated above out of state and federal funds received in State Highway Fund No. 006, the department shall immediately notify the Legislative Budget Board and the Governor in writing specifying the affected funds and the reason for the anticipated change. The monthly cash forecast report shall include detailed explanations of the causes and effects of current and anticipated fluctuations in the cash balance. In addition, the monthly cash forecast shall report expenditure information at the same level as the Department of Transportation's appropriation bill pattern strategies.

c. **Project Status Report.** The Department of Transportation shall provide to each member of the House and Senate, unless a member requests it not be provided, a status report on all highway construction projects, airport projects, Trans-Texas Corridor projects, rail projects, toll road projects, turnpike projects, toll authorities, regional mobility authorities, and toll road conversion projects by legislative district, currently under contract or awaiting funding. The report shall include projects that would be funded fully or in part by state, federal, or toll funds. The report shall be filed prior to January 1, each fiscal year. In addition, 90 days prior to any loan being granted by the department for any project, all members of the district within which the project is located shall be notified on the status of the project and how other projects in any district would be affected.

d. **Trans-Texas Corridor, Toll Project, Rail Project, and Toll Project Entities.**

(1) The Department of Transportation shall provide to each member of the House and Senate, unless a member requests it not be provided, notification of:

(A) all Trans-Texas Corridor projects included in the draft Unified Transportation Program located within each member of the House and Senate's district no later than 10 days after being identified as Trans-Texas Corridor Projects and at least 2 business days prior to public release of the draft Unified Transportation Program;

(B) all eminent domain proceedings located within each member of the House and Senate's district related to Trans-Texas Corridor projects no later than 10 days before the proceedings begin;

(C) all rail projects, toll road projects, and turnpike projects included in the draft Unified Transportation Program located within each member of the House and Senate's district no later than 10 days after being identified and at least 2 business days prior to public release of the draft Unified Transportation Program;

(D) the receipt of an application requesting approval to create a regional mobility authority or regional tollway authority located within each member of the House and Senate's district no later than 10 days after receipt of an application and of the Transportation Commission's consideration of an application no later than 10 days prior to commission action; and

(E) any toll authority or regional mobility authority board member who discloses to the department that the board member owns or participates in any holding included in a proposed project immediately after the department receives that information.

(2) **Trans-Texas Corridor Projects.** The Department of Transportation shall identify all Trans-Texas Corridor projects included in the Unified Transportation Plan and shall make that information available on its website.

e. **Public Transportation Activities.** The Department of Transportation shall develop and submit an annual report to the Legislature no later than January 1, each fiscal year on public transportation activities in Texas. The report shall at a minimum include monthly data on industry utilized standards which best reflect: ridership, mileage, revenue by source, and service effectiveness, such as passengers per revenue mile. In order to meet the mandates of Chapter 461, Transportation Code, relating to the coordination of public transportation and to implement the legislative intent of § 461.001, Transportation Code, the Department of Transportation is directed to engage the services of the Texas Transportation Institute, or any entity that the Department of Transportation deems appropriate, to maintain an inventory of all public transportation providers in the state to determine the types and levels of services being provided by each of them and the extent to which those providers can assist the state in meeting the mandates of the statute.

f. **Congestion Mitigation and Air Quality Projects.** The Department of Transportation shall report annually to the Legislative Budget Board and the Governor on the progress of the Congestion Mitigation and Air Quality (CMAQ) Improvement Program at achieving credit in the State Implementation Plan (SIP) for air quality under the Federal Clean Air Act. The report shall include a listing of each CMAQ project, the amount of CMAQ funds designated, and the amount of quantifiable credit received in the SIP. The report shall be provided no later than September 1, each year of the biennium.

g. **State Transportation Improvement Program.** For each fiscal year in the biennium, the Department of Transportation shall provide a report, with results statewide by district, on the percentage of projects listed in the State Transportation Improvement Program (STIP) that were let on or before the letting date provided in the STIP.

h. **Electronic Format.** All reports to the Legislature outlined in this Rider and elsewhere in this Act relating to Toll Road and Trans-Texas Corridor Projects must be delivered to the Legislature in electronic formats and, if requested, in paper format.

i. **Federal Funds Reporting Requirement.**

(1) The Department of Transportation shall provide to the Legislative Budget Board and the Governor:

(A) written notification of any increases or decreases in the amounts of federal funds estimated to be available to the Department of Transportation for the 2012-13 biennium within 10 business days of the date upon which the Department of Transportation is notified of such increases or decreases; and

(B) written notification outlining:

i. the use and projected impacts of any additional federal funds available to the Department of Transportation above amounts estimated for the 2012-13 biennium; and/or

ii. the Department of Transportation's plan for addressing any reductions in federal funds, including federally-mandated funding rescissions.

(2) The Department of Transportation shall provide to the Legislative Budget Board and the Governor any documentation required by the U.S. Department of Transportation, Federal Highway Administration regarding the Department of Transportation's proposed use of additional federal funds and/or proposed actions to address federal funds reductions, including federally-mandated funding rescissions, as soon as possible prior to submitting the required documentation to the U.S. Department of Transportation, Federal Highway Administration.

j. **Toll Project Revenue and Funds Report.** Using funds appropriated above, the Department of Transportation shall submit to the Legislative Budget Board, in the format prescribed by the Legislative Budget Board, an annual report of all state toll project revenues received and

any other related funds that are deposited outside of the state treasury, including the purpose and use of such funds by the department. The report shall be submitted no later than November 1, in each year of the biennium.

k. **Report of Indirect Costs.** In each cost report submitted to the Legislature by the Department of Transportation that includes information related to a project that is part of the Trans-Texas Corridor, the department shall either include indirect costs associated with the project or indicate that indirect costs are not addressed in the report.

l. **Appropriations from State Highway Fund No. 006 and Proposition 12 General Obligation Bonds.** Prior to the beginning of each fiscal year, the department shall provide the Legislative Budget Board and the Governor with a detailed plan for the use of appropriations from State Highway Fund No. 006 and Proposition 12 General Obligation Bond Proceeds which includes, but is not limited to:

(1) each construction project's enhancement of the state's economy, traffic safety, and connectivity;

(2) a detailed account of the level of traffic congestion reduced by each proposed project, in districts that contain one of the 50 most congested roads; and

(3) a district by district analysis of pavement score targets and how proposed maintenance spending will impact pavement scores in each district.

m. **Congested Road Segments.**

(1) Out of funds appropriated above, the department shall expend necessary funds to prominently post the top 100 congested road segments on its website and:

(A) the annual hours of travel delays and the economic value of the delays for each segment;

(B) a congestion mitigation plan drafted in coordination with the local Metropolitan Planning Organization which shall include, when appropriate, alternatives to highway construction; and

(C) at least a quarterly update of the current status in completing the mitigation plan for each road segment.

(2) Funds shall not be distributed by the department to any district with a road segment in the top 100 congested roads until the requirements of this subsection have been met.

n. **Pass-through Tolling Agreements.** The Department of Transportation shall submit an annual report to the Legislative Budget Board no later than November 1 of each fiscal year, in the format prescribed by the Legislative Budget Board, providing information on all existing pass-through tolling or pass-through financing agreements of the department.

**15. Green Ribbon Project Expansion.** It is the intent of the Legislature that the Department of Transportation expand the Green Ribbon Project, a public-private partnership initiative to enhance the appearance of public highways by incorporating in the design and improvement of public highways the planting of trees and shrubs, emphasizing natural beauty and greenspace, integrating public art, and highlighting cultural uniqueness of neighborhoods, to other areas of the state.

Furthermore, in non-attainment and near non-attainment areas, in connection with a contract for a highway project, the department shall allocate to the district or districts in which the project is located an amount equal to not less than one half of one and not to exceed 1 percent of the amount to be spent under the contract for construction, maintenance, or improvement of the highway. If two or more districts share an allocation under this section, the districts shall divide the allocation according to the portion of the amount under the contract that will be spent in each district. A district that receives an allocation under this rider shall spend not less than one half of the allocation for landscaping and other enhancements included in the Green Ribbon program as

improvements associated with the project that was the subject of the contract. The district may spend the allocated money that is not used for landscaping improvements associated with the project that was the subject of the contract for landscaping improvements associated with another highway or highway segment located in the district.

For purposes of this rider, landscape improvements means planting of indigenous or adapted trees and other plants that are suitable for the climate in which they will be located, and preparing the soil and installing irrigation systems for the growth of the trees and plants. In non-attainment and near non-attainment areas, the district or districts shall, to the extent possible, use trees and plants that help mitigate the effects of air pollution.

**16. Miscellaneous Pay Provisions.**

a. **Holiday Pay.** Notwithstanding other provisions of this bill, the Department of Transportation, to the extent permitted by law, is authorized to grant compensatory time off or to pay hourly employees for work performed on official state holidays in addition to any applicable holiday pay.

b. **Compensatory Pay.** In order to operate in the most economical manner, when inclement weather or other circumstances beyond the control of the department prevent ferry operations, construction, or maintenance employees from performing their normal duties, the Department of Transportation, to the extent permitted by law, is authorized to grant such employees time off with pay with the hours charged to the Compensatory Time Taken Account, provided that such advanced time must be repaid by the employee at a time, and in the most appropriate manner as determined by the department within the following twelve months or at termination, whichever is sooner.

c. **Standby Pay.** It is expressly provided that the Department of Transportation, to the extent permitted by law, may pay compensation for on-call time at the following rates: credit for one hour worked per day on-call during the normal work week, and two hours worked per day on-call during weekends and holidays; this credit would be in addition to actual hours worked during normal duty hours or while on-call. Nonexempt employees who work a normal 40 hour work week, and also work on-call duty, will receive FLSA overtime rates for the on-call duty.

d. **Pay for Regular Compensatory Time.** It is expressly provided that the Department of Transportation, to the extent permitted by law, may pay FLSA exempt and FLSA nonexempt employees on a straight-time basis for work on a holiday or for regular compensatory time hours when the taking of regular compensatory time off would be disruptive to normal business functions.

e. **Hazardous Duty Pay.** To more adequately compensate employees who perform hazardous duties for the state, the Department of Transportation is authorized to compensate employees who perform underwater bridge inspections or perform declared emergency response duties an additional rate of pay of up to $25 per hour for actual time spent performing these duties.

f. **Evening, Night, and Weekend Shift Pay.** Notwithstanding other provisions in this Act, the Department of Transportation may pay an additional evening shift or night shift differential not to exceed 15 percent of the pay rate to employees who work the 3:00 p.m. to 11:00 p.m. shift, or its equivalent, or who work the 11:00 p.m. to 7:00 a.m. shift, or its equivalent. An additional weekend shift salary differential not to exceed 5 percent of the pay rate may be paid to employees. The weekend shift salary differential may be paid to an eligible individual in addition to the evening shift or night shift salary differential.

**17. Bond Programs.** The Department of Transportation:

a. in accordance with Section 49-k of Article III of the Texas Constitution; is hereby appropriated during each year of the biennium:

(1) all revenue of the state that is dedicated or appropriated to the Texas Mobility Fund No. 365 in accordance with Section 49-k (e) of Article III of the Texas Constitution, and such funds shall be deposited as received into the Texas Mobility Fund No. 365;

(2) all available funds in the Texas Mobility Fund No. 365, including any investment income, for the purposes outlined in Chapter 201, Subchapter M, Transportation Code; and

(3) such amounts to be transferred to the Texas Mobility Fund No. 365 in accordance with Section 49-k (g) of Article III of the Texas Constitution and Chapter 201, Subchapter M, Transportation Code, as may be necessary to make payments when due on any bonds, notes, other obligations, or credit agreements issued or entered into pursuant to Chapter 201, Subchapter M, Transportation Code, to the extent that the available funds in the Texas Mobility Fund No. 365 are insufficient for such purposes.

b. in accordance with Subchapter N of Chapter 201, Transportation Code, is authorized during the biennium to pay in addition to amounts appropriated above from the State Highway Fund No. 006, or otherwise dedicated or appropriated to such fund or available therein, debt service payments for notes issued or money borrowed in anticipation of a temporary cash shortfall in the State Highway Fund No. 006.

c. in accordance with Section 49-m of Article III of the Texas Constitution and Section 201.115 of Chapter 201, Transportation Code, is authorized to pay in addition to amounts appropriated above from the State Highway Fund No. 006, or otherwise dedicated or appropriated to such fund or available therein, debt service payments for notes issued or money borrowed on a short-term basis to carry out the functions of the department.

d. in accordance with Section 49-n of Article III of the Texas Constitution and Subchapter A of Chapter 222, Transportation Code, is authorized during each fiscal year of the biennium to pay out of amounts appropriated above from the State Highway Fund No. 006, or otherwise dedicated or appropriated to such fund or available therein, amounts due under bonds, other public securities and bond enhancement agreements that are issued or entered into to fund highway improvement projects and that are secured by and payable from revenue deposited to the credit of the State Highway Fund No. 006.

e. in accordance with Section 49-p of Article III of the Texas Constitution and State law, the Department is hereby appropriated, and in compliance with the bond resolutions authorized to transfer, during each year of the biennium the funds out of the General Revenue Fund as may be necessary to make payments when due on any bonds, notes, other obligations or credit agreements issued or entered into by the Commission. Prior to the expenditure of funds appropriated out of the General Revenue Fund, the Department shall utilize any balances available in interest and sinking funds for such purpose. The Department is also hereby appropriated all amounts available in such interest and sinking funds, including any unexpended balances in these funds, for making payments when due on any such bonds, notes, other obligations or credit agreements.

**18. Additional Funds.**

a. Except during an emergency as defined by the Governor, no appropriation of additional State Highway Funds above the estimated appropriation amounts identified above in the Method of Financing for the Department of Transportation as State Highway Fund No. 006, State Highway Fund No. 006 - Toll Revenue, and State Highway Fund No. 006 - Concession Fees may be expended by the Department of Transportation unless:

(1) the Department of Transportation submits a separate report within forty five (45) days of the end of the second quarter of each fiscal year to the Legislative Budget Board and the Governor outlining any additional funds available above amounts estimated for the 2012-13 biennium, their anticipated uses and projected impacts; and,

(2) the Legislative Budget Board and the Governor issue a written approval or specify an alternate use for the additional funds.

b. The limitation in subsection (a) of this rider does not apply to the expenditure of funds received from governmental entities for purposes of reimbursing State Highway Fund No. 006 for expenses incurred with transportation projects or the expenditure of funds received as reimbursements for authorized services that are otherwise appropriated by Section 8.03, Article IX, of this Act.

**19. Local Government Assistance.** The Department of Transportation, pursuant to Texas Transportation Code § 201.706, may use funds appropriated by this Act to assist cities with the maintenance of city streets by providing engineering/maintenance expertise on roadway maintenance and when surplus materials are available, the department shall make available the surplus materials to any local government needing such materials.

For those cities that adopt or have adopted either a street use fee for maintenance or a specialized fee for street accessibility improvements as part of their local utility fees, the Department is authorized to use funds appropriated by this Act to coordinate its accessibility programs with those cities including providing engineering expertise where possible.

**20. Appropriations Limited to Revenue Collections: Rail Safety.** It is the intent of the Legislature that revenues collected and deposited to the General Revenue Fund from the assessment of fees on railroad operators pursuant to Section 111.101, Transportation Code, cover, at a minimum, the cost of general revenue appropriations made above in Strategy E.1.5, Rail Safety, as well as covering "other direct and indirect costs" associated with such general revenue appropriations. "Other direct and indirect costs" associated with such general revenue appropriations are estimated to be $308,909 for fiscal year 2012 and $329,025 for fiscal year 2013. 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.

**21. Road Construction and Maintenance at State Facilities.** Out of funds appropriated above, the Department of Transportation shall:

a. maintain paved surfaces on the State Capitol Grounds according to the Historic Capitol Grounds Master Plan adopted by the State Preservation Board;

b. construct, repair, and maintain roads in and providing access to and from Department of State Health Services and Department of Aging and Disability Services mental health and mental retardation facilities;

c. expend no more than $10,000,000 each fiscal year to construct and maintain state park roads.

**22. Comprehensive Development Agreements.** The Department of Transportation may not expend any funds appropriated by this Act to enter into a comprehensive development agreement or any agreement granting a private entity the right to finance, operate, and/or collect revenue from a toll project, unless:

a. the department submits a report to the Legislative Budget Board, in the format prescribed by the Legislative Budget Board, that provides information regarding the location, project costs, and projected benefits to the state for each project proposed under a comprehensive development agreement; and

b. the Legislative Budget Board issues a written approval.

**23. Appropriation of Concession Fees and Payments Received under a Comprehensive Development Agreement.** The Department of Transportation may not expend any amounts from payments received by the department under a comprehensive development agreement and deposited to the State Highway Fund, pursuant to Transportation Code § 228.005, including applicable concession fees, or from payments and surplus toll project revenues received under other toll facility agreements during the biennium and that are not appropriated above unless:

a. the department submits a report to the Legislative Budget Board and the Governor, in the format prescribed by the Legislative Budget Board, outlining the amount of funds available from such payments received by the department, the department's anticipated uses of such funds, and their projected impacts; and

b. the Legislative Budget Board and the Governor issue a written approval.

**24. Limitation on Expenditures for Contracts.**

a. Without the prior approval of the Legislative Budget Board, the Department of Transportation shall not use funds appropriated above to enter into any contract with a private participant for the construction, maintenance, or operation of a road or highway in the State of Texas that:

(1) contains any provision that would guarantee or ensure a return on investment;

(2) would reduce the risk of the private participant as a result of any action taken by the department or the State of Texas;

(3) would limit or penalize the expansion of other department run facilities designed to reduce congestion;

(4) fails to contain a stated buy back provision that can be calculated without using estimates of future revenues; or

(5) contains any possible financial liability that could be inherited by the department, the State of Texas, or any other state agency.

b. The Legislative Budget Board may consider a request from the Department of Transportation to expend funds appropriated above to enter into a contract containing any of the criteria specified in this rider. A request submitted by the department under this provision must include information regarding the location, project costs, and projected benefits to the state for each project proposed under such contracts.

**25. Miscellaneous Provisions Related to Toll Road and Trans-Texas Corridor Projects.**

a. **Access to Records Relating to Trans-Texas Corridor.** The Department of Transportation shall spend appropriations available for the purpose under this Act to achieve transparency in the department's functions related to the Trans-Texas Corridor by providing, to the greatest extent possible under the public information law (Chapter 552, Government Code) and other statutes governing the access to records, public access to information collected, assembled, or maintained by the department relating to the Trans-Texas Corridor.

b. **Accuracy of Developers' Assumptions in Trans-Texas Corridor 35 Project.** Money appropriated by this Act may not be spent in connection with a contract entered into by the Department of Transportation under Section 227.021, Transportation Code, related to the Trans-Texas Corridor 35 project, unless the department implements a process to obtain assurance regarding the reasonableness of the assumptions that the contracted developers use in developing plans and financial projections for the Trans-Texas Corridor 35 project.

c. **Financing Costs Associated with Mid-term Road Facilities and Long-term Road Facilities.** The Department of Transportation may not use money appropriated by this Act to implement a master development plan unless the plan includes the financing costs associated with the mid-term road facilities and long-term road facilities.

**26. Colonia Projects.** The amounts appropriated above in Strategy B.1.3, Construction Grants & Services, from General Obligation Bond Proceeds include $24,000,000 in new appropriations for fiscal year 2012 to provide financial assistance for colonia access roadway projects. Any unexpended balances of these funds remaining as of August 31, 2012, are hereby appropriated to the Department of Transportation for the fiscal year beginning September 1, 2012, for the same purpose.

**27. Public Transportation.** Notwithstanding other transfer provisions in Article IX of this Act, appropriations made to the Department of Transportation in Strategy D.1.1, Public Transportation, from the State Highway Fund shall not be reduced.

**28. Crash Records Information System.** Included in the amounts appropriated above in Strategy D.2.1, Traffic Safety, is $750,000 in fiscal year 2012 and $750,000 in fiscal year 2013 from General Revenue - Insurance Companies Maintenance Tax and Insurance Department Fees for ongoing maintenance of the Crash Records Information System.

**29. Sunset Contingency.** Funds appropriated above for fiscal year 2013 for the Department of Transportation are made contingent on the continuation of the Department of Transportation by the Eighty-second Legislature. In the event that the agency is not continued, the funds appropriated for fiscal year 2012 or as much thereof as may be necessary are to be used to provide for the phase out of the agency operations.

**30. Sale of Surplus Property.** Notwithstanding the provisions of Article IX, Sec. 8.04, Surplus Property, in this Act, all receipts from the sale of Department of Transportation surplus property, equipment, commodities, or salvage (including recycled products), pursuant to the provisions of Chapter 2175, Government Code, are appropriated to the Department of Transportation for expenditure during the fiscal year in which the receipts are received to carry out the functions of the department, specifically including implementing Chapter 91, Transportation Code. The Department of Transportation may spend no more than $500,000 in a fiscal year for implementing Chapter 91, Transportation Code, from funds appropriated by this rider.

**31. State Highway 121 Project Subaccounts.** The amounts appropriated above to the Department of Transportation in Goal H, Develop SH 121 Subaccount Projects, are made from fund balances and interest earnings on fund balances held in State Highway 121 toll project subaccounts in the State Highway Fund.

**32. Limitation on Expenditures: Prohibition on Lobbyists.** The Department of Transportation shall not expend any money appropriated above for the purpose of selecting, hiring, or retaining a person required to register under Chapter 305, Government Code, or the Lobbying Disclosure Act of 1995 (2 U.S.C. Section 1601 et seq), unless such an expenditure is allowed under state law.

**33. Limitation on Use of Funds.** No funds appropriated above may be used to change the location of the current exit ramp off of IH-35 at exit number 359 by more than 1,000 feet, unless the Department of Transportation first provides to the Legislative Budget Board written correspondence from the federal government demonstrating that the ramp must be moved in order to prevent the loss of federal funds other than the funds that would be used to move the exit ramp or that this prohibition would cause the Department of Transportation to be in violation of federal law or regulations.

**34. Appropriations from Proposition 12 General Obligation Bond Proceeds: Unexpended Proceeds from Prior Fiscal Biennium.** Out of the amounts appropriated above to the Department of Transportation from Proposition 12 General Obligation Bond Proceeds, the amounts of $109,756,223 in fiscal year 2012 and $35,161,347 in fiscal year 2013 are from unexpended balances of proceeds from the issuance and sale of bonds appropriated to the department and approved for expenditure by the Governor and the Legislative Budget Board for the 2010-11 biennium that are anticipated to be remaining as of August 31, 2011. Any unobligated balances of Proposition 12 General Obligation Bond Proceeds appropriation authority remaining as of August 31, 2011, that were approved for expenditure by the Governor and the Legislative Budget Board for the 2010-11 biennium are appropriated for the fiscal biennium beginning September 1, 2011.

**35. Unexpended Balance Appropriation: Rail Projects.** Any unexpended balances of General Revenue Funds remaining as of August 31, 2011, from General Revenue appropriations made to the Department of Transportation in Strategy A.1.2, Contracted Planning and Design, in the 2010-11 biennium for the purposes of rehabilitation and track improvements for the South Orient Rail Line from San Angelo to Coleman and for environmental review and other preliminary planning activities for the Austin-San Antonio passenger rail project (estimated to be $0) are hereby appropriated to the Department of Transportation in the fiscal biennium beginning September 1, 2011, for the same purposes.

**36. Study on Road Damage Caused by Oversized and Overweight Vehicles.** Out of funds appropriated above, the Department of Transportation shall evaluate the damage that oversized and overweight vehicles cause on roads including exempt vehicles such as agricultural, garbage collection, grocery, produce, farm produce, concrete, milk, timber, and rock vehicles. Based on this evaluation, the Department of Transportation shall provide recommendations for permit fee and fee structure adjustments, including the highway maintenance fee, to the Governor and the Legislative Budget Board by December 1, 2012.

**37. Contingency for Increasing the State Traffic Fine.** Contingent on the enactment of House Bill 1233 or House Bill 258, or similar legislation relating to an increase in the state traffic fine, by the Eighty-second Legislature, Regular Session, 2011, the Department of Transportation is appropriated $5,000,000 for fiscal year 2012 and $5,000,000 for fiscal year 2013 from General

Revenue Funds to implement the provisions of the legislation to enhance traffic safety and provide additional grants to law enforcement agencies to increase enforcement on weekend and holiday periods. This appropriation is contingent upon certification by the Comptroller of Public Accounts that revenue generated from the increase in the state traffic fine imposed by the legislation generates at least $5,000,000 in fiscal year 2012 and $5,000,000 in fiscal year 2013.

**38. Battleship TEXAS.** Out of the amounts appropriated above, the Texas Department of Transportation shall make available during the biennium $16,090,050 in federal Transportation Enhancement Program funds administered by the department for the Battleship TEXAS project if the Battleship TEXAS project meets federal funding requirements of the Transportation Enhancement Program as defined by federal Department of Transportation, Federal Highway Administration federal regulations in Title 23 of the United States Code. The Texas Parks and Wildlife Department in conjunction with the Texas Department of Transportation will review the Battleship TEXAS project to determine if the Battleship TEXAS project meets the federal Transportation Enhancement Program guidelines in Title 23 of the United States Code. It is the intent of the Legislature that funds appropriated above would cover the administration costs of the Battleship TEXAS project approved for federal Transportation Enhancement Program funds. If the project has received the necessary approval and funding from Federal Transportation Enhancement program funds at the levels prescribed by the Eighty-first Legislature prior to the enactment of this Act, the amount of federal Transportation Enhancement funds designated by this provision shall not be construed to be an amount in addition to the amounts designated in Rider 42, Battleship TEXAS, Article VII, Department of Transportation, Senate Bill 1, General Appropriations Act, Eighty-first Legislature, 2009.

In addition, the Texas Department of Transportation may redirect obligated funds previously obligated for the Battleship TEXAS project under the Transportation Enhancement Program to other available projects should the Battleship TEXAS project fail to receive federal approval or federal Transportation Enhancement Program funds are not available due to changes in federal laws, rules, regulations, or appropriations.

**39. Clothing Provision.** The department may provide a cleaning allowance for Travel Information Center personnel and ferry operations personnel not to exceed $500 per year.

**40. Unexpended Balances Appropriation: Management Information System and Enterprise Resource Planning System.** Any unobligated and unexpended balances remaining in the Management Information System and Enterprise Resource Planning System Capital Budget Items as of August 31, 2011, that were appropriated for the 2010-11 biennium (estimated to be $0) are hereby appropriated for the fiscal biennium beginning September 1, 2011, for the same purpose.

**41. Unexpended Balances Appropriation: Proposition 12 General Obligation Bonds Debt Service.** Included in the amounts appropriated above to the Department of Transportation in Strategy G.1.1, General Obligation Bonds, from the General Revenue Fund, is an amount not to exceed $64,410,728 in fiscal year 2012 from unexpended balances of General Revenue Funds anticipated to be remaining as of August 31, 2011, from appropriations made to the Department of Transportation in Strategy F.1.1, General Obligation Bonds, in the 2010-11 biennium for debt service payments on Proposition 12 General Obligation Bonds.

**42. Appropriations from Proposition 12 General Obligation Bond Proceeds for Bridge, Safety, Connectivity, and Congestion Relief Projects.**

Out of funds appropriated above, $3 billion of Bond Proceeds - GO Bonds (Proposition 12, 2007) shall be used to fund projects that will relieve congestion, enhance bridge and roadway safety, and connect the state's population centers.

a. The Department of Transportation shall use $300 million of this amount to acquire right of way, conduct feasibility studies and project planning, and outsource engineering work for the most congested roadway segments in each of the four most congested regions of the state that are included in the 50 most congested roads in the state as listed on the State's Top 100 Most Congested Roadways list as of January 1, 2011. These funds shall be allocated by the Texas Transportation Commission to those regions using the formula used to allocate funds among the Transportation Management Areas in Category 2, Metropolitan and Urban Area Corridor Projects, in the department's Unified Transportation Program. The Department of Transportation shall provide $3 million out of State Highway Funds appropriated above to the Texas Transportation Institute for the purposes of:

(1) serving as a facilitator and project coordinator of studies to be conducted by the four most congested regions to:

i. determine which projects would have the greatest impacts considering such factors as congestion, economic benefits, user costs, safety, and pavement quality;

ii. identify funding options to support completion of the projects and suggest the best use of future revenues for the projects;

iii. include implementation of best traffic and demand management practices;

iv. ensure open and transparent public participation;

v. make recommendations to the Department of Transportation at each major decision point for the projects; and

(2) reporting the preliminary findings and results to the Eighty-third Legislature and the Transportation Commission no later than September 1, 2012.

b. The department shall use $3 million out of appropriations from Bond Proceeds - GO Bonds (Proposition 12, 2007) for the purpose of reimbursing State Highway Fund No. 006 for funds provided to the Texas Transportation Institute in subsection (a) of this rider.

c. The department shall use $500 million of this amount to fund the bridge projects listed below. These General Obligation Bond Proceeds may only be used to develop and construct the necessary bridge elements as determined by the Texas Transportation Commission. If the amount of General Obligation Bond Proceeds expended for the bridges listed below is less than $500 million, the Texas Transportation Commission may allocate the remaining General Obligation Bond Proceeds to other eligible bridge projects.

| District | County | Feature Crossed | Facility Carried |
|---|---|---|---|
| Dallas | Dallas | Trinity River | IH 30 |
| Dallas | Dallas | Trinity River and Brazos St | IH 35E SB & NB |
| Beaumont | Orange | Neches River | IH 10 |
| Houston | Harris | IH 10 | Elysian Street |
| Paris | Hunt | Lake Tawakoni | SH 276 |
| Dallas | Dallas | IH 30, US 75 & DART | IH 345 SB & NB |
| San Angelo | Tom Green | US 277 | US 67 SB & NB |
| Childress | Knox | Brazos River | SH 6 |
| Childress | Collingsworth | Red River | SH 203 |

d. The commission shall allocate $600 million of this amount statewide to fund metropolitan and urban mobility projects, using the formula used to allocate funds in Category 2, Metropolitan and Urban Area Corridor Projects, in the department's Unified Transportation Program.

e. The department shall use $200 million of this amount to fund statewide connectivity projects selected by the commission.

f. The commission shall allocate $1.4 billion of this amount statewide to fund rehabilitation and safety projects using the formula used to allocate funds in Category 1, Preventive Maintenance and Rehabilitation, in the department's Unified Transportation Program.

**43. New Letting for the 2012-13 Biennium.** It is the intent of the Legislature that the Department of Transportation use funds appropriated above to award at least $8,560.8 million in new multi-year highway construction improvement, rehabilitation, and preservation contracts during the 2012-13 biennium.

**44. Funds for Research of Methods to Maximize Toll Revenues.** Out of amounts appropriated above in Strategy A.1.4, Research, the Department of Transportation shall provide necessary funds, not to exceed $250,000 for the biennium, to the Texas Transportation Institute to complete a study of methods to maximize toll revenues.

**45. Transportation Development Credits.** The Texas Department of Transportation shall make it a priority to utilize transportation development credits as the required match in a manner that would maximize the utilization of federal funds on eligible projects. The state funds then no longer needed to be used as the required federal match should then be available to be targeted to priority projects in an effort to streamline their delivery.

**46. Contingent Revenue: Highway Beautification.** Out of the amounts appropriated above to the Department of Transportation in Strategy C.1.4, Routine Maintenance, the amounts of $259,121 in fiscal year 2012 and $270,807 in fiscal year 2013 from GR Dedicated - Texas Highway Beautification Account No. 071 are contingent upon the Department of Transportation assessing or increasing fees sufficient to generate, during the 2012-13 biennium, $626,665 in excess of $1,247,000 (Object Code 3052), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2012 and 2013. Also, the number of "Full-Time-Equivalents (FTE)" figure indicated above includes 3 FTEs in each fiscal year contingent upon the Department of Transportation generating the amount of revenue indicated above. The Department of Transportation, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Department of Transportation's minutes and other information supporting the estimated revenues to be generated for the 2012-13 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes. For informational purposes, the amount of increased revenue identified above reflects amounts sufficient to cover direct appropriations of $529,928 and other direct and indirect costs (estimated to be $96,737 for the 2012-13 biennium).

**47. Contingency for Public Education about Ban on Wireless Device Use While Driving.** Contingent on enactment of Senate Bill 138, or similar legislation relating to the institution of a traffic violation for use of a wireless communication device while driving, by the Eighty-second Legislature, Regular Session, 2011, the Department of Transportation is appropriated $500,000 for fiscal year 2012 and $500,000 for fiscal year 2013 from the General Revenue Fund generated from Driver Responsibility Program collections to implement the provisions of the legislation and conduct public awareness and education about the ban on the use of wireless communication devices use while driving. This appropriation is contingent upon the Comptroller of Public Accounts certifying that revenue collections from surcharges assessed on traffic violations due to the ban on wireless communication devices established by this legislation will exceed amounts included in the Biennial Revenue Estimate for the Drivers Responsibility Program by at least $500,000 in fiscal year 2012 and $500,000 in fiscal year 2013.

**48. Federal Funding for the Texas Rail Plan.** The Department of Transportation shall make it a top priority to seek, obtain, maximize, and expend federal funding for rail and other related multi-modal transportation funding, including rail relocation and improvement funds from the Federal Highway Administration, Federal Railroad Administration, and Federal Transit Administration. Contingent upon the availability and receipt of federal rail and other related federal multi-modal funds to the State, such federal funds are appropriated to the Texas rail relocation and improvement fund for implementation of the Texas Rail Plan. To the extent that such federal funding is identified, but requires the matching by or commitment of state dollars, an amount not to exceed $50 million is allocated, for fiscal years 2012 and 2013, to the Texas rail relocation and improvement fund for such purpose from any amounts appropriated above to the Texas Department of Transportation that are not constitutionally dedicated for some other purpose. No amount of appropriations made to the Department of Transportation out of state funds may be allocated to the Texas rail relocation and improvement fund pursuant to the provisions of this rider unless the Department of Transportation submits a request to the Governor and the Legislative Budget Board that identifies the source of funds and items of appropriation from which the funds would be allocated and the Governor and the Legislative Budget Board issue written approval for the allocation.

# TEXAS WORKFORCE COMMISSION

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | | |
| General Revenue Fund | $ 29,265,888 | $ 29,273,431 |
| GR MOE for Temporary Assistance for Needy Families | 34,574,493 | 34,574,493 |
| GR for Child Care and Development Fund | 42,563,817 | 42,563,817 |
| Career Schools and Colleges | 969,664 | 969,664 |
| GR Match for Food Stamp Administration | 4,433,056 | 4,433,056 |
| Subtotal, General Revenue Fund | $ 111,806,918 | $ 111,814,461 |
| General Revenue Fund - Dedicated | | |
| Employment and Training Investment Assessment Holding | 386,230 | 386,230 |
| Unemployment Compensation Special Administration Account No. 165 | 5,210,490 | 5,210,490 |
| Subtotal, General Revenue Fund - Dedicated | $ 5,596,720 | $ 5,596,720 |
| Federal Funds | | |
| Federal American Recovery and Reinvestment Fund | 18,942,527 | 6,897,124 |
| Workforce Commission Federal Account No. 5026 | 938,947,365 | 936,345,535 |
| Subtotal, Federal Funds | $ 957,889,892 | $ 943,242,659 |
| Other Funds | | |
| Interagency Contracts | 34,591,159 | 34,591,639 |
| Appropriated Receipts | 3,880,745 | 3,662,535 |
| Subtotal, Other Funds | $ 38,471,904 | $ 38,254,174 |
| **Total, Method of Financing** | $ 1,113,765,434 | $ 1,098,908,014 |
| **This bill pattern represents an estimated 32% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 3,408.3 | 3,312.3 |
| **Schedule of Exempt Positions:** | | |
| Commissioner, Group 6 | $135,000 | $135,000 |
| Commissioner, Group 5 | (2) 135,000 | (2) 135,000 |
| Executive Director, Group 5 | 154,000 | 154,000 |
| **Items of Appropriation:** | | |
| **A. Goal:** WORKFORCE DEVELOPMENT | | |
| Support a Workforce System to Achieve/Sustain Economic Prosperity. | | |
| **A.1.1. Strategy:** WORKFORCE INVESTMENT ACT | $ 127,644,394 | $ 131,841,518 |
| Workforce Investment Act (WIA) Adult and Dislocated Adults. | | |
| **A.1.2. Strategy:** WORKFORCE INVESTMENT ACT - YOUTH | $ 48,794,065 | $ 48,794,065 |
| Workforce Investment Act (WIA) Youth. | | |
| **A.1.3. Strategy:** TANF CHOICES | $ 91,254,931 | $ 91,230,257 |
| Temporary Assistance for Needy Families (TANF) Choices. | | |
| **A.1.4. Strategy:** EMPLOYMENT AND COMMUNITY SERVICES | $ 51,911,017 | $ 38,700,602 |
| **A.1.5. Strategy:** SNAP E & T | $ 17,318,175 | $ 17,314,903 |
| Supplemental Nutritional Assistance Program. | | |
| **A.1.6. Strategy:** TRADE AFFECTED WORKERS | $ 20,372,529 | $ 20,369,292 |
| Trade Affected Worker Training and Assistance. | | |
| **A.1.7. Strategy:** PROJECT RIO | $ 0 | $ 0 |
| Project Reintegration of Offenders (RIO). | | |
| **A.1.8. Strategy:** SENIOR EMPLOYMENT SERVICES | $ 6,605,929 | $ 6,605,250 |
| **A.1.9. Strategy:** APPRENTICESHIP | $ 2,848,823 | $ 2,847,907 |
| **A.2.1. Strategy:** SKILLS DEVELOPMENT | $ 24,272,415 | $ 24,269,528 |
| **A.2.2. Strategy:** SELF SUFFICIENCY | $ 2,614,310 | $ 2,621,507 |
| **A.2.3. Strategy:** LABOR MARKET AND CAREER INFORMATION | $ 3,737,350 | $ 3,742,201 |

| | | | | |
|---|---|---|---|---|
| **A.2.4. Strategy:** WORK OPPORTUNITY TAX CREDIT<br>Work Opportunity Tax Credit Certification. | $ | 945,761 | $ | 918,244 |
| **A.2.5. Strategy:** FOREIGN LABOR CERTIFICATION | $ | 826,523 | $ | 825,546 |
| **A.3.1. Strategy:** TANF CHOICES CHILD CARE<br>TANF Choices Child Care for Families Working or Training for Work. | $ | 51,113,391 | $ | 53,138,987 |
| **A.3.2. Strategy:** TRANSITIONAL CHILD CARE<br>Transitional Child Care for Families Working or Training for Work. | $ | 18,750,900 | $ | 21,431,842 |
| **A.3.3. Strategy:** AT-RISK CHILD CARE<br>At-Risk Child Care for Families Working or Training for Work. | $ | 431,023,268 | $ | 433,398,597 |
| **A.3.4. Strategy:** CHILD CARE ADMINISTRATION<br>Child Care Admin for TANF Choices, Transitional & At-Risk Child Care. | $ | 6,304,785 | $ | 6,305,073 |
| **A.3.5. Strategy:** CHILD CARE - FOSTER CARE FAMILIES<br>Child Care for Foster Care Families. | $ | 33,772,413 | $ | 33,772,413 |
| **A.4.1. Strategy:** UNEMPLOYMENT CLAIMS | $ | 86,669,974 | $ | 77,791,638 |
| **A.4.2. Strategy:** UNEMPLOYMENT APPEALS | $ | 17,780,598 | $ | 16,282,289 |
| **A.4.3. Strategy:** UNEMPLOYMENT TAX COLLECTION | $ | 32,712,068 | $ | 29,931,176 |
| **Total, Goal A:** WORKFORCE DEVELOPMENT | $ | 1,077,273,619 | $ | 1,062,132,835 |
| **B. Goal:** PROGRAM ACCOUNTABILITY/ENFORCEMENT | | | | |
| **B.1.1. Strategy:** SUBRECIPIENT MONITORING | $ | 2,498,415 | $ | 2,503,550 |
| **B.1.2. Strategy:** TECHNICAL ASSISTANCE | $ | 5,859,655 | $ | 5,867,467 |
| **B.1.3. Strategy:** LABOR LAW INSPECTIONS | $ | 3,992,263 | $ | 3,998,154 |
| **B.1.4. Strategy:** CAREER SCHOOLS & COLLEGES<br>Career Schools and Colleges. | $ | 883,581 | $ | 882,008 |
| **B.2.1. Strategy:** CIVIL RIGHTS | $ | 2,045,008 | $ | 2,034,160 |
| **Total, Goal B:** PROGRAM ACCOUNTABILITY/ENFORCEMENT | $ | 15,278,922 | $ | 15,285,339 |
| **C. Goal:** INDIRECT ADMINISTRATION | | | | |
| **C.1.1. Strategy:** CENTRAL ADMINISTRATION | $ | 12,204,661 | $ | 12,203,017 |
| **C.1.2. Strategy:** INFORMATION RESOURCES | $ | 7,017,087 | $ | 7,290,875 |
| **C.1.3. Strategy:** OTHER SUPPORT SERVICES | $ | 1,991,145 | $ | 1,995,948 |
| **Total, Goal C:** INDIRECT ADMINISTRATION | $ | 21,212,893 | $ | 21,489,840 |
| **Grand Total,** TEXAS WORKFORCE COMMISSION | $ | 1,113,765,434 | $ | 1,098,908,014 |
| **Object-of-Expense Informational Listing:** | | | | |
| Salaries and Wages | $ | 135,073,763 | $ | 132,360,535 |
| Other Personnel Costs | | 6,680,683 | | 6,345,554 |
| Professional Fees and Services | | 35,721,445 | | 31,646,626 |
| Fuels and Lubricants | | 25,758 | | 25,756 |
| Consumable Supplies | | 1,345,161 | | 1,330,675 |
| Utilities | | 4,754,037 | | 4,664,519 |
| Travel | | 2,277,676 | | 2,271,787 |
| Rent - Building | | 1,722,581 | | 1,788,173 |
| Rent - Machine and Other | | 474,281 | | 475,590 |
| Other Operating Expense | | 35,532,399 | | 35,662,643 |
| Grants | | 881,831,368 | | 881,085,155 |
| Capital Expenditures | | 8,326,282 | | 1,251,001 |
| **Total, Object-of-Expense Informational Listing** | $ | 1,113,765,434 | $ | 1,098,908,014 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | | | |
| Employee Benefits | | | | |
| Retirement | $ | 10,109,545 | $ | 9,873,952 |
| Group Insurance | | 41,068,748 | | 41,231,387 |
| Social Security | | 12,724,696 | | 12,435,307 |

| | | |
|---|---|---|
| Benefits Replacement | 851,407 | 796,065 |
| Subtotal, Employee Benefits | $ 64,754,396 | $ 64,336,711 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 64,754,396 | $ 64,336,711 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas Workforce 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 Texas Workforce Commission. In order to achieve the objectives and service standards established by this Act, the Texas Workforce Commission shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** WORKFORCE DEVELOPMENT | | |
| **Outcome (Results/Impact):** | | |
| Customers Served - Job Seekers | 1,900,000 | 1,850,000 |
| Entered Employment Rate | 68% | 70% |
| Employment Retention Rate | 78.5% | 79% |
| Average Temporary Assistance for Needy Families (TANF) Choices Participation Rate: Single-Parent Families | 40% | 40% |
| Percent of Unemployment Insurance Claimants Paid Timely | 95% | 95% |
| Percent of Unemployment Insurance Dispute Cases Resolved with Lower Appeal | 84% | 84% |
| **A.1.1. Strategy:** WORKFORCE INVESTMENT ACT | | |
| **Output (Volume):** | | |
| Workforce Investment Act (WIA): Adult and Dislocated Worker Customers Served | 38,148 | 39,596 |
| **Efficiencies:** | | |
| Workforce Investment Act (WIA): Adult and Dislocated Worker Average Cost per Customer Served | 3,100 | 3,100 |
| **A.1.3. Strategy:** TANF CHOICES | | |
| **Output (Volume):** | | |
| Temporary Assistance for Needy Families (TANF) Choices Customers Served | 48,088 | 49,278 |
| **Efficiencies:** | | |
| Temporary Assistance for Needy Families (TANF) Choices Average Cost Per Customer Served | 1,668 | 1,626 |
| **A.1.4. Strategy:** EMPLOYMENT AND COMMUNITY SERVICES | | |
| **Output (Volume):** | | |
| Employment Services Customers Served | 1,814,500 | 1,766,800 |
| **Efficiencies:** | | |
| Employment Services Average Cost Per Customer Served | 14.96 | 14.46 |
| **A.1.5. Strategy:** SNAP E & T | | |
| **Output (Volume):** | | |
| Supplemental Nutritional Assistance Program (E&T) Customers Served | 31,251 | 31,151 |
| **A.1.7. Strategy:** PROJECT RIO | | |
| **Output (Volume):** | | |
| Project Reintegration of Offenders (RIO) Customers Served | 0 | 0 |
| **Efficiencies:** | | |
| Project Reintegration of Offenders (RIO) Average Cost Per Customer Served | 0 | 0 |
| **A.1.9. Strategy:** APPRENTICESHIP | | |
| **Output (Volume):** | | |
| Apprenticeship Customers Served | 3,600 | 3,600 |
| **A.2.1. Strategy:** SKILLS DEVELOPMENT | | |
| **Output (Volume):** | | |
| Skills Development Customers Served | 20,609 | 20,607 |
| **Efficiencies:** | | |
| Skills Development Fund Average Cost Per Customer Served | 1,420 | 1,420 |
| **A.2.2. Strategy:** SELF SUFFICIENCY | | |
| **Output (Volume):** | | |
| Self-Sufficiency Customers Served | 1,714 | 1,714 |
| **Efficiencies:** | | |
| Self-Sufficiency Fund Average Cost Per Customer Served | 1,400 | 1,400 |

| | | |
|---|---|---|
| **A.3.1. Strategy:** TANF CHOICES CHILD CARE | | |
| **Output (Volume):** | | |
| Average Number of Children Served Per Day, Temporary Assistance for Needy Families (TANF) Choices Services | 8,896 | 9,116 |
| **Efficiencies:** | | |
| Average Cost Per Child Per Day for Child Care, Temporary Assistance for Needy Families (TANF) Choices Services | 21.93 | 22.42 |
| **A.3.3. Strategy:** AT-RISK CHILD CARE | | |
| **Output (Volume):** | | |
| Average Number of Children Served Per Day, Transitional and At Risk Services | 101,949 | 101,729 |
| **Efficiencies:** | | |
| Average Cost Per Child Per Day for Child Care, Transitional and At Risk Services | 16.09 | 16.44 |
| **A.4.1. Strategy:** UNEMPLOYMENT CLAIMS | | |
| **Efficiencies:** | | |
| Average Wait Time on Hold for Unemployment Insurance Customers (Minutes) | 8.53 | 8.53 |
| **B. Goal:** PROGRAM ACCOUNTABILITY/ENFORCEMENT | | |
| **B.1.1. Strategy:** SUBRECIPIENT MONITORING | | |
| **Output (Volume):** | | |
| Number of Monitoring Reviews of Boards or Contractors | 72 | 72 |
| **B.1.3. Strategy:** LABOR LAW INSPECTIONS | | |
| **Output (Volume):** | | |
| Number of On-site Inspections Completed for Texas Child Labor Law Compliance | 2,600 | 2,600 |
| **B.1.4. Strategy:** CAREER SCHOOLS & COLLEGES | | |
| **Output (Volume):** | | |
| Number of Licensed Career Schools and Colleges | 475 | 470 |

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. Upon approval from the Legislative Budget Board, capital budgeted funds listed below under "Acquisition of Information Resource Technologies" may be used to lease information resources hardware and/or software versus the purchase of information resources hardware and/or software, if determined by commission management to be in the best interest of the State of Texas.

| | 2012 | 2013 |
|---|---|---|
| a. Repair or Rehabilitation of Buildings and Facilities | | |
| (1) Repair or Rehabilitation of Buildings and Facilities | $ 3,372,997 | $ 3,389,992 |
| b. Acquisition of Information Resource Technologies | | |
| (1) Data Center Consolidation | 20,712,034 | 22,339,862 |
| (2) Enterprise Document Management | 397,250 | 0 |
| (3) LAN/WAN Area Upgrade & Replacement | 649,406 | 620,401 |
| (4) PC Infrastructure and Refresh | 1,600,000 | 1,600,000 |
| (5) Phone System Replacement | 150,000 | 150,000 |
| (6) Operations Infrastructure | 192,491 | 22,000 |
| (7) UI IT Improvement Project | 12,989,027 | 1,075,930 |
| (8) TeleCenter Telecommunications Refresh | 556,750 | 695,000 |
| (9) PeopleSoft HRMS 9.1 Upgrade | $ 509,165 | $ 336,334 |
| Total, Acquisition of Information Resource Technologies | $ 37,756,123 | $ 26,839,527 |
| Total, Capital Budget | $ 41,129,120 | $ 30,229,519 |
| Method of Financing (Capital Budget): | | |
| General Revenue Fund | | |
| General Revenue Fund | $ 349,194 | $ 355,256 |

| | | |
|---|---|---|
| Career Schools and Colleges | 37,703 | 37,873 |
| Subtotal, General Revenue Fund | $ 386,897 | $ 393,129 |
| GR Dedicated - Unemployment Compensation Special Administration Account No. 165 | 314,398 | 325,193 |
| Federal Funds | | |
| Federal American Recovery and Reinvestment Fund | 3,140,570 | 3,993,370 |
| Workforce Commission Federal Account No. 5026 | 36,632,255 | 25,067,827 |
| Subtotal, Federal Funds | $ 39,772,825 | $ 29,061,197 |
| Appropriated Receipts | 655,000 | 450,000 |
| Total, Method of Financing | $ 41,129,120 | $ 30,229,519 |

3. **Appropriation: Federal Funds.** All moneys granted to Texas by the federal government for the administration of the Texas Unemployment Compensation Act or which are now on deposit to the credit of any funds maintained by the comptroller for the Texas Workforce Commission (TWC), and any moneys received for the credit of such funds are hereby appropriated for the purposes authorized by the provisions of the Texas Unemployment Compensation Act and for the purposes for which such moneys were granted. TWC shall notify the Legislative Budget Board and Governor of any funds and associated staffing received above the amounts appropriated above for the biennium.

4. **Section 903, Social Security Act Funds.**

   a. Out of amounts credited to Texas' account in the Federal Unemployment Trust Fund under § 903 of the Social Security Act, there is included in the appropriation above $5,000,000 in fiscal year 2012 and $5,000,000 in fiscal year 2013 for withdrawal and use by the Texas Workforce Commission (TWC) for the administration of the Texas Unemployment Compensation Act and its Public Employment Offices and telecenters. Said funds may be used to provide necessary office facilities and automated equipment, to include the purchase of land and construction of buildings, and the construction of improvements on property owned by TWC, including the cost of repairs and alterations to such property and the purchase of computers and related peripheral equipment.

   b. No part of any amounts based on an initial transfer from the federal government that occurred prior to fiscal year 2000 or after fiscal year 2002, herein appropriated out of amounts credited to Texas' account in the Federal Unemployment Trust Fund under § 903 of the Social Security Act, shall be expended after the close of the period covered by this act and any unused portion of such amounts shall, at such close, revert to Texas' said account in the Federal Unemployment Trust Fund. The amount obligated pursuant to this act shall not exceed at any time the amount by which (a) the aggregate of the amounts transferred to the account of this state pursuant to § 903 of the Social Security Act exceeds (b) the aggregate of the amounts obligated for administration and paid out for benefits and required by law to be charged against the amounts transferred to the account of this State.

   c. Should federal requirements concerning amounts made available under Section 903 of the Social Security Act change after passage of this Act, the appropriation made in this rider shall be subject to such conditions and limitations as required by the changed federal law.

5. **Authorization: Sale of Agency-owned Buildings and Land.** In order to ensure effective facility management in coordination with the local workforce development boards, the Texas Workforce Commission (TWC) is hereby authorized to sell agency-owned buildings and land. Any such sale must be based on a finding by the commission that no other economically viable alternative exists, and specifically that operation within agency-owned or leased buildings would not be feasible. Furthermore, in order to accommodate sudden and unexpected fluctuations in federal funding, TWC is hereby authorized to sell agency-owned buildings and land as it deems necessary. The authority granted in this provision is contingent upon the filing of a written notice with the Governor and the Legislative Budget Board at least 90 days prior to the planned date of sale and is subject to the disapproval of either office within 90 days after notification.

6. **Payment of Unemployment Benefits - State Agencies.** It is the intent of the Legislature that the Texas Workforce Commission charge the Comptroller of Public Accounts only for unemployment benefits paid based on wages earned from agencies appropriated funds under the General Appropriations Act, and that agencies outside the General Appropriations Act be maintained as

individual reimbursing employers. For the purposes of this rider, 'agency' includes a state agency as defined under § 2151.002, Government Code, which includes an institution of higher education (except a public junior college) as defined under § 61.003, Education Code.

7. **Federal Funds Appropriated.** The Texas Workforce Commission (TWC) is hereby authorized to receive and disburse in accordance with plans acceptable to the responsible federal agency, all federal moneys that are made available (including grants, allotments, and reimbursements) to the state and retain their character as federal funds for such purposes and all fees authorized by federal law, and to receive, administer, and disburse federal funds for federal programs in accordance with plans agreed upon by the TWC and the responsible federal agency, and such other activities as come under the authority of the TWC, and such moneys are appropriated to the specific purpose or purposes for which they are granted or otherwise made available. Earned federal funds are not considered to be federal funds for the purpose of this section.

8. **Reappropriation of Federal and Local Funds.** All funds received by the Texas Workforce Commission from counties, cities, federal agencies, and from any other local source during the 2012-13 biennium, and all balances from such sources as of August 31, 2011, are hereby appropriated for the biennium ending August 31, 2013, for the purpose of carrying out the provisions of this Act. Earned federal funds are not considered to be federal funds for the purpose of this section.

9. **Unexpended Balances for Child Care Funds.** It is the intent of the Legislature that any additional federal funds received as a result of current efforts to obtain child care funds, be used for child care. Except as otherwise provided, all unexpended and unobligated balances in the area of child care remaining from appropriations for the first year of the biennium to the Texas Workforce Commission (TWC) are appropriated to TWC for the purpose of drawing down all available federal funds for child care. The TWC may transfer unexpended and unobligated balances of General Revenue appropriations to Strategy A.3.3, At-Risk Child Care, in order to match available federal child care funds, which are appropriated to TWC. TWC is subject to the requirements of the Additional Federal Funds rider in this agency's bill pattern for federal child care funds matched with available General Revenue, and TWC shall notify the Legislative Budget Board and the Governor of the amounts of additional General Revenue used as match and the federal child care funds matched in each year of the 2012-13 biennium not later than:

   a. the 10th day after the date the staff of the Legislative Budget Board concludes its review of the findings of fact and forwards those findings of fact along with the conclusions or comments of the Legislative Budget Board staff to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor; and

   b. within 10 business days by the Governor,

   prior to drawing down the additional federal funds.

10. **Maximization of Child Care and Development Funds.** It is the intent of the Legislature that the Texas Workforce Commission cooperate with cities, non-profit organizations, the Texas Education Agency and local school districts to obtain local match necessary to maximize federal funds for child care. In order to maximize the availability of state matching funds for federal child care funds and to encourage local child care planning and match participation, the commission shall use donated purchase agreements and other funding mechanisms, to the extent allowed by federal law and regulations.

11. **Earned Income Tax Credit Assistance.** Out of funds appropriated above, the Texas Workforce Commission and local workforce development boards shall assist recipients of Temporary Assistance for Needy Families who become employed, and other low-income workers who may qualify for the credit under federal income and other requirements, to apply for the federal Earned Income Tax Credit.

12. **Employment and Child Care Programs in Rural Areas.** It is the intent of the Legislature that the Texas Workforce Commission and local workforce development boards cost-effectively continue to expand the availability of employment and child care programs into rural areas.

13. **Job Training Courses.** It is the intent of the Legislature that the primary objective of job training courses offered by the Texas Workforce Commission and local workforce development boards is to prepare individuals for high-skill, high-wage jobs with health benefits that result in long-term employability. Whenever possible, strategies should focus on incorporating industry sectors and/or

regional industry clusters in order to promote high quality jobs. While English as a Second Language (ESL) may provide additional benefit to trainees, it may not be substituted for job training classes.

**14. Formal Measures Report.** The Texas Workforce Commission shall submit an annual report to the Legislative Budget Board and the Governor on agency performance on Formal Measures prescribed by the Texas Workforce Investment Council (TWIC). The report shall be submitted with the agency's 4th quarterly performance report and must be accompanied by supporting documentation as specified by the Legislative Budget Board and the Governor.

**15. Budget and Performance Report.** The Texas Workforce Commission shall submit a monthly report to the Legislative Budget Board and the Governor on budgeted, expended, and encumbered funds by strategy (and substrategy as appropriate) along with Full-Time Equivalent positions and method of finance information. The report shall also include program performance information for performance measures included in this Act.

**16. Skills Development and Self-Sufficiency Fund Report.** The Texas Workforce Commission shall submit a quarterly report to the Legislative Budget Board and the Governor on contracts executed by the commission, expenditures, program participants, and closed contracts for each Skills Development Fund and Self-Sufficiency Fund contract. Each report shall be accompanied by supporting documentation as specified by the Legislative Budget Board and the Governor.

**17. Contracts for Purchase of Client Services.** No funds appropriated to the Texas Workforce Commission may be utilized for contracts for the purchase of program-related client services unless:

a. such contracts include clearly defined goals, outputs, and measurable outcomes which directly relate to program objectives;

b. such contracts include clearly defined sanctions or penalties for noncompliance with contract terms and conditions;

c. such contracts specify the accounting, reporting, and auditing requirements applicable to funds received under the contract;

d. the agency has implemented a formal program using a risk assessment methodology to monitor compliance with financial and performance requirements under the contract, including a determination of whether performance objectives have been achieved; and

e. the agency has implemented a formal program to obtain and evaluate program costs information to ensure that all costs, including administrative costs, are reasonable to achieve program objectives.

**18. Additional Federal Funds.** No appropriation of federal funds in addition to the estimated amounts above may be expended by the Texas Workforce Commission (TWC) unless:

a. TWC files a finding of fact along with a written plan outlining the use and projected impact of the funds on performance measures with the Legislative Budget Board and the Governor and indicating that additional appropriations are required to maintain adequate levels of program performance; and,

b. neither the Legislative Budget Board nor the Governor issues a written disapproval not later than:

1. the 10th day after the date the staff of the Legislative Budget Board concludes its review of the findings of fact and forwards those findings of fact along with the conclusions or comments of the Legislative Budget Board staff to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor; and

2. within 10 business days of the receipt of the finding of fact by the Governor and the written plan,

which should not prohibit the agency from responding in an emergency.

**19. Work-at-Home Employees.** It is provided that the Texas Workforce Commission is hereby authorized to grant compensatory time to authorized employees for overtime work performed at the employee's personal residence and for work performed at the employee's personal residence on state or national holidays. Work performed under this authority shall be approved in advance by the Executive Director and must be verified by appropriate records, which may include audiotapes, computer and telephone logs, and the time tracking and leave accounting system. Compensatory time is only granted when corresponding work is assigned.

**20. Cash Flow Contingency for Texas Workforce Civil Rights Division.**

a. Contingent upon the receipt of federal funds allocated under the annual fixed cost performance based contracts and special projects with the U.S. Equal Employment Opportunity Commission and the U.S. Department of Housing and Urban Development, and upon the submission of monthly reports on all funds transfers and performance on all key measures to the Legislative Budget Board, Governor, and Comptroller of Public Accounts, the commission may temporarily utilize additional General Revenue Funds, pending the receipt of federal reimbursement, in an amount not to exceed 75 percent of the amount as specified in the notification letter of federal award to be received in each year of the biennium. The General Revenue amounts utilized above the 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. These transfers and repayments shall be credited to the fiscal year being reimbursed and shall be in accordance with procedures established by the Comptroller. All transfers of the method of finance shall be reported by the Texas Workforce Commission (TWC) Civil Rights Division to the Legislative Budget Board.

b. TWC Civil Rights Division may temporarily utilize additional General Revenue Funds pending reimbursement through interagency contracts in an amount not to exceed 50 percent of the estimated interagency contract receipts to be received each year of the biennium to be adjusted by actual contract amounts. The General Revenue amounts utilized above the General Revenue method of finance must be repaid upon receipt of interagency contract reimbursement and shall be utilized only for the purpose of temporary cash flow needs. These transfers and repayments shall be in accordance with procedures established by the Comptroller. Any contract balance at the end of the first fiscal year of the biennium is hereby appropriated to the second fiscal year of the biennium.

**21. Travel Expenditures.** The Texas Workforce Commission's Civil Rights Division is authorized to spend out of funds appropriated above up to $1,500 per employee or Civil Rights Division's Board Member for each year of the biennium for out-of-state travel. This limitation shall not apply to out-of-state travel required by the U.S. Equal Employment Opportunity Commission or the U.S. Department of Housing and Urban Development if the cost of such travel is reimbursed by the federal government.

**22. Limitation on Texas Fair Housing Act Investigations or Prosecutions.** No funds appropriated by this Act may be used to investigate or prosecute under the Texas Fair Housing Act any otherwise lawful activity, engaged in by one or more persons, that is engaged solely for the purpose of preventing action by a government official or court of competent jurisdiction.

**23. Child Care Benefit Costs Paid with Federal Funds.** The Texas Workforce Commission shall pay all benefit costs to the Employees Retirement System related to Full-Time Equivalents (FTE) for salaries in Strategy A.3.4, Child Care Administration, with Federal Funds. No funds shall be paid for salaries in Strategy A.3.1, TANF Choices Child Care, Strategy A.3.2, Transitional Child Care, Strategy A.3.3, At-Risk Child Care, and Strategy A.3.5, Child Care for Foster Care Families.

**24. Temporary Assistance for Needy Families (TANF) Maintenance of Effort Appropriated in Child Care Strategies.** All General Revenue appropriated above for TANF maintenance of effort (MOE) shall be expended within the appropriate fiscal year for that purpose in order to secure the TANF federal block grant for the state. Out of funds appropriated above in Strategy A.3.1, TANF Choices Child Care, Strategy A.3.2, Transitional Child Care, and Strategy A.3.3, At-Risk Child Care, $27,745,141 in General Revenue is appropriated for TANF MOE each fiscal year for TANF program Client Services or Grants. None of the General Revenue appropriated for TANF MOE in Strategy A.3.1, TANF Choices Child Care, Strategy A.3.2, Transitional Child Care, and Strategy A.3.3, At-Risk Child Care, may be transferred to any other item of appropriation or expended for any purpose other than the specific purpose for which the funds are appropriated. General Revenue may be transferred between the above mentioned three strategies.

**25. Local Matching Funds.** Child Care Matching Federal Funds appropriated above are based upon an estimated local match of $27,000,000 in fiscal year 2012 and $27,000,000 in FY 2013, which includes $2,500,000 in Appropriated Receipts appropriated above each year of the biennium in Strategy A.3.3, At-Risk Child Care.

**26. Employment and Training Investment Assessment Reimbursement.** Amounts appropriated above in Strategy A.4.3, Unemployment Tax Collection, include an estimated amount of $386,230 in fiscal year 2012 and $386,230 in fiscal year 2013 in GR-Dedicated Employment and Training Investment Holding Account No. 5128 for the purpose of reimbursing the Federal Government for collection costs associated with the Employment and Training Investment Assessment in compliance with the collection cost methodology approved by the U.S. Department of Labor.

**27. Professional Development Partnerships for Early Childhood Education.** Out of federal Child Care Development Funds (CCDF) appropriated above, the Texas Workforce Commission shall transfer via interagency contract $1,000,000 in fiscal year 2012 and $1,000,000 in fiscal year 2013 to the Texas Education Agency to fund the management of early childhood education partnerships projects, including the award of stipends, to facilitate increased participation in professional development by early childhood education professionals and encourage those professionals to seek additional education.

**28. The Women's Institute for Technology Employment Training.** Out of funds appropriated above in Strategy A.1.4, Employment and Community Services, the Texas Workforce Commission shall allocate $250,000 in fiscal year 2012 and $250,000 in fiscal year 2013 to the Women's Institute for Technology Employment Training to support comprehensive program with statewide activity funds to develop curriculum, courses and programs to prepare single women with children who are economically disadvantaged or on state or federal assistance, for entry-level jobs and careers in Texas manufacturing and technology based industries.

**29. School Readiness Models.** Out of federal funds appropriated to the Texas Workforce Commission in Strategies A.3.1, TANF Choices Child Care; A.3.2, Transitional Child Care; and A.3.3, At-Risk Child Care, the commission shall match the amount of available General Revenue for the Early Childhood School Readiness Programs funded in Rider 56 following the appropriation in Article III, to the Texas Education Agency to provide for each year of the 2012-13 state fiscal biennium a total amount equal to the greater of $11,700,000, or the maximum amount allowable under the approved match rate for the purpose of providing funds to child care providers participating in integrated school readiness models developed by the State Center for Early Childhood Development at the University of Texas Health Science Center at Houston. If General Revenue is not available and notwithstanding other GAA requirements, out of federal funds appropriated to the Texas Workforce Commission in Strategies A.3.1, TANF Choices Child Care; A.3.2, Transitional Child Care; and A.3.3, At-Risk Child Care, the commission shall provide for each year of the 2012-13 state fiscal biennium the maximum amount allowable under federal guidelines, and not less than $11,700,000 in each year, for the purpose of providing funds to child providers participating in the integrated school readiness models developed by the State Center for Early Childhood Development at the University of Texas Health Science Center at Houston. Not later than December 1st of each even-numbered year, the State Center for Early Childhood Development shall report to the Legislative Budget Board and the Office of the Governor the detailed use of all state funds expended by the center for early childhood education services.

## REIMBURSEMENTS TO THE UNEMPLOYMENT COMPENSATION BENEFIT ACCOUNT

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| GR Dedicated - Unemployment Compensation Special Administration Account No. 165, estimated | $ 8,982,102 | $ 8,356,292 |
| Interagency Transfers to the Unemployment Compensation Special Administration Account No. 165, estimated | 19,992,421 | 18,599,488 |
| **Total, Method of Financing** | $ 28,974,523 | $ 26,955,780 |

## REIMBURSEMENTS TO THE UNEMPLOYMENT COMPENSATION BENEFIT ACCOUNT
(Continued)

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

**Items of Appropriation:**

| | | |
|---|---|---|
| **A. Goal:** STATE'S UC REIMBURSEMENT<br>Reimburse UC Benefit Account 937 for UC Paid to Former State Employees. | | |
| **A.1.1. Strategy:** STATE'S UC REIMBURSEMENT<br>Reimburse UC Benefit Account 937 for UC Paid to Former State Employees. | $ 28,974,523 | $ 26,955,780 |
| **Grand Total,** REIMBURSEMENTS TO THE UNEMPLOYMENT COMPENSATION BENEFIT ACCOUNT | $ 28,974,523 | $ 26,955,780 |
| **Object-of-Expense Informational Listing:** | | |
| Other Personnel Costs | $ 28,974,523 | $ 26,955,780 |
| **Total, Object-of-Expense Informational Listing** | $ 28,974,523 | $ 26,955,780 |

1. **Definition of Agency.** For the purposes of the Reimbursements to the Unemployment Compensation Benefit Account item, 'agency' includes a state agency as defined under § 2151.002, Government Code, which includes an institution of higher education (except a public junior college) as defined under § 61.003, Education Code.

2. **Reimbursements to the Unemployment Compensation Benefit Account No. 937.** Reimbursements to the Unemployment Compensation Benefit Account No. 937 shall be made from:

   a. Funds identified as GR-Dedicated - Unemployment Compensation Special Administration Account No. 165 above, which consists of penalty and interest receipts collected under Sections 213.021 and 213.022, Texas Labor Code.

   b. Funds identified as Interagency Transfers to the Unemployment Compensation Special Administration Account No. 165 above, which consist of amounts transferred from other agencies' appropriations made elsewhere in this Act to state agencies in accordance with § 15.01, Reimbursements for Unemployment Benefits, in General Provisions of this Act.

3. **Funding Source for Unemployment Compensation Special Administration Account No. 165.** Funds identified in the method of financing above, Unemployment Compensation Special Administration Account No. 165, include penalty and interest receipts collected under Sections 213.021 and 213.022, Texas Labor Code and authorized for the payment of unemployment compensation benefits to former state employees pursuant to Section 203.202, Texas Labor Code. These amounts are estimated and are to be utilized for amounts not paid by state agency reimbursements.

4. **Funding Source for Interagency Transfers to the Unemployment Compensation Special Administration Account No. 165.** Funds identified in the method of financing above, Interagency Transfers to the Unemployment Compensation Special Administration Account No. 165, include agency reimbursements from appropriations made elsewhere in this Act to GR-Dedicated Account No. 165. These amounts are estimated. Account No. 165 shall be reimbursed for one-half of the unemployment benefits paid from appropriations made in this Act to the state agency that previously employed each respective former state employee whose payroll warrants were originally issued in whole or in part from the General Revenue Fund, a dedicated General Revenue Account, Federal Funds or Other Funds, such as State Highway Fund No. 006.

5. **Proportionality Requirements for Agency Reimbursements related to Unemployment Compensation Benefits.** From information related to unemployment benefits paid on behalf of previously employed former state employees provided by the Texas Workforce Commission, the Comptroller shall determine the proportionate amount of the reimbursement or payment due from the General Revenue Fund, any General Revenue-Dedicated Accounts, Federal Funds or Other Funds from appropriations made elsewhere in this Act to state agencies. The Comptroller shall transfer these amounts of appropriations made elsewhere in this Act to the Unemployment Compensation Special Administration Account No 165. The amounts reimbursed pursuant to this provision are hereby appropriated to the Unemployment Compensation Special Administration

## REIMBURSEMENTS TO THE UNEMPLOYMENT COMPENSATION BENEFIT ACCOUNT
(Continued)

Account No. 165 for the purpose of reimbursing the Unemployment Compensation Benefit Account No. 937. These reimbursement requirements may be waived, either in whole or in part, by the Legislative Budget Board.

6. **Cash Flow Contingency.** Contingent upon the receipt of state agency reimbursements, the Texas Workforce Commission (TWC) may temporarily utilize additional GR-Dedicated Unemployment Compensation Special Administration Account No. 165 funds, in an amount not to exceed the anticipated state agency reimbursement. The Account No. 165 amounts utilized above amounts appropriated from penalty and interest collections as identified in Rider 2(a) must be repaid upon receipt of state agency reimbursements for previously paid payroll warrants and shall be utilized only for the purpose of temporary cash flow needs. These transfers and repayments shall be credited to the fiscal year being reimbursed and shall be made in accordance with established state accounting procedures. All transfers of the method of finance shall be reported by the TWC on a monthly basis to the Legislative Budget Board and Governor.

## RETIREMENT AND GROUP INSURANCE

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund, estimated | $ 5,081,303 | $ 5,627,298 |
| General Revenue Dedicated Accounts, estimated | 3,636,754 | 3,955,169 |
| Federal Funds, estimated | 53,916,556 | 57,257,078 |
| Other Funds | | |
| Other Special State Funds, estimated | 1,668,661 | 1,809,755 |
| State Highway Fund No. 006, estimated | 188,116,681 | 205,943,467 |
| Subtotal, Other Funds | $ 189,785,342 | $ 207,753,222 |
| **Total, Method of Financing** | $ 252,419,955 | $ 274,592,767 |
| **Items of Appropriation:** | | |
| **A. Goal:** EMPLOYEES RETIREMENT SYSTEM | | |
| **A.1.1. Strategy:** RETIREMENT CONTRIBUTIONS<br>Retirement Contributions. Estimated. | $ 48,883,535 | $ 52,340,671 |
| **A.1.2. Strategy:** GROUP INSURANCE<br>Group Insurance Contributions. Estimated. | $ 203,536,420 | $ 222,252,096 |
| **Total, Goal A:** EMPLOYEES RETIREMENT SYSTEM | $ 252,419,955 | $ 274,592,767 |
| **Grand Total,** RETIREMENT AND GROUP INSURANCE | $ 252,419,955 | $ 274,592,767 |

## SOCIAL SECURITY AND BENEFIT REPLACEMENT PAY

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund, estimated | $ 1,281,349 | $ 1,280,574 |
| General Revenue Dedicated Accounts, estimated | 1,659,684 | 1,659,605 |
| Federal Funds, estimated | 14,484,976 | 13,689,715 |
| Other Funds | | |
| Other Special State Funds, estimated | 725,370 | 725,805 |

## SOCIAL SECURITY AND BENEFIT REPLACEMENT PAY
(Continued)

| | | |
|---|---|---|
| State Highway Fund No. 006, estimated | 49,728,214 | 49,635,063 |
| Subtotal, Other Funds | $ 50,453,584 | $ 50,360,868 |
| **Total, Method of Financing** | $ 67,879,593 | $ 66,990,762 |
| **Items of Appropriation:** | | |
| **A. Goal:** SOCIAL SECURITY/BENEFIT REPLACEMENT | | |
| Comptroller - Social Security. | | |
| **A.1.1. Strategy:** STATE MATCH -- EMPLOYER | $ 61,885,769 | $ 61,400,087 |
| State Match — Employer. Estimated. | | |
| **A.1.2. Strategy:** BENEFIT REPLACEMENT PAY | $ 5,993,824 | $ 5,590,675 |
| Benefit Replacement Pay. Estimated. | | |
| **Total, Goal A:** SOCIAL SECURITY/BENEFIT REPLACEMENT | $ 67,879,593 | $ 66,990,762 |
| **Grand Total,** SOCIAL SECURITY AND BENEFIT REPLACEMENT PAY | $ 67,879,593 | $ 66,990,762 |

## BOND DEBT SERVICE PAYMENTS

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 11,475,929 | $ 13,614,680 |
| Federal Funds | 332,066 | 332,066 |
| **Total, Method of Financing** | $ 11,807,995 | $ 13,946,746 |
| **Items of Appropriation:** | | |
| **A. Goal:** FINANCE CAPITAL PROJECTS | | |
| **A.1.1. Strategy:** BOND DEBT SERVICE | $ 11,807,995 | $ 13,946,746 & UB |
| To Texas Public Finance Authority for Payment of Bond Debt Service. | | |
| **Grand Total,** BOND DEBT SERVICE PAYMENTS | $ 11,807,995 | $ 13,946,746 |

## LEASE PAYMENTS

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 1,279,316 | $ 1,068,573 |
| **Total, Method of Financing** | $ 1,279,316 | $ 1,068,573 |
| **Items of Appropriation:** | | |
| **A. Goal:** FINANCE CAPITAL PROJECTS | | |
| **A.1.1. Strategy:** LEASE PAYMENTS | $ 1,279,316 | $ 1,068,573 & UB |
| To TFC for Payment to TPFA. | | |
| **Grand Total,** LEASE PAYMENTS | $ 1,279,316 | $ 1,068,573 |

## SPECIAL PROVISIONS RELATING TO BUSINESS AND ECONOMIC DEVELOPMENT

**Sec. 2. Federally Funded Projects.** Consistent with the provisions in Article IX, § 6.10, business and economic development 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.

| | | 2012 | 2013 |
|---|---|---|---|
| a. | Department of Housing and Community Affairs | 314.0 | 314.0 |
| b. | Texas Lottery Commission | 0.0 | 0.0 |
| c. | Department of Motor Vehicles | 0.0 | 0.0 |
| d. | Texas Department of Rural Affairs | 62.0 | 62.0 |
| e. | Department of Transportation | 5.0 | 5.0 |
| f. | Texas Workforce Commission | 3,221.6 | 3,125.5 |

## RECAPITULATION - ARTICLE VII
## BUSINESS AND ECONOMIC DEVELOPMENT
## (General Revenue)

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| Department of Housing and Community Affairs | $ 8,110,265 | $ 8,177,145 |
| Texas Lottery Commission | 16,006,806 | 16,006,806 |
| Department of Motor Vehicles | 14,911,870 | 14,911,870 |
| Texas Department of Rural Affairs | 2,840,081 | 2,832,409 |
| Department of Transportation | 117,312,045 | 117,912,748 |
| Contingency Appropriations | 5,500,000 | 5,500,000 |
| Total | 122,812,045 | 123,412,748 |
| Texas Workforce Commission | 111,806,918 | 111,814,461 |
| Subtotal, Business and Economic Development | $ 276,487,985 | $ 277,155,439 |
| Retirement and Group Insurance | 5,081,303 | 5,627,298 |
| Social Security and Benefit Replacement Pay | 1,281,349 | 1,280,574 |
| Subtotal, Employee Benefits | $ 6,362,652 | $ 6,907,872 |
| Bond Debt Service Payments | 11,475,929 | 13,614,680 |
| Lease Payments | 1,279,316 | 1,068,573 |
| Subtotal, Debt Service | $ 12,755,245 | $ 14,683,253 |
| TOTAL, ARTICLE VII - BUSINESS AND ECONOMIC DEVELOPMENT | $ 295,605,882 | $ 298,746,564 |

## RECAPITULATION - ARTICLE VII
## BUSINESS AND ECONOMIC DEVELOPMENT
## (General Revenue - Dedicated)

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| Texas Lottery Commission | $ 172,880,148 | $ 174,234,238 |
| Texas Department of Rural Affairs | 2,203,550 | 2,203,550 |
| Department of Transportation | 888,824 | 900,510 |
| Texas Workforce Commission | 5,596,720 | 5,596,720 |
| Reimbursements to the Unemployment Compensation Benefit Account | 8,982,102 | 8,356,292 |
| Subtotal, Business and Economic Development | $ 190,551,344 | $ 191,291,310 |
| Retirement and Group Insurance | 3,636,754 | 3,955,169 |
| Social Security and Benefit Replacement Pay | 1,659,684 | 1,659,605 |
| Subtotal, Employee Benefits | $ 5,296,438 | $ 5,614,774 |
| TOTAL, ARTICLE VII - BUSINESS AND ECONOMIC DEVELOPMENT | $ 195,847,782 | $ 196,906,084 |

## RECAPITULATION - ARTICLE VII
## BUSINESS AND ECONOMIC DEVELOPMENT
## (Federal Funds)

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| Department of Housing and Community Affairs | $ 165,830,564 | $ 160,219,848 |
| Department of Motor Vehicles | 171,000 | 171,000 |
| Texas Department of Rural Affairs | 530,236,965 | 134,565,534 |
| Department of Transportation | 3,361,910,893 | 2,778,536,979 |
| Texas Workforce Commission | 957,889,892 | 943,242,659 |
| Subtotal, Business and Economic Development | $ 5,016,039,314 | $ 4,016,736,020 |
| Retirement and Group Insurance | 53,916,556 | 57,257,078 |
| Social Security and Benefit Replacement Pay | 14,484,976 | 13,689,715 |
| Subtotal, Employee Benefits | $ 68,401,532 | $ 70,946,793 |
| Bond Debt Service Payments | 332,066 | 332,066 |
| Subtotal, Debt Service | $ 332,066 | $ 332,066 |
| TOTAL, ARTICLE VII - BUSINESS AND ECONOMIC DEVELOPMENT | $ 5,084,772,912 | $ 4,088,014,879 |

## RECAPITULATION - ARTICLE VII
## BUSINESS AND ECONOMIC DEVELOPMENT
## (Other Funds)

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| Department of Housing and Community Affairs | $ 18,750,500 | $ 18,436,589 |
| Department of Motor Vehicles | 147,557,971 | 102,855,435 |
| Texas Department of Rural Affairs | 179,750 | 179,750 |
| Department of Transportation | 7,007,354,686 | 6,416,342,977 |
| Texas Workforce Commission | 38,471,904 | 38,254,174 |
| Reimbursements to the Unemployment Compensation Benefit Account | 19,992,421 | 18,599,488 |
| Subtotal, Business and Economic Development | $ 7,232,307,232 | $ 6,594,668,413 |
| Retirement and Group Insurance | 189,785,342 | 207,753,222 |
| Social Security and Benefit Replacement Pay | 50,453,584 | 50,360,868 |
| Subtotal, Employee Benefits | $ 240,238,926 | $ 258,114,090 |
| Less Interagency Contracts | $ 59,177,923 | $ 57,785,470 |
| TOTAL, ARTICLE VII - BUSINESS AND ECONOMIC DEVELOPMENT | $ 7,413,368,235 | $ 6,794,997,033 |

## RECAPITULATION - ARTICLE VII
## BUSINESS AND ECONOMIC DEVELOPMENT
## (All Funds)

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| Department of Housing and Community Affairs | $ 192,691,329 | $ 186,833,582 |
| Texas Lottery Commission | 188,886,954 | 190,241,044 |
| Department of Motor Vehicles | 162,640,841 | 117,938,305 |
| Texas Department of Rural Affairs | 535,460,346 | 139,781,243 |
| Department of Transportation | 10,487,466,448 | 9,313,693,214 |
| Contingency Appropriations | 5,500,000 | 5,500,000 |
| Total | 10,492,966,448 | 9,319,193,214 |
| Texas Workforce Commission | 1,113,765,434 | 1,098,908,014 |
| Reimbursements to the Unemployment Compensation Benefit Account | 28,974,523 | 26,955,780 |
| Subtotal, Business and Economic Development | $ 12,715,385,875 | $ 11,079,851,182 |
| Retirement and Group Insurance | 252,419,955 | 274,592,767 |
| Social Security and Benefit Replacement Pay | 67,879,593 | 66,990,762 |
| Subtotal, Employee Benefits | $ 320,299,548 | $ 341,583,529 |
| Bond Debt Service Payments | 11,807,995 | 13,946,746 |
| Lease Payments | 1,279,316 | 1,068,573 |
| Subtotal, Debt Service | $ 13,087,311 | $ 15,015,319 |
| Less Interagency Contracts | $ 59,177,923 | $ 57,785,470 |
| TOTAL, ARTICLE VII - BUSINESS AND ECONOMIC DEVELOPMENT | $ 12,989,594,811 | $ 11,378,664,560 |
| Number of Full-Time-Equivalents (FTE) | 17,103.5 | 16,977.5 |

# ARTICLE VIII

# REGULATORY

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 regulatory agencies.

## STATE OFFICE OF ADMINISTRATIVE HEARINGS

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 3,305,957 | $ 3,299,539 |
| Other Funds | | |
| State Highway Fund No. 006 | 3,239,763 | 3,239,763 |
| Appropriated Receipts | 150,000 | 150,000 |
| Interagency Contracts | 3,545,187 | 3,545,187 |
| Subtotal, Other Funds | $ 6,934,950 | $ 6,934,950 |
| **Total, Method of Financing** | $ 10,240,907 | $ 10,234,489 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 127.0 | 127.0 |
| **Schedule of Exempt Positions:** | | |
| Chief Administrative Law Judge, Group 5 | $122,500 | $122,500 |
| **Items of Appropriation:** | | |
| **A. Goal:** ADMINISTRATIVE HEARINGS | | |
| Provide for a Fair and Efficient Administrative Hearings Process. | | |
| **A.1.1. Strategy:** CONDUCT HEARINGS | $ 8,887,054 | $ 8,889,873 |
| Conduct Hearings and Prepare Proposals for Decisions and Final Orders. | | |
| **A.2.1. Strategy:** CONDUCT ALT DISPUTE RESOLUTION | $ 224,266 | $ 226,656 |
| Conduct Alternative Dispute Resolution Proceedings. | | |
| **Total, Goal A:** ADMINISTRATIVE HEARINGS | $ 9,111,320 | $ 9,116,529 |
| **B. Goal:** INDIRECT ADMINISTRATION | | |
| **B.1.1. Strategy:** INDIRECT ADMINISTRATION | $ 1,129,587 | $ 1,117,960 |
| **Grand Total,** STATE OFFICE OF ADMINISTRATIVE HEARINGS | $ 10,240,907 | $ 10,234,489 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 8,651,615 | $ 8,651,615 |
| Other Personnel Costs | 297,020 | 297,321 |
| Professional Fees and Services | 31,909 | 31,909 |
| Consumable Supplies | 45,791 | 45,848 |
| Utilities | 124,215 | 124,215 |
| Travel | 120,000 | 120,000 |
| Rent - Building | 226,234 | 226,234 |
| Rent - Machine and Other | 25,903 | 25,903 |
| Other Operating Expense | 718,220 | 711,444 |
| **Total, Object-of-Expense Informational Listing** | $ 10,240,907 | $ 10,234,489 |

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

| | | |
|---|---|---|
| Employee Benefits | | |
| Retirement | $ 484,195 | $ 486,616 |
| Group Insurance | 801,802 | 807,564 |
| Social Security | 586,359 | 589,290 |
| Benefits Replacement | 41,273 | 38,590 |
| Subtotal, Employee Benefits | $ 1,913,629 | $ 1,922,060 |
| Debt Service | | |
| Lease Payments | $ 433,596 | $ 431,499 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 2,347,225 | $ 2,353,559 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the State Office of Administrative Hearings. 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 State Office of Administrative Hearings. In order to achieve the objectives and service standards established by this Act, the State Office of Administrative Hearings shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** ADMINISTRATIVE HEARINGS | | |
| **Outcome (Results/Impact):** | | |
| Percentage of Participants Surveyed Expressing Satisfaction with Overall Process | 92% | 92% |
| Percentage of Proposed Decisions Related to Tax Hearings Issued by Administrative Law Judges within 60 Days of Record Closing | 100% | 100% |
| **A.1.1. Strategy:** CONDUCT HEARINGS | | |
| **Output (Volume):** | | |
| Number of Administrative License Revocation Cases Disposed | 34,859 | 34,859 |
| Number of Cases Disposed | 42,673 | 42,673 |
| Number of Administrative Fine Cases Disposed | 159 | 159 |
| Percent of Available Administrative Law Judge Time Spent on Case Work | 100% | 100% |
| Number of Proposals for Decision Related to Tax Hearings Rendered by Administrative Law Judges | 214 | 214 |
| **Efficiencies:** | | |
| Average Number of Days from Close of Record to Issuance of Proposal for Decision - Major Hearings | 49.8 | 49.8 |
| Average Time to Dispose of a Case (Median Number of Days) | 88.42 | 88.42 |
| Average Length of Time (Work Days) Taken to Issue a Proposed Decision Related to Tax Hearings Following Record Closing | 5 | 5 |
| **Explanatory:** | | |
| Number of Cases Received | 42,090 | 42,090 |
| Number of Agencies Served | 51 | 51 |
| **A.2.1. Strategy:** CONDUCT ALT DISPUTE RESOLUTION | | |
| **Explanatory:** | | |
| Number of Alternative Dispute Resolution Cases Requested or Referred | 155 | 155 |

2. **Renegotiation of Lump Sum Contract.** Appropriations made above in Strategy A.1.1, Conduct Hearings, include $1,000,000 in fiscal year 2012 and $1,000,000 in fiscal year 2013 in Interagency Contracts to fund the Natural Resources Division for the purpose of conducting hearings for the Texas Commission on Environmental Quality (TCEQ). The State Office of Administrative Hearings (SOAH) and TCEQ may not enter into a contract for an amount less than the specified amounts herein above. If SOAH determines, at the end of each fiscal year, that the amount paid under the contract exceeds the funding necessary for the Natural Resources Division, it shall refund the difference. If SOAH determines that these amounts are insufficient to fund the Natural Resources Division it may enter into negotiations with the TCEQ in order to renegotiate an interagency contract in a manner which will provide it with additional funds, provided that SOAH

shall not be appropriated any state funds from such renegotiated interagency contract until it gives prior written notice to the Legislative Budget Board and the Governor, accompanied by written permission of the TCEQ.

3. **Benefit Collection.** Agencies that enter into contracts with the State Office of Administrative Hearings (SOAH), for the purpose of performing the hearings function, and make payments to SOAH from funding sources other than General Revenue, must reimburse SOAH for employee benefit costs for salaries and wages. These reimbursements to SOAH will then be paid to the General Revenue Fund in proportion to the source of funds from which the respective salary or wage is paid.

4. **Contingency Appropriation for Expanded Jurisdiction.** Contingent on the enactment of legislation by the Eighty-second Legislature transferring the hearings functions of other state agencies to the State Office of Administrative Hearings (SOAH), or otherwise expanding the jurisdiction of the office, SOAH may expend funds transferred to the office from those agencies or funds appropriated for the purpose of handling the expanded jurisdiction, pursuant to provisions elsewhere in this Act. Appropriations authorized pursuant to this provision may be expended only to implement the transferred functions or expanded jurisdiction. All funds collected by SOAH as payment for, or reimbursement of, the office's costs of providing services to other state agencies or governmental entities, or others as directed by the Legislature, are appropriated to SOAH for its use during the biennium.

5. **Hearings Activity Report.** By May 1st and November 1st of each fiscal year, the State Office of Administrative Hearings (SOAH) shall submit to the Legislative Budget Board and the Governor a report detailing hearings activity conducted during the prior two fiscal year quarters. The report shall indicate in a format prescribed by the Legislative Budget Board, for each agency served, the person hours allocated to the agency's cases and the cost, both direct and indirect, of conducting the hearings. The report shall also indicate in a format prescribed by the Legislative Budget Board, for each agency served, the number of cases received, the number of transcripts requested by Administrative Law Judges, the number of cases disposed of, the number of administrative fine cases disposed of and the median number of days between the date a case is received by SOAH and the date the case is finally disposed of, and any other information requested by the Legislative Budget Board during the reporting period.

6. **Contingency for Additional Self-directed Semi-independent Agency Pilot Projects.** Contingent upon additional agencies added as a self-directed semi-independent (SDSI) agency pilot project by the Legislature during the 2012-13 biennium, any agency added as a SDSI pilot project that is listed in Rider 7 shall be removed from the exemption granted in Rider 7 below.

7. **Billing Rate for Workload.**

   a. Unless otherwise provided, amounts appropriated above and elsewhere in this Act for funding for the payment of costs associated with administrative hearings conducted by the State Office of Administrative Hearings (SOAH) are based on an hourly rate of $100 per hour for each hour of work performed during each fiscal year as reflected by the SOAH's Legislative Appropriation Request and Hearings Activity Report to the Eighty-second Legislature.

   b. Notwithstanding other provisions in this act, amounts for the payment of costs associated with administrative hearings conducted by SOAH for the Comptroller of Public Accounts shall be established through an interagency contract between the two agencies. The contract shall provide funding for hearings on tax issues conducted by Master Administrative Law Judge IIs in a separate tax division within SOAH that have expertise in state tax and shall specify the salaries of the judges within the division.

   c. Amounts appropriated above in Strategy A.1.1, Conduct Hearings, to SOAH from the General Revenue Fund include funding in each year of the biennium for billable casework hours performed by SOAH for conducting administrative hearings at the rate determined by SOAH and approved by the Legislature for those agencies that do not have appropriations for paying SOAH costs for administrative hearings and are not subject to subsection (a) of this Section:

      (1) Real Estate Commission (not including Residential Service Companies and Texas Timeshare Act hearings)
      (2) Board of Chiropractic Examiners

(3) Texas State Board of Dental Examiners
(4) Funeral Service Commission
(5) Board of Professional Geoscientists
(6) Board of Professional Land Surveying
(7) Texas Medical Board
(8) Texas Board of Nursing
(9) Optometry Board
(10) Board of Pharmacy
(11) Executive Council of Physical Therapy and Occupational Therapy Examiners
(12) Board of Plumbing Examiners
(13) Board of Podiatric Medical Examiners
(14) Board of Examiners of Psychologists
(15) Board of Veterinary Medical Examiners
(16) Secretary of State
(17) Securities Board
(18) Public Utility Commission of Texas
(19) Teacher Retirement System
(20) Fire Fighters' Pension Commissioner
(21) Employees Retirement System
(22) Department of Housing and Community Affairs
(23) Texas Lottery Commission
(24) Department of Public Safety (Non-Administrative License Revocation Hearings)
(25) Commission on Law Enforcement Officer Standards and Education
(26) Commission on Fire Protection
(27) Department of Insurance (not including the Division of Workers' Compensation)
(28) Alcoholic Beverage Commission
(29) Racing Commission
(30) Department of Agriculture
(31) Department of Transportation
(32) Higher Education Coordinating Board
(33) Parks and Wildlife Department
(34) Department of Licensing and Regulation

## BOARD OF CHIROPRACTIC EXAMINERS

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 571,539 | $ 571,539 |
| Appropriated Receipts | 40,000 | 40,000 |
| **Total, Method of Financing** | $ 611,539 | $ 611,539 |
| **Other Direct and Indirect Costs Appropriated Elsewhere in this Act** | $ 156,741 | $ 161,685 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 11.0 | 11.0 |
| **Schedule of Exempt Positions:** | | |
| Executive Director, Group 1 | $70,000 | $70,000 |
| **Items of Appropriation:** | | |
| **A. Goal:** ENSURE PUBLIC PROTECTION | | |
| Provide Public Protection through Enforcement of Chiropractic Statutes. | | |
| **A.1.1. Strategy:** LICENSING SYSTEM | $ 125,932 | $ 125,932 |
| Operate a Comprehensive Licensing System for Chiropractors. | | |
| **A.1.2. Strategy:** TEXASONLINE | $ 29,850 | $ 29,850 |
| TexasOnline. Estimated and Nontransferable. | | |

| | | |
|---|---|---|
| **A.2.1. Strategy:** ENFORCEMENT<br>Provide a System to Investigate and Resolve Complaints. | $ 259,758 | $ 259,758 |
| **Total, Goal A:** ENSURE PUBLIC PROTECTION | $ 415,540 | $ 415,540 |
| **B. Goal:** INDIRECT ADMINISTRATION | | |
| **B.1.1. Strategy:** LICENSING INDIRECT ADMINISTRATION<br>Indirect Administration for Licensing system. | $ 135,546 | $ 135,546 |
| **B.1.2. Strategy:** ENFORCEMENT INDIRECT ADMINISTRATION<br>Indirect Administration for Enforcement. | $ 60,453 | $ 60,453 |
| **Total, Goal B:** INDIRECT ADMINISTRATION | $ 195,999 | $ 195,999 |
| **Grand Total,** BOARD OF CHIROPRACTIC EXAMINERS | $ 611,539 | $ 611,539 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 498,825 | $ 498,825 |
| Other Personnel Costs | 14,480 | 14,480 |
| Professional Fees and Services | 5,375 | 5,375 |
| Consumable Supplies | 5,125 | 5,125 |
| Travel | 12,000 | 12,000 |
| Rent - Building | 3,025 | 3,025 |
| Other Operating Expense | 72,709 | 72,709 |
| **Total, Object-of-Expense Informational Listing** | $ 611,539 | $ 611,539 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 27,876 | $ 28,015 |
| Group Insurance | 56,701 | 56,965 |
| Social Security | 37,279 | 37,466 |
| Benefits Replacement | 912 | 853 |
| Subtotal, Employee Benefits | $ 122,768 | $ 123,299 |
| Debt Service | | |
| Lease Payments | $ 3,886 | $ 1,974 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 126,654 | $ 125,273 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Board of Chiropractic Examiners. 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 Board of Chiropractic Examiners. In order to achieve the objectives and service standards established by this Act, the Board of Chiropractic Examiners shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** ENSURE PUBLIC PROTECTION | | |
| **Outcome (Results/Impact):** | | |
| Percent of Licensees with No Recent Violations | 97% | 97% |
| Percent of Licensees Who Renew Online | 90% | 90% |
| Percent of Complaints Resulting in Disciplinary Action | 25% | 25% |
| **A.1.1. Strategy:** LICENSING SYSTEM | | |
| **Output (Volume):** | | |
| Number of Individuals Examined | 315 | 315 |
| Number of New Licenses Issued to Individuals | 280 | 280 |
| Number of Licenses Renewed (Individuals) | 6,150 | 6,250 |
| **Explanatory:** | | |
| Total Number of Business Facilities Licensed | 3,750 | 3,900 |
| **A.2.1. Strategy:** ENFORCEMENT | | |
| **Output (Volume):** | | |
| Number of Complaints Resolved | 250 | 250 |

| | | |
|---|---|---|
| **Efficiencies:** | | |
| Average Time Per Complaint Resolution (Days) | 360 | 360 |
| **Explanatory:** | | |
| Number of Jurisdictional Complaints Received | 250 | 250 |

2. **Reimbursement of Advisory Committee Members for Travel Expenses.** Pursuant to Government Code §2110.004, reimbursement of expenses for advisory committee members, out of funds appropriated above, is limited to the following advisory committees: Executive Peer Review Committee, Local Peer Review Committee(s), and the TBCE Acupuncture Advisory Committee.

3. **Contingent Revenue.** Out of the amounts appropriated above to the Board of Chiropractic Examiners in Strategy A.1.1, Licensing System, the amounts of $57,154 in fiscal year 2012 and $57,154 in fiscal year 2013 in General Revenue are contingent upon the Board of Chiropractic Examiners assessing or increasing fees sufficient to generate, during the 2012-13 biennium, $146,154 in excess of $2,630,000 (Object Code 3562), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2012 and 2013. Also, the "Number of Full-Time-Equivalents (FTE)" figure above includes 2.0 FTEs in each fiscal year contingent upon the Comptroller's certification of increased revenue indicated above. The Board of Chiropractic Examiners, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Board of Chiropractic Examiners' minutes and other information supporting the estimated revenues to be generated for the 2012-13 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes. For informational purposes, the amount of increased revenue identified above reflects amounts sufficient to cover direct appropriations of $114,308 and other direct and indirect costs (estimated to be $31,846 for the 2012-13 biennium).

## TEXAS STATE BOARD OF DENTAL EXAMINERS

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 2,069,954 | $ 2,072,865 |
| Appropriated Receipts | 128,047 | 128,047 |
| **Total, Method of Financing** | $ 2,198,001 | $ 2,200,912 |
| **Other Direct and Indirect Costs Appropriated Elsewhere in this Act** | $ 533,302 | $ 551,653 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 36.0 | 36.0 |
| **Schedule of Exempt Positions:** | | |
| Executive Director, Group 2 | $82,500 | $82,500 |
| **Items of Appropriation:** | | |
| **A. Goal:** QUALITY DENTAL CARE | | |
| To Ensure Quality Dental Care for the People of Texas. | | |
| **A.1.1. Strategy:** COMPLAINT RESOLUTION | $ 1,326,643 | $ 1,329,446 |
| Provide a System to Investigate and Resolve Complaints. | | |
| **A.1.2. Strategy:** PEER ASSISTANCE PROGRAM | $ 124,250 | $ 124,250 |
| Provide a Peer Assistance Program for Licensed Individuals. | | |
| **A.2.1. Strategy:** LICENSURE & REGISTRATION | $ 455,705 | $ 455,753 |
| Conduct an Efficient Licensure Process. | | |

| | | |
|---|---|---|
| **A.2.2. Strategy:** TEXASONLINE<br>TexasOnline. Estimated and Nontransferable. | $ 184,629 | $ 184,629 |
| **Total, Goal A:** QUALITY DENTAL CARE | $ 2,091,227 | $ 2,094,078 |
| **B. Goal:** INDIRECT ADMINISTRATION | | |
| **B.1.1. Strategy:** INDIRECT ADMIN - LICENSURE<br>Indirect Administration - Licensure and Registration. | $ 34,140 | $ 34,140 |
| **B.1.2. Strategy:** IND ADMIN - COMPLAINT RESOLUTION<br>Indirect Administration - Complaint Resolution. | $ 72,634 | $ 72,694 |
| **Total, Goal B:** INDIRECT ADMINISTRATION | $ 106,774 | $ 106,834 |
| **Grand Total,** TEXAS STATE BOARD OF DENTAL EXAMINERS | $ 2,198,001 | $ 2,200,912 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 1,542,536 | $ 1,542,535 |
| Other Personnel Costs | 23,580 | 26,900 |
| Professional Fees and Services | 160,547 | 160,547 |
| Consumable Supplies | 24,500 | 24,500 |
| Utilities | 12,195 | 12,195 |
| Travel | 63,000 | 64,000 |
| Rent - Building | 1,675 | 1,675 |
| Other Operating Expense | 369,968 | 368,560 |
| **Total, Object-of-Expense Informational Listing** | $ 2,198,001 | $ 2,200,912 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 77,747 | $ 78,135 |
| Group Insurance | 216,936 | 219,872 |
| Social Security | 109,385 | 109,931 |
| Benefits Replacement | 3,594 | 3,360 |
| Subtotal, Employee Benefits | $ 407,662 | $ 411,298 |
| Debt Service | | |
| Lease Payments | $ 13,877 | $ 7,048 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 421,539 | $ 418,346 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas State Board of Dental Examiners. 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 Texas State Board of Dental Examiners. In order to achieve the objectives and service standards established by this Act, the Texas State Board of Dental Examiners shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** QUALITY DENTAL CARE | | |
| **Outcome (Results/Impact):** | | |
| Percent of Complaints Resulting in Disciplinary Action | 15% | 14% |
| Percent of Licensees with No Recent Violations: Dentist | 99.6% | 99.6% |
| Percent of Licensees Who Renew Online | 95% | 95% |
| Percent of New Individual Licenses Issued Online | 35% | 40% |
| **A.1.1. Strategy:** COMPLAINT RESOLUTION | | |
| **Output (Volume):** | | |
| Number of Complaints Resolved | 720 | 750 |
| **Efficiencies:** | | |
| Average Time for Complaint Resolution (Days) | 270 | 270 |
| Average Time to Resolve Complaints Pending Litigation (Days) | 180 | 180 |

| | | |
|---|---|---|
| **Explanatory:** | | |
| Number of Jurisdictional Complaints Received | 1,000 | 1,000 |
| **A.1.2. Strategy:** PEER ASSISTANCE PROGRAM | | |
| **Output (Volume):** | | |
| Number of Licensed Individuals Participating in a Peer Assistance Program | 70 | 75 |
| **A.2.1. Strategy:** LICENSURE & REGISTRATION | | |
| **Output (Volume):** | | |
| Number of New Licenses Issued to Individuals: Dentists | 550 | 575 |
| Number of Licenses Renewed (Individuals): Dentists | 13,750 | 14,000 |
| Number of New Licenses Issued to Individuals: Dental Hygienists | 500 | 500 |
| Number of Licenses Renewed (Individuals): Dental Hygienists | 11,350 | 11,600 |
| **Explanatory:** | | |
| Total Number of Business Facilities Licensed | 1,060 | 1,060 |

## FUNERAL SERVICE COMMISSION

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 675,214 | $ 675,213 |
| Appropriated Receipts | 58,000 | 58,000 |
| **Total, Method of Financing** | $ 733,214 | $ 733,213 |
| **Other Direct and Indirect Costs Appropriated Elsewhere in this Act** | $ 173,468 | $ 178,304 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 12.0 | 12.0 |
| **Schedule of Exempt Positions:** | | |
| Executive Director, Group 1 | $70,000 | $70,000 |
| **Items of Appropriation:** | | |
| **A. Goal:** COMPETENT LICENSEES | | |
| Manage Examination/Licensure to Develop Competent & Ethical Licensees. | | |
| **A.1.1. Strategy:** LICENSING REQUIREMENTS | $ 260,289 | $ 260,529 |
| Issue and Renew Licenses, Monitor Continuing Education. | | |
| **A.1.2. Strategy:** TEXASONLINE | $ 39,000 | $ 39,000 |
| TexasOnline. Estimated and Nontransferable. | | |
| **Total, Goal A:** COMPETENT LICENSEES | $ 299,289 | $ 299,529 |
| **B. Goal:** ENFORCE STANDARDS | | |
| To Aggressively & Effectively Provide Enforcement & Protect the Public. | | |
| **B.1.1. Strategy:** INSPECTIONS | $ 166,301 | $ 166,421 |
| Provide Enforcement through Inspections and Investigations. | | |
| **B.2.1. Strategy:** RULE COMPLIANCE | $ 178,958 | $ 178,477 |
| Review Investigated Complaints & Recommend Disciplinary/Other Action. | | |
| **Total, Goal B:** ENFORCE STANDARDS | $ 345,259 | $ 344,898 |
| **C. Goal:** INDIRECT ADMINISTRATION | | |
| **C.1.1. Strategy:** INDIRECT ADMIN-LICENSING | $ 44,858 | $ 44,978 |
| Indirect Administration - Licensing Requirements. | | |

| | | |
|---|---|---|
| **C.1.2. Strategy:** INDIRECT ADMIN - INSPECTIONS<br>Indirect Administration - Inspections. | $ 25,188 | $ 25,188 |
| **C.1.3. Strategy:** INDIRECT ADMIN - RULE COMPLIANCE<br>Indirect Administration - Rule Compliance. | $ 18,620 | $ 18,620 |
| **Total, Goal C:** INDIRECT ADMINISTRATION | $ 88,666 | $ 88,786 |
| **Grand Total,** FUNERAL SERVICE COMMISSION | $ 733,214 | $ 733,213 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 501,225 | $ 501,225 |
| Other Personnel Costs | 16,920 | 17,520 |
| Professional Fees and Services | 27,758 | 27,758 |
| Consumable Supplies | 12,935 | 12,334 |
| Utilities | 5,100 | 5,100 |
| Travel | 25,000 | 25,000 |
| Rent - Building | 250 | 250 |
| Rent - Machine and Other | 3,300 | 3,300 |
| Other Operating Expense | 140,726 | 140,726 |
| **Total, Object-of-Expense Informational Listing** | $ 733,214 | $ 733,213 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 30,315 | $ 30,467 |
| Group Insurance | 70,427 | 70,691 |
| Social Security | 37,288 | 37,474 |
| Subtotal, Employee Benefits | $ 138,030 | $ 138,632 |
| Debt Service | | |
| Lease Payments | $ 5,692 | $ 2,891 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 143,722 | $ 141,523 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Funeral Service 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 Funeral Service Commission. In order to achieve the objectives and service standards established by this Act, the Funeral Service Commission shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** COMPETENT LICENSEES | | |
| **Outcome (Results/Impact):** | | |
| Percent of Licensees with No Recent Violations | 96% | 96% |
| Percent of Licensees Who Renew Online | 85% | 85% |
| **A.1.1. Strategy:** LICENSING REQUIREMENTS | | |
| **Output (Volume):** | | |
| Number of New Licenses Issued to Individuals | 340 | 340 |
| Number of Individual Licenses Renewed | 2,400 | 2,400 |
| Number of New Licenses Issued to Facilities | 100 | 100 |
| Number of Facility Licenses Renewed | 1,400 | 1,400 |
| **Explanatory:** | | |
| Total Number of Individuals Licensed | 4,400 | 4,500 |
| Total Number of Facilities Licensed | 1,475 | 1,475 |
| **B. Goal:** ENFORCE STANDARDS | | |
| **Outcome (Results/Impact):** | | |
| Percent of Complaints Resolved within Six Months | 75% | 75% |
| Percent of Complaints Resulting in Disciplinary Action | 25% | 25% |
| **B.1.1. Strategy:** INSPECTIONS | | |
| **Output (Volume):** | | |
| Number of Complaints Resolved | 240 | 240 |
| Number of Establishments Inspected | 1,300 | 1,300 |
| Number of Complaints Pending | 80 | 80 |

## FUNERAL SERVICE COMMISSION
(Continued)

| | | |
|---|---|---|
| **Efficiencies:** | | |
| Average Time for Complaint Resolution (Days) | 150 | 150 |
| **Explanatory:** | | |
| Number of Jurisdictional Complaints Received | 230 | 230 |

## BOARD OF PROFESSIONAL GEOSCIENTISTS

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 584,080 | $ 584,583 |
| **Total, Method of Financing** | $ 584,080 | $ 584,583 |
| **Other Direct and Indirect Costs Appropriated Elsewhere in this Act** | $ 109,686 | $ 113,215 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 8.0 | 8.0 |
| **Schedule of Exempt Positions:** | | |
| Executive Director, Group 1 | $70,000 | $70,000 |
| **Items of Appropriation:** | | |
| **A. Goal:** LICENSING | | |
| Assure Geoscience is Practiced Only by Qualified/Registered Licensees. | | |
| **A.1.1. Strategy:** APPLICATION REVIEW | $ 117,751 | $ 118,751 |
| Evaluate Applications and Ensure Proper Examination. | | |
| **A.1.2. Strategy:** TEXASONLINE | $ 30,000 | $ 30,000 |
| TexasOnline. Estimated and Nontransferable. | | |
| **A.1.3. Strategy:** INFORMATIONAL SERVICES | $ 154,271 | $ 154,271 |
| Maintain Current Registry and Provide Timely Information. | | |
| **Total, Goal A:** LICENSING | $ 302,022 | $ 303,022 |
| **B. Goal:** ENFORCEMENT | | |
| Ensure Effective Enforcement of TX Geoscience Practice Act. | | |
| **B.1.1. Strategy:** ENFORCEMENT | $ 232,635 | $ 233,138 |
| Investigate & Reach Final Resolution of Reported Violations. | | |
| **C. Goal:** INDIRECT ADMINISTRATION | | |
| **C.1.1. Strategy:** INDIRECT ADMIN | $ 23,143 | $ 22,143 |
| Indirect Administration - Licensing. | | |
| **C.1.2. Strategy:** INDIRECT ADMIN | $ 26,280 | $ 26,280 |
| Indirect Administration - Enforcement. | | |
| **Total, Goal C:** INDIRECT ADMINISTRATION | $ 49,423 | $ 48,423 |
| **Grand Total,** BOARD OF PROFESSIONAL GEOSCIENTISTS | $ 584,080 | $ 584,583 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 364,211 | $ 364,211 |
| Other Personnel Costs | 10,080 | 10,940 |
| Professional Fees and Services | 62,032 | 59,000 |
| Consumable Supplies | 9,025 | 9,025 |
| Travel | 24,500 | 24,500 |
| Rent - Building | 1,200 | 1,200 |

| | | |
|---|---|---|
| Rent - Machine and Other | 500 | 500 |
| Other Operating Expense | 112,532 | 115,207 |
| **Total, Object-of-Expense Informational Listing** | $ 584,080 | $ 584,583 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 16,208 | $ 16,290 |
| Group Insurance | 28,724 | 28,724 |
| Social Security | 21,800 | 21,909 |
| Benefits Replacement | 1,580 | 1,478 |
| Subtotal, Employee Benefits | $ 68,312 | $ 68,401 |
| Debt Service | | |
| Lease Payments | $ 2,308 | $ 1,172 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 70,620 | $ 69,573 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Board of Professional Geoscientists. 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 Board of Professional Geoscientists. In order to achieve the objectives and service standards established by this Act, the Board of Professional Geoscientists shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** LICENSING | | |
| **Outcome (Results/Impact):** | | |
| Percent of Licensees with No Recent Violations | 99% | 98% |
| Percent of Licensees Who Renew Online | 87% | 87% |
| **A.1.1. Strategy:** APPLICATION REVIEW | | |
| **Output (Volume):** | | |
| Number of New Licenses Issued to Individuals | 62 | 62 |
| **Efficiencies:** | | |
| Percentage of New Individual Licenses Issued within 10 Days | 100% | 100% |
| Percentage of Individual License Renewals Issued within 7 Days | 100% | 100% |
| **Explanatory:** | | |
| Total Number of Individuals Licensed | 5,000 | 5,000 |
| **B. Goal:** ENFORCEMENT | | |
| **Outcome (Results/Impact):** | | |
| Percent of Complaints Resulting in Disciplinary Action | 25% | 25% |
| Percent of Documented Complaints Resolved within Six Months | 90% | 90% |
| **B.1.1. Strategy:** ENFORCEMENT | | |
| **Output (Volume):** | | |
| Complaints Resolved | 38 | 38 |
| Number of Compliance Orders Issued | 400 | 400 |
| Number of Disciplinary Actions Taken | 9.5 | 9.5 |
| **Efficiencies:** | | |
| Average Time for Complaint Resolution (Days) | 180 | 180 |
| **Explanatory:** | | |
| Jurisdictional Complaints Received | 20 | 20 |

# HEALTH PROFESSIONS COUNCIL

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| Interagency Contracts | $ 862,585 | $ 856,246 |
| **Total, Method of Financing** | $ 862,585 | $ 856,246 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 5.0 | 5.0 |
| **Items of Appropriation:** | | |
| **A. Goal:** COORDINATION AND SUPPORT | | |
| **A.1.1. Strategy:** AGENCY COORDINATION AND SUPPORT Member Agency Coordination and Support. | $ 862,585 | $ 856,246 |
| **Grand Total,** HEALTH PROFESSIONS COUNCIL | $ 862,585 | $ 856,246 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 289,785 | $ 289,773 |
| Other Personnel Costs | 5,200 | 5,200 |
| Professional Fees and Services | 105,943 | 100,752 |
| Consumable Supplies | 3,500 | 3,500 |
| Utilities | 5,000 | 5,000 |
| Rent - Machine and Other | 18,540 | 18,540 |
| Other Operating Expense | 434,617 | 433,481 |
| **Total, Object-of-Expense Informational Listing** | $ 862,585 | $ 856,246 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 15,749 | $ 15,828 |
| Group Insurance | 34,324 | 34,324 |
| Social Security | 21,123 | 21,229 |
| Subtotal, Employee Benefits | $ 71,196 | $ 71,381 |
| Debt Service | | |
| Lease Payments | $ 3,205 | $ 1,628 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 74,401 | $ 73,009 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Health Professions Council. 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 Health Professions Council. In order to achieve the objectives and service standards established by this Act, the Health Professions Council shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** COORDINATION AND SUPPORT | | |
| **Outcome (Results/Impact):** | | |
| Number of Events Attended by a HPC Staff Member on Behalf of HPC Member Agencies | 12 | 12 |
| Number of People Who Attend an HPC Sponsored Training Session | 50 | 50 |

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 a "(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. Upon approval from the Legislative Budget Board, capital budgeted funds listed below under "Acquisition of Information Resource Technologies" may be used to lease information resources hardware and/or software, if determined by agency management to be in the best interest of the State of Texas.

| | 2012 | 2013 |
|---|---|---|
| a. Acquisition of Information Resource Technologies | | |
| (1) Health Professions Council Shared Regulatory Database Migration | $ 627,077 | $ 622,054 |
| (2) Data Center Consolidation (for Shared Regulatory Database Migration) | $ 60,668 | $ 59,352 |
| Total, Acquisition of Information Resource Technologies | $ 687,745 | $ 681,406 |
| Total, Capital Budget | $ 687,745 | $ 681,406 |
| Method of Financing (Capital Budget): | | |
| Interagency Contracts | $ 687,745 | $ 681,406 |
| Total, Method of Financing | $ 687,745 | $ 681,406 |

## OFFICE OF INJURED EMPLOYEE COUNSEL

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| GR Dedicated - Texas Department of Insurance Operating Fund Account No. 036 | $ 7,769,542 | $ 7,769,542 |
| **Total, Method of Financing** | $ 7,769,542 | $ 7,769,542 |
| **Other Direct and Indirect Costs Appropriated Elsewhere in this Act** | $ 2,372,520 | $ 2,487,489 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 175.0 | 175.0 |
| **Schedule of Exempt Positions:** | | |
| Public Counsel, Group 3 | $115,500 | $115,500 |
| **Items of Appropriation:** | | |
| **A. Goal:** OMBUDSMAN PROGRAM | | |
| Assist Individual Injured Employees through the Ombudsman Program. | | |
| **A.1.1. Strategy:** OMBUDSMAN PROGRAM Assist Unrepresented Injured Employees in Dispute Resolution. | $ 4,491,646 | $ 4,491,646 |
| **B. Goal:** EDUCATION AND REFERRAL | | |
| Increase Injured Employee Education and Provide Referrals. | | |
| **B.1.1. Strategy:** RIGHTS RESPONSIBILITIES & REFERRAL Assist Injured Employees & Provide Referrals to Programs & Services. | $ 1,437,560 | $ 1,437,560 |

| | | |
|---|---|---|
| **C. Goal:** ADVOCATE FOR INJURED EMPLOYEES | | |
| Advocate for Injured Employees As a Class. | | |
| **C.1.1. Strategy:** ADVOCATE FOR INJURED EMPLOYEES | $ 1,840,336 | $ 1,840,336 |
| **Grand Total,** OFFICE OF INJURED EMPLOYEE COUNSEL | $ 7,769,542 | $ 7,769,542 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 6,978,316 | $ 6,978,316 |
| Other Personnel Costs | 245,421 | 245,421 |
| Professional Fees and Services | 62,705 | 62,705 |
| Utilities | 17,129 | 17,129 |
| Travel | 239,900 | 239,900 |
| Other Operating Expense | 226,071 | 226,071 |
| **Total, Object-of-Expense Informational Listing** | $ 7,769,542 | $ 7,769,542 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 402,479 | $ 404,492 |
| Group Insurance | 1,009,026 | 1,010,898 |
| Social Security | 521,180 | 523,786 |
| Benefits Replacement | 54,143 | 50,624 |
| Subtotal, Employee Benefits | $ 1,986,828 | $ 1,989,800 |
| Debt Service | | |
| Lease Payments | $ 143,222 | $ 142,371 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 2,130,050 | $ 2,132,171 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Office of Injured Employee Counsel. 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 Office of Injured Employee Counsel. In order to achieve the objectives and service standards established by this Act, the Office of Injured Employee Counsel shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** OMBUDSMAN PROGRAM | | |
| **Outcome (Results/Impact):** | | |
| Percentage of Texas Department of Insurance Administrative Dispute Resolution Proceedings in which an Ombudsman assisted an Unrepresented Injured Employee | 37% | 37% |
| Percentage of Issues Raised at Contested Case Hearings (CCH) where the Injured Employee Prevailed when Assisted by an Ombudsman | 36% | 36% |
| Percentage of Issues Raised on Appeal Where the Injured Employee Prevailed when Assisted by an Ombudsman | 33% | 33% |
| **A.1.1. Strategy:** OMBUDSMAN PROGRAM | | |
| **Output (Volume):** | | |
| Number of Benefit Review Conferences with Ombudsman Assistance | 3,515 | 3,515 |
| Number of Contested Case hearings with Ombudsman Assistance | 1,791 | 1,791 |
| Number of Injured Employees Prepared for an Appeal by an Ombudsman | 522 | 522 |
| **B. Goal:** EDUCATION AND REFERRAL | | |
| **Outcome (Results/Impact):** | | |
| Percentage of Injured Employees Reached About their Rights and Responsibilities in the Workers' Compensation System | 96% | 96% |

| | | |
|---|---|---|
| **B.1.1. Strategy:** RIGHTS RESPONSIBILITIES & REFERRAL | | |
| **Output (Volume):** | | |
| Number of Injured Employees Reached About Their Rights and Responsibilities | 185,000 | 185,000 |
| **Efficiencies:** | | |
| Average Number of Days from the Date of Injury to the Date an Injured Employee is Sent the Notice of Injured Employee Rights and Responsibilities in the Workers' Compensation System | 18 | 18 |
| **C. Goal:** ADVOCATE FOR INJURED EMPLOYEES | | |
| **Outcome (Results/Impact):** | | |
| Percentage of Adopted Workers' Compensation Rules Changed for the Benefit of Injured Employees as a Result of Office of Injured Employee Counsel Participation | 78% | 78% |
| **C.1.1. Strategy:** ADVOCATE FOR INJURED EMPLOYEES | | |
| **Output (Volume):** | | |
| Number of Adopted Workers' Compensation Rules Analyzed by Office of Injured Employee Counsel | 9 | 9 |
| Number of Adopted Workers' Compensation Rules in which the Office of Injured Employee Counsel Participated | 9 | 9 |

2. **Unexpended Balance Authority.** Any unexpended balances as of August 31, 2012, not to exceed 5 percent for any item of appropriation, are hereby appropriated to the Office of Injured Employee Counsel for the same purposes for the fiscal year ending August 31, 2013.

3. **Sunset Contingency.** Funds appropriated above for fiscal year 2013 for the Office of Injured Employee Counsel are made contingent on the continuation of the Office of Injured Employee Counsel by the Eighty-second Legislature. In the event that the agency is not continued, the funds appropriated for fiscal year 2012 or as much thereof as may be necessary are to be used to provide for the phase out of the agency operations.

## DEPARTMENT OF INSURANCE

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | | |
| General Revenue Fund | $ 230,926 | $ 230,926 |
| Insurance Companies Maintenance Tax and Insurance Department Fees | 37,218,618 | 37,218,618 |
| Subtotal, General Revenue Fund | $ 37,449,544 | $ 37,449,544 |
| General Revenue Fund - Dedicated | | |
| Subsequent Injury Account No. 5101 | 4,420,140 | 4,420,140 |
| Texas Department of Insurance Operating Fund Account No. 036 | 59,471,172 | 57,371,171 |
| GR Dedicated - Fire Prevention and Public Safety Account No. 5138 | 100,000 | 100,000 |
| Subtotal, General Revenue Fund - Dedicated | $ 63,991,312 | $ 61,891,311 |
| Federal Funds | 2,266,721 | 2,266,721 |
| Other Funds | | |
| Appropriated Receipts | 689,116 | 689,116 |
| Interagency Contracts | 5,030,000 | 5,030,000 |
| State Highway Fund No. 006 | 4,225,766 | 4,228,766 |
| Subtotal, Other Funds | $ 9,944,882 | $ 9,947,882 |
| **Total, Method of Financing** | $ 113,652,459 | $ 111,555,458 |
| **Other Direct and Indirect Costs Appropriated Elsewhere in this Act** | $ 28,757,631 | $ 29,967,510 |

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

| | | | | |
|---|---|---|---|---|
| **Number of Full-Time-Equivalents (FTE):** | | 1,679.5 | | 1,679.5 |
| **Number of FTEs in Riders:** | | 1.0 | | 1.0 |
| **Schedule of Exempt Positions:** | | | | |
| Commissioner of Insurance, Group 6 | | $175,000 | | $175,000 |
| Commissioner of Workers' Compensation, Group 5 | | 140,000 | | 140,000 |
| **Items of Appropriation:** | | | | |
| **A. Goal:** ACCESS TO AFFORDABLE INSURANCE<br>Promote Consumer Access to Affordable Insur Products W/in a Fair Mrkt. | | | | |
| **A.1.1. Strategy:** CONSUMER EDUCATION AND OUTREACH<br>Educate Consumers and Industry by Providing Outreach and Information. | $ | 7,456,054 | $ | 7,459,054 |
| **A.2.1. Strategy:** RESOLVE COMPLAINTS<br>Respond Promptly and Act on Complaints. | $ | 2,887,672 | $ | 2,887,672 |
| **A.2.2. Strategy:** INVESTIGATION AND ENFORCEMENT<br>Investigate Trade Practices and Bring Enforcement Actions as Needed. | $ | 2,938,746 | $ | 2,938,746 |
| **A.2.3. Strategy:** INSURER FRAUD<br>Investigate Insurer Fraud and Refer Violations for Prosecution. | $ | 1,386,767 | $ | 1,386,767 |
| **A.3.1. Strategy:** PROCESS RATES, FORMS & LICENSES<br>Process Rates, Forms & Licenses Promptly. | $ | 10,983,746 | $ | 10,983,746 |
| **A.3.2. Strategy:** PROMOTE UNDERSERVED COVERAGE<br>Promote Coverage in Underserved Markets. | $ | 205,324 | $ | 205,324 |
| **A.3.3. Strategy:** TEXAS ONLINE<br>Support Texas Online. | $ | 380,000 | $ | 380,000 |
| **A.3.4. Strategy:** CERTIFY SELF-INSURANCE<br>Regulate Private Employers that Qualify to Self-Ins w/in the WC System. | $ | 623,891 | $ | 623,891 |
| **A.4.1. Strategy:** LONG-TERM CARE<br>Support the State's Long-term Care Partnership Initiatives. | $ | 147,463 | $ | 147,463 |
| **A.4.2. Strategy:** THREE-SHARE PROGRAMS<br>Administer Three-Share Grant Program. | $ | 444,875 | $ | 444,875 |
| **A.4.3. Strategy:** HEALTHY TEXAS<br>Promote the Healthy Texas program. | $ | 4,975,000 | $ | 4,975,000 |
| **Total, Goal A:** ACCESS TO AFFORDABLE INSURANCE | $ | 32,429,538 | $ | 32,432,538 |
| **B. Goal:** PROMOTE INSURER FINANCIAL STRENGTH<br>Promote Financial Strength of Ins. Industry & Reduce Undue Loss Cost. | | | | |
| **B.1.1. Strategy:** INSURERS FINANCIAL CONDITION<br>Analyze the Financial Condition of Insurers and Take Solvency Action. | $ | 12,055,894 | $ | 12,055,894 |
| **B.2.1. Strategy:** LOSS CONTROL PROGRAMS<br>Inspect Loss Control Programs and Assure Code and Schedule Compliance. | $ | 2,668,455 | $ | 2,668,455 |
| **B.2.2. Strategy:** PROVIDER AND CONSUMER FRAUD<br>Investigate Provider/Consumer Fraud & Refer Violations for Prosecution. | $ | 1,356,387 | $ | 1,356,387 |
| **B.2.3. Strategy:** WORKERS' COMPENSATION FRAUD<br>Investigate Workers' Comp Fraud & Refer Violations for Prosecution. | $ | 258,767 | $ | 258,767 |
| **Total, Goal B:** PROMOTE INSURER FINANCIAL STRENGTH | $ | 16,339,503 | $ | 16,339,503 |
| **C. Goal:** REDUCE LOSSES DUE TO FIRE<br>Reduce Loss of Life & Property Due to Fire. | | | | |
| **C.1.1. Strategy:** FIRE PROTECTION<br>Provide Fire Protection through Education, Enforcement and Engineering. | $ | 4,242,578 | $ | 4,242,578 |

| | | | | |
|---|---|---|---|---|
| **D. Goal:** REGULATE WORKERS' COMP SYSTEM<br>Effectively Regulate the Texas Workers' Compensation System. | | | | |
| **D.1.1. Strategy:** OVERSIGHT AND ENFORCEMENT<br>Oversee Activities of System Participants and Take Enforcement Action. | $ | 4,769,055 | $ | 4,769,055 |
| **D.1.2. Strategy:** DISPUTE RESOLUTION<br>Resolve Indemnity, Medical Fee and Medical Necessity Disputes. | $ | 15,796,382 | $ | 13,696,382 |
| **D.1.3. Strategy:** SUBSEQUENT INJURY FUND ADMIN<br>Administer Subsequent Injury Fund. | $ | 4,495,843 | $ | 4,495,843 |
| **D.2.1. Strategy:** HEALTH AND SAFETY SERVICES<br>Provide Educational Services/WPS Consultations to System Participants. | $ | 4,002,892 | $ | 4,002,892 |
| **D.2.2. Strategy:** CUSTOMER SERVICE & RECORDS ADMIN<br>Provide Customer Assistance & Records Admin for System Participants. | $ | 5,091,476 | $ | 5,091,476 |
| **Total, Goal D:** REGULATE WORKERS' COMP SYSTEM | $ | 34,155,648 | $ | 32,055,648 |
| **E. Goal:** INDIRECT ADMINISTRATION | | | | |
| **E.1.1. Strategy:** CENTRAL ADMINISTRATION | $ | 9,941,128 | $ | 9,941,127 |
| **E.1.2. Strategy:** INFORMATION RESOURCES | $ | 11,026,738 | $ | 11,026,738 |
| **E.1.3. Strategy:** OTHER SUPPORT SERVICES | $ | 3,317,326 | $ | 3,317,326 |
| **Total, Goal E:** INDIRECT ADMINISTRATION | $ | 24,285,192 | $ | 24,285,191 |
| **F. Goal:** REGULATORY RESPONSE | | | | |
| **F.1.1. Strategy:** CONTINGENCY REGULATORY RESPONSE | $ | 2,200,000 | $ | 2,200,000 |
| **Grand Total,** DEPARTMENT OF INSURANCE | $ | 113,652,459 | $ | 111,555,458 |
| **Supplemental Appropriations Made in Riders:** | $ | 350,000 | $ | 550,000 |
| **Object-of-Expense Informational Listing:** | | | | |
| Salaries and Wages | $ | 76,088,981 | $ | 76,088,981 |
| Other Personnel Costs | | 2,433,978 | | 2,433,978 |
| Professional Fees and Services | | 9,037,473 | | 6,937,473 |
| Fuels and Lubricants | | 117,460 | | 117,460 |
| Consumable Supplies | | 619,516 | | 619,515 |
| Utilities | | 1,044,978 | | 1,044,978 |
| Travel | | 2,273,423 | | 2,273,423 |
| Rent - Building | | 3,571,128 | | 3,571,128 |
| Rent - Machine and Other | | 727,682 | | 727,682 |
| Other Operating Expense | | 17,267,883 | | 17,270,883 |
| Client Services | | 10,000 | | 10,000 |
| Grants | | 695,125 | | 895,125 |
| Capital Expenditures | | 114,832 | | 114,832 |
| **Total, Object-of-Expense Informational Listing** | $ | 114,002,459 | $ | 112,105,458 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | | | |
| Employee Benefits | | | | |
| Retirement | $ | 4,640,873 | $ | 4,664,077 |
| Group Insurance | | 14,004,785 | | 14,233,596 |
| Social Security | | 6,089,746 | | 6,120,195 |
| Benefits Replacement | | 535,662 | | 500,844 |
| Subtotal, Employee Benefits | $ | 25,271,066 | $ | 25,518,712 |
| Debt Service | | | | |
| Lease Payments | $ | 503,597 | $ | 255,406 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ | 25,774,663 | $ | 25,774,118 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Department of Insurance. 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 Insurance. In order to achieve the objectives and service standards established by this Act, the Department of Insurance shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** ACCESS TO AFFORDABLE INSURANCE | | |
| **Outcome (Results/Impact):** | | |
| Percent of Agent License Filings Completed within 15 Days | 96% | 96% |
| Percent of Statutory Rate and Form Filings Completed within 90 Days | 87% | 87% |
| Percent of Personal Auto and Residential Property Form Filings Completed in 60 Days | 95% | 95% |
| Percent of Registered Passenger Vehicles in Underserved Markets with Personal or Commercial Automobile Liability Insurance | 75% | 75% |
| Percent of Licensees Who Renew Online | 82% | 82% |
| **A.1.1. Strategy:** CONSUMER EDUCATION AND OUTREACH | | |
| **Output (Volume):** | | |
| Number of Inquiries Answered | 650,000 | 650,000 |
| Number of Consumer Information Publications Distributed | 5,500,000 | 5,500,000 |
| **A.2.1. Strategy:** RESOLVE COMPLAINTS | | |
| **Output (Volume):** | | |
| Number of Complaints Resolved | 23,350 | 23,350 |
| **Efficiencies:** | | |
| Average Response Time (in Days) to Complaints | 29 | 29 |
| **A.2.3. Strategy:** INSURER FRAUD | | |
| **Output (Volume):** | | |
| Number of Referrals of Alleged Insurer Fraud to State and Federal Prosecutors | 62 | 62 |
| **B. Goal:** PROMOTE INSURER FINANCIAL STRENGTH | | |
| **Outcome (Results/Impact):** | | |
| Percent of Statutorily Mandated Examinations Completed within 18 Months | 90% | 91% |
| Percent of Total Dollars Collected by Special Deputy Receivers Expended on Asset Administration | 15% | 15% |
| Average Number of Days from Company "At Risk" Identification to the Date of Solvency-related Regulatory Action | 21 | 21 |
| Percent of Companies Rehabilitated after TDI Solvency-Related Intervention | 18% | 18% |
| Percent of Commercial Property Inspections That Meet Filed Rating Schedule Requirements | 85% | 85% |
| **B.1.1. Strategy:** INSURERS FINANCIAL CONDITION | | |
| **Output (Volume):** | | |
| Number of Entities Receiving TDI Solvency-related Intervention | 10 | 10 |
| Number of On-site Examinations Conducted | 130 | 130 |
| **Efficiencies:** | | |
| Average Cost Per Examination | 38,000 | 38,000 |
| **Explanatory:** | | |
| Dollar Amount (in Millions) of Insurance Company Insolvencies | 50 | 50 |
| **B.2.1. Strategy:** LOSS CONTROL PROGRAMS | | |
| **Output (Volume):** | | |
| Number of Windstorm Inspections Completed | 11,500 | 11,500 |
| Number of Inspections of Insurer Loss Control Programs Completed | 200 | 200 |
| Number of Commercial Property Oversight Inspections Completed | 1,160 | 1,160 |
| **Efficiencies:** | | |
| Average Cost Per Windstorm Inspection | 50 | 50 |
| **B.2.2. Strategy:** PROVIDER AND CONSUMER FRAUD | | |
| **Output (Volume):** | | |
| Number of Referrals of Alleged Consumer and Provider Fraud to State or Federal Prosecutors | 110 | 110 |
| **C. Goal:** REDUCE LOSSES DUE TO FIRE | | |
| **Outcome (Results/Impact):** | | |
| Percent of Registrations, Licenses, and Permits issued after Receipt of a Completed Application, within 20 | | |

| | | |
|---|---|---|
| Days Fire Alarm, Fire Extinguisher, Fire Sprinkler, and Fireworks Firms, Individuals, and Other Regulated Entities | 99% | 99% |
| **C.1.1. Strategy:** FIRE PROTECTION | | |
| **Output (Volume):** | | |
| Number of Fire Investigations Completed | 507 | 507 |
| Number of Registrations, Licenses, and Permits Issued to Fire Alarm, Fire Extinguisher, Fire Sprinkler and Fireworks Firms, Individuals Other Regulated Entites | 11,700 | 11,700 |
| **D. Goal:** REGULATE WORKERS' COMP SYSTEM | | |
| **Outcome (Results/Impact):** | | |
| Percent of Medical Bills Processed Timely | 95% | 95% |
| Percentage of Med Fee Disputes Resolved by Dispute Resolution Proceedings or Upheld Upon Appeal | 90% | 90% |
| Payments from the Subsequent Injury Fund | 6,234,220 | 6,962,804 |
| Percent of Temporary Income Benefits Recipients Returning to Work Within 90 Days of Injury | 54% | 54% |
| **D.1.1. Strategy:** OVERSIGHT AND ENFORCEMENT | | |
| **Output (Volume):** | | |
| Number of Quality of Care Reviews of Health Care Providers, Insurance Carriers Utilization Review Agents, and Independent Review Organizations Completed | 97 | 97 |
| Number of Complaints Closed Involving Workers' Compensation System Participants | 6,640 | 6,640 |
| **Efficiencies:** | | |
| Average Number of Days to Complete Quality of Care Reviews of Health Care Providers, Insurance Carriers, Utilization Review Agents and Independent Review Organizations | 189 | 189 |
| Average Number of Days to Close a Complaint Involving Workers' Compensation System Participants | 132 | 132 |
| **D.1.2. Strategy:** DISPUTE RESOLUTION | | |
| **Efficiencies:** | | |
| Average Number of Days to Resolve a Medical Fee Dispute | 300 | 300 |
| Average Number of Days to Resolve Indemnity Disputes through Resolution Proceedings | 85 | 85 |
| **D.1.3. Strategy:** SUBSEQUENT INJURY FUND ADMIN | | |
| **Output (Volume):** | | |
| Number of Injured Workers Receiving Lifetime Income Benefit Payments through the Subsequent Injury Fund | 42 | 43 |
| **D.2.1. Strategy:** HEALTH AND SAFETY SERVICES | | |
| **Output (Volume):** | | |
| Number of Workplace Safety Consultations and Inspections Provided to Employers | 3,000 | 3,000 |
| Number of Hazards Identified through Workplace Safety Consultations, Inspections, and the Safety Violations Hotline | 7,500 | 7,500 |

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 a "(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. Upon approval from the Legislative Budget Board, capital budgeted funds listed below under "Acquisition of Information Resource Technologies" may be used to lease information resources hardware and/or software, if determined by agency management to be in the best interest of the State of Texas.

| | 2012 | 2013 |
|---|---|---|
| a. Acquisition of Information Resource Technologies | | |
| (1) Data Center Consolidation | $ 3,697,373 | $ 3,678,561 |
| (2) TexasSure Vehicle Insurance Verification | $ 4,225,766 | $ 4,228,766 |
| Total, Acquisition of Information Resource Technologies | $ 7,923,139 | $ 7,907,327 |
| Total, Capital Budget | $ 7,923,139 | $ 7,907,327 |

Method of Financing (Capital Budget):

| | | |
|---|---|---|
| General Revenue Fund | | |
| Insurance Companies Maintenance Tax and Insurance Department Fees | $ 1,336,837 | $ 1,330,035 |
| General Revenue Fund - Dedicated | | |
| Texas Department of Insurance Operating Fund Account No. 036 | 2,360,536 | 2,348,526 |
| Other Funds | | |
| State Highway Fund No. 006 | 4,225,766 | 4,228,766 |
| Total, Method of Financing | $ 7,923,139 | $ 7,907,327 |

3. **Appropriation Source, Rehabilitation of Insurance Companies.** Of the amounts appropriated above, $125,000 each year of the biennium is from fees that the Department of Insurance shall collect from companies that are successfully rehabilitated by the department. Fees collected and appropriated above shall be in amounts sufficient to cover, yet not exceed, costs of rehabilitating those companies. Any such fees collected in excess of $125,000 each year of the biennium are also hereby appropriated for the biennium beginning September 1, 2011, for the sole purpose of the rehabilitation of other insurance companies pursuant to 441.203 of the Texas Insurance Code (estimated to be $0).

4. **State Support for NAIC Activities.** The agency is prohibited from using resources in support of the National Association of Insurance Commissioners in the absence of NAIC accreditation of the Department of Insurance for compliance with NAIC Financial Regulation Standards. The prohibition would be effective immediately upon loss of accreditation. The only exceptions to this prohibition shall be limited to expenditures necessary for (1) continued departmental use of the NAIC database for monitoring financial solvency of companies doing business in Texas; (2) solvency-related training; and (3) efforts to regain accreditation. The prohibition on using resources does not apply in the event that the Commissioner voluntarily determines not to participate in the state insurance department accreditation program.

5. **Liquidation Oversight and Title Examiner Full-Time-Equivalent Positions.** In addition to the "Number of Full-Time-Equivalents (FTE)" positions authorized above, an additional 38.5 FTE positions are authorized for each year of the 2012-13 biennium to support liquidation oversight and title examiner activities. These positions are excluded from the FTE cap.

6. **Appropriations Limited to Revenue Collections.** The application of special provisions limiting appropriations to revenue collections elsewhere in this Article shall be consistent with relevant statutory provisions governing the agency's assessment of tax rates and fees. As provided by the Texas Insurance Code and the Texas Labor Code, the Commissioners shall take into account unexpended funds in the preceding year when adjusting rates of assessment necessary to pay all expenses of regulating insurance and conducting the operations of the State Fire Marshal and the Office of Injured Employee Counsel during the succeeding year.

7. **Travel Cap.** Out of the funds appropriated above, expenditures for out-of-state travel by the Department of Insurance are limited to $597,475 in fiscal year 2012 and $597,475 in fiscal year 2013. Of these amounts, $428,778 in fiscal year 2012 and $428,778 in fiscal year 2013 shall be utilized solely for out-of-state travel for the purpose of financial examinations. Notwithstanding any other provisions in this act, travel expenditures associated with federal programs and paid out of federal funds are exempt from this limitation.

8. **Limit on Estimated Appropriations.** Excluding appropriations for the TexasOnline Authority, the combined appropriation authority from the General Revenue Fund, which includes Insurance Companies Maintenance Tax (Object Code 3203) and Insurance Department Fees (Object Code 3215), and General Revenue Fund-Dedicated-Texas Department of Insurance Operating Fund Account No. Fund 36 shall not exceed $96,666,310 in fiscal year 2012 or $94,766,309 in fiscal year 2013.

9. **State Support for NCOIL Activities.** Funds appropriated above include funds from the General Revenue - Insurance Companies Maintenance Tax, Insurance Department Fees and General Revenue Fund-Dedicated for payment of state dues for the National Conference of Insurance Legislators.

**10. Crash Records Information System.** Included in Strategy D.2.1, Traffic Safety, at the Department of Transportation is $750,000 for fiscal year 2012 and $750,000 for fiscal year 2013 from General Revenue - Insurance Companies Maintenance Tax and Insurance Department Fees for on-going maintenance of the Crash Records Information System.

**11. Increase Consumer Choice.** Out of amounts appropriated above, the Department of Insurance shall contract with the Office of Public Insurance Counsel in the amount of $191,670 each fiscal year from the GR Dedicated-Texas Department of Insurance Operating Fund Account No. 036 to provide consumers with insurance information to make informed decisions.

**12. Consumer Information Report.** The Department of Insurance shall submit a report quarterly to the Legislature and the public no later than the 90th day after the last day of the quarter covered by the report the following information for each insurer that writes property and casaulty insurance, including workers' compensation insurance, in the state: market share, profits and losses, average rate, and average loss ratio. The report shall include the change in rate over the previous 12, 24, and 36 months.

**13. Appropriation of Unexpended Balances.** Any unexpended balances as of August 31, 2012, not to exceed 5 percent for any item of appropriation above, are hereby appropriated for the same purposes, in the same strategies, for the fiscal year beginning September 1, 2012.

**14. Subsequent Injury Fund.** Amounts appropriated above in Strategy D.1.3, Subsequent Injury Fund Administration, include an estimated $4,420,140 in fiscal year 2012 and $4,420,140 in fiscal year 2013 out of the GR Dedicated - Subsequent Injury Account No. 5101 for payment of liabilities pursuant to Labor Code, Chapter 403. In the event that actual liabilities exceed the estimated amounts, the Division of Workers' Compensation shall furnish information supporting the estimated additional liabilities to the Comptroller of Public Accounts. If the Comptroller finds that there are sufficient balances in the GR Dedicated - Subsequent Injury Account No. 5101 to support the payment of projected liabilities, a finding of fact to that effect shall be issued and a contingent appropriation shall be made available for the intended purposes.

**15. Three-Share Premium Assistance Programs.**

a. Amounts appropriated above to the Department of Insurance of $422,375 in fiscal year 2012 and $422,375 in fiscal year 2013 in General Revenue - Insurance Companies Maintenance Tax and Insurance Department Fees in Strategy A.4.2, Three-Share Assistance Programs, and 1.0 Full-Time-Equivalents (FTE) position each fiscal year included above in the "Number of Full-Time-Equivalents (FTE)" is for the purpose of awarding, through a competitive application process, grants to local government entities for the research, planning, development, and continuation of "three-share" premium assistance programs to increase access to private healthcare coverage for the uninsured, and providing technical assistance to grant recipients. The agency shall consider the following factors in selecting recipients of grant funds:

(1) proposals to match grant awards with local funds
(2) percentage of uninsured in the applicable area
(3) existing efforts in pursuing "three-share" premium assistance programs
(4) healthcare use and delivery factors affecting the area's healthcare infrastructure and capacity.

b. In addition to amounts appropriated above, out of funds collected from health insurers for fines, penalties, and sanctions and deposited to General Revenue, the Texas Department of Insurance is appropriated, out of amounts collected in excess of those contained in the Comptroller's Biennial Revenue Estimate (estimated to be $0), an amount not to exceed $1,500,000 in each year of the biennium for the Three Share Premium Assistance Program.

The agency shall report a summary of the grants awarded to local government entities to the Legislative Budget Board and the Governor no later than January 1, 2013.

**16. Division of Workers' Compensation Reporting Requirement.** The Division of Workers' Compensation shall include information collected about on-the-job injuries and occupational diseases, compliance with notice requirements regarding whether employers carry workers' compensation insurance from non-subscribing employers and administrative penalties levied against non-complying employers under the provisions of the Labor Code § 411.032 and Texas Administrative Code, Title 28, Insurance §§ 110.1, 110.101, and 160.2 in its biennial report submitted to the Legislature.

**17. Sunset Contingency.** Funds appropriated above for fiscal year 2013 for the Texas Department of Insurance are made contingent on the continuation of the Texas Department of Insurance by the Eighty-second Legislature. In the event that the agency is not continued, the funds appropriated for fiscal year 2012 or as much thereof as may be necessary are to be used to provide for the phase out of the agency operations.

**18. Contingency for Healthcare Payment and Delivery Reform Pilot Program.** In addition to amounts appropriated above to the Texas Department of Insurance and contingent on enactment of House Bill 3790 or Senate Bill 1811, or similar legislation that would create a Payment and Delivery Reform Advisory Committee to prioritize healthcare cost and quality outcomes and related measurement methodologies for use in public and private payment and delivery reform demonstrations and pilots, by the Eight-second Legislature, Regular Session, the Texas Department of Insurance is appropriated in Strategy A.1.1, Consumer Education and Outreach, $350,000 for fiscal year 2012 and $550,000 for fiscal year 2013 in General Revenue - Insurance Companies Maintenance Tax and Insurance Department Fees. The number of "Full-Time Equivalents (FTE)" is increased by 1.0 FTE in fiscal years 2012-13 for the purpose of supporting the Committee and awarding grants in accordance with the provisions of the bill.

The agency shall develop grant application requirements, process, and award criteria and should report that information to the Legislative Budget Board and the Governor no later than January 1, 2012. The agency shall report a summary of the grants awarded to interested entities to the Legislative Budget Board and the Governor no later than January 1, 2013.

**19. Estimation of Cost Related to an Insurance Exchange.** Out of funds appropriated above to the Texas Department of Insurance, the department shall analyze the cost to the state of maintaining each of the health benefits if required by Texas state statute or rule and if the state will be responsible for paying for such health benefits in a health insurance exchange operating in the state. The department shall report the results of their analysis to the Governor and the Legislative Budget Board not later 90 days after federal rules are finalized or December 31, 2012, whichever is earlier. The report shall include any rationale for and future costs to the state of maintaining any given mandated health benefits.

**20. Self-Leveling Agency Fee Change Notification Requirements.**

a. Upon completion of actions to increase fees to cover an increase in appropriations and other necessary costs, the Texas Department of Insurance shall furnish copies of the agency's minutes and other information supporting the estimated revenues to be generated for the biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the increased appropriations shall be made available for the intended purposes.

b. Upon completion of actions to decrease fees or upon receiving information that actual and/or projected revenue collections will be insufficient to offset appropriations and other necessary costs, the Texas Department of Insurance shall immediately provide notification to the Legislative Budget Board, the Governor, and the Comptroller of Public Accounts. The Comptroller of Public Accounts shall reduce the appropriation authority provided by this Act to be within the amount of revenue expected to be available unless the agency completes actions to increase revenues and receives a finding of fact from the Comptroller of Public Accounts pursuant to the requirements of subsection (a) above.

**21. TexasSure.** Amounts appropriated above in Strategy A.1.1, Consumer Education and Outreach, include $4,225,766 in fiscal year 2012 and $4,228,766 in fiscal year 2013 out of the State Highway Fund No. 006 for the purpose of on-going maintenance of the TexasSure Motor Vehicle Financial Responsibility Verification program from fees collected pursuant to Transportation Code § 502.1715.

**22. Appropriation of Unexpended Balances: Healthy Texas Program.** Any unexpended balances remaining as of August 31, 2011, from the Healthy Texas Small Employer Premium Stabilization Fund, in an amount not to exceed $34,829,000, are appropriated for the same purposes for the fiscal year beginning September 1, 2011. Any unexpended balances remaining as of August 31, 2012, from the Healthy Texas Small Employer Premium Stabilization Fund, in an amount not to exceed $34,829,000, are appropriated for the same purposes for the fiscal year beginning September 1, 2012.

**23. Contingency Appropriation: State Regulatory Response.**

a. Amounts appropriated above to the Department of Insurance not to exceed $1,430,000 in General Revenue-Insurance Companies Maintenance Tax and Insurance Department Fees and $770,000 in General Revenue-Dedicated Fund 36 each year in Strategy F.1.1, Contingency Regulatory Response, and 40.0 Full-Time-Equivalents (FTE) positions each fiscal year included above in the "Number of Full-Time-Equivalents (FTE)" are contingent upon a finding of fact by the Commissioner of Insurance that additional resources are needed by the Department of Insurance due to:

(1) a significant change in insurance regulatory environment, demands for federal healthcare reform implementation, a weather related disaster in the state of Texas, a public health crisis, such as a pandemic, a fire that has been declared as a disaster situation in the State of Texas, and non-weather related disasters.

b. None of the funds appropriated above in Strategy F.1.1, Contingency Regulatory Response, may be expended and none of the 40.0 Full-Time-Equivalents (FTE) positions each fiscal year included above in the "Number of Full-Time-Equivalents (FTE)" may be used by the Department of Insurance unless the Commissioner of Insurance files a finding of fact with the Governor and the Legislative Budget Board and neither the Governor nor the Legislative Budget Board issues a written disapproval not later than:

(1) the 10th day after the date the staff of the Legislative Budget Board concludes its review of the findings of fact and forwards those findings of fact along with the conclusions or comments of the Legislative Budget Board staff to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor; and

(2) within 10 business days of the receipt of the finding of fact by the Governor.

c. The appropriations above in Strategy F.1.1, Contingency Regulatory Response, and 40.0 Full-Time-Equivalents (FTE) positions each fiscal year included above in the "Number of Full-Time-Equivalents (FTE)" are also contingent upon the Department of Insurance maintaining a sufficient fund balance in General Revenue-Dedicated Fund 36 to cover these contingency appropriations and related employee benefits, and providing such information as may be deemed necessary by the Comptroller of Public Accounts to issue a finding of fact that the revenues are/will be available to fund the increased appropriations.

d. Funds appropriated above in Strategy F.1.1, Contingency Regulatory Response, and 40.0 Full-Time-Equivalents (FTE) positions each fiscal year included above in the "Number of Full-Time-Equivalents (FTE)" may only be used to address issues included in the finding of fact submitted to the Governor and the Legislative Budget Board pursuant to subsection (b) above, and apply only to the 2012-2013 biennium unless otherwise appropriated. It is the intent of the Legislature that these funds not be included in base level funding requests for the 2014-2015 biennium.

e. Notwithstanding transfer limits under Section 14.01, Article IX of this Act, at the discretion of the agency, amounts appropriated above may be transferred to another appropriation item in an amount not to exceed $1,430,000 in General Revenue-Insurance Companies Maintenance Tax and Insurance Department Fees and $770,000 in General Revenue-Dedicated Fund 36 each year in Strategy F.1.1, Contingency Regulatory Response.

**24. Fire Safety Cigarette's Penalties.** Out of amounts appropriated above in Strategy C.1.1, Fire Protection, to the Texas Department of Insurance, $100,000 in each year of the biennium from General Revenue - Dedicated Fire Prevention and Public Safety Account No. 5138 is appropriated for purposes of supporting fire safety and prevention programs at the office of the state fire marshal.

**25. Medical Fee Disputes.** Out of the amounts appropriated above to the Department of Insurance, $2,100,000 for fiscal year 2012 in Strategy D.1.2, Dispute Resolution, out of General Revenue - Dedicated Fund 36 is appropriated for the purpose of financing the cost of appeals of medical disputes, including appeals handled at the State Office of Administrative Hearings. Any unexpended balance as of August 31, 2012, is hereby appropriated for the same purpose, for the fiscal year beginning September 1, 2012.

# OFFICE OF PUBLIC INSURANCE COUNSEL

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 841,418 | $ 841,418 |
| Interagency Contracts | 191,670 | 191,670 |
| **Total, Method of Financing** | $ 1,033,088 | $ 1,033,088 |
| **Other Direct and Indirect Costs Appropriated Elsewhere in this Act** | $ 231,469 | $ 235,685 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 15.0 | 15.0 |
| **Schedule of Exempt Positions:** | | |
| Public Counsel, Group 4 | $106,500 | $106,500 |
| **Items of Appropriation:** | | |
| **A. Goal:** ADVOCATE FOR INSURANCE CONSUMERS<br>Advocate for TX Consumers in Rate/Rule/Judicial/Legislative Hearings. | | |
| **A.1.1. Strategy:** PARTICIPATE IN RATE/RULE HEARINGS<br>Participate in Rate, Rulemaking, Judicial, and Legislative Proceedings. | $ 841,418 | $ 841,418 |
| **B. Goal:** INCREASE CONSUMER CHOICE<br>Increase Consumer Choice-Educate Texas Insurance Consumers. | | |
| **B.1.1. Strategy:** INSURANCE INFORMATION<br>Provide Consumers with Information to Make Informed Choices. | $ 191,670 | $ 191,670 |
| **Grand Total,** OFFICE OF PUBLIC INSURANCE COUNSEL | $ 1,033,088 | $ 1,033,088 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 820,630 | $ 820,630 |
| Other Personnel Costs | 39,733 | 39,733 |
| Professional Fees and Services | 81,463 | 81,463 |
| Consumable Supplies | 11,441 | 11,441 |
| Utilities | 2,238 | 2,238 |
| Travel | 9,500 | 9,500 |
| Rent - Building | 291 | 291 |
| Rent - Machine and Other | 8,169 | 8,169 |
| Other Operating Expense | 59,623 | 59,623 |
| **Total, Object-of-Expense Informational Listing** | $ 1,033,088 | $ 1,033,088 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 40,734 | $ 40,938 |
| Group Insurance | 73,346 | 73,346 |
| Social Security | 50,938 | 51,192 |
| Benefits Replacement | 2,736 | 2,558 |
| Subtotal, Employee Benefits | $ 167,754 | $ 168,034 |
| Debt Service | | |
| Lease Payments | $ 12,968 | $ 6,586 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 180,722 | $ 174,620 |

## OFFICE OF PUBLIC INSURANCE COUNSEL
(Continued)

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Office of Public Insurance Counsel. 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 Office of Public Insurance Counsel. In order to achieve the objectives and service standards established by this Act, the Office of Public Insurance Counsel shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** ADVOCATE FOR INSURANCE CONSUMERS | | |
| **Outcome (Results/Impact):** | | |
| Percentage of Rate and Rulemaking Proceedings in Which OPIC Participated | 75% | 75% |
| Percentage of Rate Filings and Rules Changed for the Benefit of Consumers as a Result of OPIC Participation | 90% | 90% |
| **A.1.1. Strategy:** PARTICIPATE IN RATE/RULE HEARINGS | | |
| **Output (Volume):** | | |
| Number of Rate Hearings in Which OPIC Participated | 2 | 2 |
| Number of Rate Filings in Which OPIC Participated | 25 | 25 |
| Number of Rulemaking Proceedings in Which OPIC Participated | 40 | 40 |
| **B. Goal:** INCREASE CONSUMER CHOICE | | |
| **Outcome (Results/Impact):** | | |
| Percent of Texas Insurance Consumers Reached by OPIC Outreach Efforts | 60% | 62% |
| **B.1.1. Strategy:** INSURANCE INFORMATION | | |
| **Output (Volume):** | | |
| Number of Report Cards and Publications Produced and Distributed | 2,000,000 | 2,000,000 |
| Total Number of Public Presentations or Communications by OPIC | 200 | 200 |

2. **Sunset Contingency.** Funds appropriated above for fiscal year 2013 for the Office of Public Insurance Counsel are made contingent on the continuation of the Office of Public Insurance Counsel by the Eighty-second Legislature. In the event that the agency is not continued, the funds appropriated for fiscal year 2012 or as much thereof as may be necessary are to be used to provide for the phase out of the agency operations.

## BOARD OF PROFESSIONAL LAND SURVEYING

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 441,593 | $ 441,593 |
| Appropriated Receipts | 5,400 | 5,400 |
| **Total, Method of Financing** | $ 446,993 | $ 446,993 |
| **Other Direct and Indirect Costs Appropriated Elsewhere in this Act** | $ 80,484 | $ 81,768 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 5.0 | 5.0 |
| **Schedule of Exempt Positions:** | | |
| Executive Director, Group 1 | $70,000 | $70,000 |

## BOARD OF PROFESSIONAL LAND SURVEYING
(Continued)

| | | | | |
|---|---|---|---|---|
| **Items of Appropriation:** | | | | |
| **A. Goal:** LICENSING & ENFORCEMENT | | | | |
| Ensure Surveys Prepared by Qualified Licensees Meet/Exceed Standards. | | | | |
| **A.1.1. Strategy:** LICENSING AND EDUCATION<br>Examine New Applicants & Ensure Continuing Education Requirements. | $ | 317,566 | $ | 317,566 |
| **A.1.2. Strategy:** INDIRECT ADMIN-LICENSING/EDUCATION<br>Indirect Administration - Licensing and Education. | $ | 94,927 | $ | 94,927 |
| **A.1.3. Strategy:** EXAMINATION<br>Purchase and Grade the National Exam. Estimated and Nontransferable. | $ | 16,500 | $ | 16,500 |
| **A.1.4. Strategy:** TEXASONLINE<br>TexasOnline. Estimated and Nontransferable. | $ | 18,000 | $ | 18,000 |
| **Total, Goal A:** LICENSING & ENFORCEMENT | $ | 446,993 | $ | 446,993 |
| **Grand Total,** BOARD OF PROFESSIONAL LAND SURVEYING | $ | 446,993 | $ | 446,993 |
| **Object-of-Expense Informational Listing:** | | | | |
| Salaries and Wages | $ | 262,456 | $ | 262,456 |
| Other Personnel Costs | | 10,000 | | 10,000 |
| Professional Fees and Services | | 49,262 | | 49,262 |
| Consumable Supplies | | 2,000 | | 2,000 |
| Utilities | | 2,500 | | 2,500 |
| Travel | | 48,450 | | 48,450 |
| Other Operating Expense | | 72,325 | | 72,325 |
| **Total, Object-of-Expense Informational Listing** | $ | 446,993 | $ | 446,993 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | | | |
| Employee Benefits | | | | |
| Retirement | $ | 6,227 | $ | 6,258 |
| Group Insurance | | 31,728 | | 31,991 |
| Social Security | | 20,369 | | 20,471 |
| Benefits Replacement | | 1,997 | | 1,868 |
| Subtotal, Employee Benefits | $ | 60,321 | $ | 60,588 |
| Debt Service | | | | |
| Lease Payments | $ | 9,651 | $ | 8,163 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ | 69,972 | $ | 68,751 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Board of Professional Land Surveying. 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 Board of Professional Land Surveying. In order to achieve the objectives and service standards established by this Act, the Board of Professional Land Surveying shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** LICENSING & ENFORCEMENT | | |
| **Outcome (Results/Impact):** | | |
| Percent of Licensees with No Recent Violations | 99% | 99% |
| Percent of Documented Complaints Resolved within Six Months | 95% | 95% |
| Percent of Licensees Who Renew Online | 65% | 65% |

## BOARD OF PROFESSIONAL LAND SURVEYING
(Continued)

| | | |
|---|---|---|
| **A.1.1. Strategy:** LICENSING AND EDUCATION | | |
| **Output (Volume):** | | |
| Number of New Licenses Issued to Individuals | 70 | 70 |
| Number of Licenses Renewed (Individuals) | 2,986 | 2,986 |
| Complaints Resolved | 57 | 57 |

## DEPARTMENT OF LICENSING AND REGULATION

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 22,401,004 | $ 22,341,784 |
| General Revenue Fund - Dedicated | | |
| Operators and Chauffeurs License Account No. 099 | 106,041 | 106,040 |
| Private Beauty Culture School Tuition Protection Account No. 108 | 20,000 | 20,000 |
| Barber School Tuition Protection Account No. 5081 | 5,000 | 5,000 |
| Subtotal, General Revenue Fund - Dedicated | $ 131,041 | $ 131,040 |
| Other Funds | | |
| Appropriated Receipts | 862,000 | 862,000 |
| Interagency Contracts | 10,882 | 10,882 |
| Auctioneer Education and Recovery Trust Fund No. 898 | 25,000 | 25,000 |
| Subtotal, Other Funds | $ 897,882 | $ 897,882 |
| **Total, Method of Financing** | $ 23,429,927 | $ 23,370,706 |
| **Other Direct and Indirect Costs Appropriated Elsewhere in this Act** | $ 6,306,926 | $ 6,580,726 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 386.2 | 386.2 |
| **Schedule of Exempt Positions:** | | |
| Executive Director, Group 4 | $135,000 | $135,000 |
| **Items of Appropriation:** | | |
| **A. Goal:** LICENSING | | |
| License, Certify, and Register Qualified Individuals and Businesses. | | |
| **A.1.1. Strategy:** LICENSE, REGISTER AND CERTIFY | $ 2,392,113 | $ 2,392,113 |
| Issue Licenses, Registrations, & Certificates to Qualified Individuals. | | |
| **A.1.2. Strategy:** LICENSE BUSINESSES AND FACILITIES | $ 885,956 | $ 885,956 |
| **A.1.3. Strategy:** EXAMINATIONS/CONTINUING EDUCATION | $ 673,381 | $ 673,381 |
| Administer Exams to Applicants. | | |
| **A.1.4. Strategy:** CUSTOMER SERV | $ 1,329,262 | $ 1,329,262 |
| Provide Customer Service. | | |
| **A.1.5. Strategy:** TEXASONLINE | $ 467,200 | $ 467,200 |
| TexasOnline. Estimated and Nontransferable. | | |
| **Total, Goal A:** LICENSING | $ 5,747,912 | $ 5,747,912 |
| **B. Goal:** ENFORCEMENT | | |
| Protect the Public by Enforcing Laws Administered by the Agency. | | |
| **B.1.1. Strategy:** CONDUCT INSPECTIONS | $ 6,398,301 | $ 6,294,361 |
| Enforce Laws by Conducting Routine, Complex, and Special Inspections. | | |

| | | |
|---|---|---|
| **B.1.2. Strategy:** BUILDING PLAN REVIEWS<br>Perform Building Plan Reviews. | $ 1,108,897 | $ 1,108,897 |
| **B.1.3. Strategy:** RESOLVE COMPLAINTS<br>Enforce Compliance by Settlement, Prosecution, Penalty and Sanction. | $ 2,999,340 | $ 2,999,340 |
| **B.1.4. Strategy:** INVESTIGATION<br>Investigate Complaints. | $ 2,768,558 | $ 2,768,558 |
| **Total, Goal B:** ENFORCEMENT | $ 13,275,096 | $ 13,171,156 |
| **C. Goal:** INDIRECT ADMINISTRATION | | |
| **C.1.1. Strategy:** CENTRAL ADMINISTRATION | $ 2,359,179 | $ 2,359,179 |
| **C.1.2. Strategy:** INFORMATION RESOURCES | $ 1,694,209 | $ 1,738,928 |
| **C.1.3. Strategy:** OTHER SUPPORT SERVICES | $ 353,531 | $ 353,531 |
| **Total, Goal C:** INDIRECT ADMINISTRATION | $ 4,406,919 | $ 4,451,638 |
| **Grand Total,** DEPARTMENT OF LICENSING AND REGULATION | $ 23,429,927 | $ 23,370,706 |
| **Supplemental Appropriations Made in Riders:** | $ 30,000 | $ 30,000 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 17,113,999 | $ 17,113,999 |
| Other Personnel Costs | 380,340 | 380,340 |
| Professional Fees and Services | 692,843 | 723,780 |
| Fuels and Lubricants | 5,800 | 5,800 |
| Consumable Supplies | 117,960 | 117,960 |
| Utilities | 265,900 | 265,900 |
| Travel | 875,750 | 875,750 |
| Rent - Building | 598,309 | 598,309 |
| Rent - Machine and Other | 87,016 | 87,016 |
| Other Operating Expense | 3,322,010 | 3,231,852 |
| **Total, Object-of-Expense Informational Listing** | $ 23,459,927 | $ 23,400,706 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 1,034,351 | $ 1,039,522 |
| Group Insurance | 2,676,876 | 2,704,270 |
| Social Security | 1,327,593 | 1,334,231 |
| Benefits Replacement | 67,189 | 62,821 |
| Subtotal, Employee Benefits | $ 5,106,009 | $ 5,140,844 |
| Debt Service | | |
| Lease Payments | $ 54,502 | $ 39,046 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 5,160,511 | $ 5,179,890 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Department of Licensing and Regulation. 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 Licensing and Regulation. In order to achieve the objectives and service standards established by this Act, the Department of Licensing and Regulation shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** LICENSING | | |
| **Outcome (Results/Impact):** | | |
| Percent of Licensees with No Recent Violations | 98% | 98% |
| Percent of Licensees Who Renew Online | 87% | 87% |
| Percent of New Individual Licenses Issued Online | 68% | 68% |

| | | |
|---|---|---|
| **A.1.1. Strategy:** LICENSE, REGISTER AND CERTIFY | | |
| **Output (Volume):** | | |
| Number of New Licenses Issued to Individuals | 112,953 | 116,283 |
| Number of Licenses Renewed (Individuals) | 208,189 | 214,062 |
| **Explanatory:** | | |
| Total Number of Individuals Licensed | 448,529 | 461,361 |
| **A.1.2. Strategy:** LICENSE BUSINESSES AND FACILITIES | | |
| **Explanatory:** | | |
| Total Number of Business Facilities Licensed | 239,012 | 248,350 |
| **B. Goal:** ENFORCEMENT | | |
| **Outcome (Results/Impact):** | | |
| Percent of Documented Complaints Resolved within Six Months | 51% | 51% |
| Percent of Architectural Barrier Building Plan Reviews Completed within Thirty Days | 95% | 95% |
| Inspection Coverage Rate | 92% | 92% |
| Percentage of Boilers Inspected for Certification within Appropriate Timelines | 70% | 73% |
| **B.1.1. Strategy:** CONDUCT INSPECTIONS | | |
| **Output (Volume):** | | |
| Total Number of Architectural Barrier Inspections Completed by Agency and Third Party Inspectors | 16,417 | 16,827 |
| **Explanatory:** | | |
| Total Number of Inspections Completed | 123,925 | 125,164 |
| **B.1.3. Strategy:** RESOLVE COMPLAINTS | | |
| **Output (Volume):** | | |
| Number of Complaints Resolved | 9,981 | 10,713 |
| **B.1.4. Strategy:** INVESTIGATION | | |
| **Explanatory:** | | |
| Number of Jurisdictional Complaints Received | 11,892 | 12,034 |

2. **Capital Budget.** None of the funds appropriated 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 a "(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. Upon approval from the Legislative Budget Board, capital budgeted funds listed below under "Acquisition of Information Resource Technologies" may be used to lease information resources hardware and/or software, if determined by agency management to be in the best interest of the State of Texas.

| | 2012 | 2013 |
|---|---|---|
| a. Acquisition of Information Resource Technologies | | |
| (1) Data Center Consolidation | $ 522,503 | $ 503,440 |
| Total, Capital Budget | $ 522,503 | $ 503,440 |
| Method of Financing (Capital Budget): | | |
| General Revenue Fund | $ 522,503 | $ 503,440 |
| Total, Method of Financing | $ 522,503 | $ 503,440 |

3. **Appropriation: Travel Expenses and Fee Reimbursements.** Funds appropriated above include reimbursements for travel expenses and special inspection fees collected pursuant to Health and Safety Code § 755.030, Boilers Fees. Contingent upon certification by the Department of Licensing and Regulation and verification by the Comptroller, all fees collected in excess of $182,400 each year of the biennium (estimated to be $0) are hereby appropriated to the Texas Department of Licensing and Regulation for the same purpose.

4. **Auctioneer Education and Recovery.** Funds appropriated above in Strategy B.1.3, Resolve Complaints, include all revenue deposited to the Auctioneer Education and Recovery Fund for the purpose and in the amounts specified in Subchapter D, Chapter 1802, Occupations Code, not to exceed $25,000 in each fiscal year from the interest on the fund.

5. **Reciprocity Agreements.** It is the intent of the Legislature that the Department of Licensing and Regulation use funds appropriated by this act to initiate and enter into reciprocity agreements with

other states for the purpose of performing industrialized housing inspections in order to minimize the need for the agency sending state employees out of state to perform such inspections. The department may use funds appropriated by this act to enter into contracts with out-of-state inspectors to conduct such inspections.

6. **Elimination of Architectural Barriers: Reduce Duplicate Inspections.** None of the funds appropriated by this Act shall be expended for the purpose of conducting inspections and plan reviews within the corporate boundaries of a municipality which has applied with the department to perform review and inspection functions pursuant to the Elimination of Architectural Barriers Act, Government Code, Chapter 469, Subchapter C.

7. **Architectural Barrier Standards: Exemption.** None of the funds appropriated by this Act shall be expended for the purpose of enforcing the accessibility standards under the Elimination of Architectural Barriers program, Government Code, Chapter 469, with respect to a structure or facility used primarily for religious rituals within a building or facility of a religious organization and which is exempt from the application of Government Code, Chapter 469, Subchapter A, pursuant to § 469.003.

8. **Appropriation: Barber School Tuition Protection Account.** Out of the amounts appropriated above to the Texas Department of Licensing and Regulation in Strategy A.1.4, Continuing Education/Customer Service, the amounts of $5,000 in fiscal year 2012 and $5,000 in fiscal year 2013 are appropriated from the GR-Dedicated Barber School Tuition Protection Account No. 5081, for the purpose of paying expenses and refunds authorized by the department under the provisions of Occupations Code §1601.3571. The Department of Licensing and Regulation, upon completion of necessary actions to assess or increase additional fees, shall furnish copies of the Department of Licensing and Regulation's minutes and other information supporting the estimated revenues to be generated for the 2012-13 biennium under the revised fee structure to the Comptroller of Public Accounts.

9. **Appropriation: Private Beauty Culture School Tuition Protection Account.** Out of the amounts appropriated above to the Texas Department of Licensing and Regulation in Strategy A.1.3, Examinations/Continuing Education, the amounts of $20,000 in fiscal year 2012 and $20,000 in fiscal year 2013 from the GR-Dedicated Private Beauty Culture School Tuition Protection Account No. 108, for the purpose of paying expenses and refunds authorized by the department under the provisions of Occupations Code §1602.464. The Department of Licensing and Regulation, upon completion of necessary actions to assess or increase additional fees, shall furnish copies of the Department of Licensing and Regulation's minutes and other information supporting the estimated revenues to be generated for the 2012-13 biennium under the revised fee structure to the Comptroller of Public Accounts.

10. **Reimbursement of Advisory Committee Members for Travel Expenses.** Pursuant to Government Code §2110.004, reimbursement of expenses for advisory committee members, out of funds appropriated above, is limited to the following advisory committees: Air Conditioning and Refrigeration Contractors Advisory Board, Architectural Barriers Advisory Committee, Advisory Board on Barbering, Board of Boiler Rules, Advisory Board on Cosmetology, Electrical Safety and Licensing Advisory Board, Elevator Advisory Board, Texas Industrial Building Code Council, Licensed Court Interpreters Advisory Board, Medical Advisory Committee, Polygraph Advisory Committee, Property Tax Consultants Advisory Council, Texas Tax Professional Advisory Committee, Towing, Storage and Booting Advisory Board, Used Automotive Parts Recycling Advisory Board, Water Well Drillers Advisory Council, and Weather Modification Advisory Committee.

11. **Unexpended Balance Authority.** The unobligated and unexpended balances of appropriations to the Department of Licensing and Regulation for the fiscal year ending August 31, 2012, are hereby appropriated to the Department of Licensing and Regulation for the same purposes for the fiscal year ending August 31, 2013.

12. **Additional General Revenue.** Out of the General Revenue appropriated above, $1,260,080 for each year of the biennium, is appropriated from fees collected pursuant to Health and Safety Code, Chapter 754, Subchapter B, for the purposes of administering and enforcing laws relating to elevators, escalators and related equipment, as set out in Chapter 754, Health and Safety Code and $4,624,050 for each year of the biennium is appropriated from fees collected pursuant to Government Code, Chapter 469, Subchapter B, for the purposes of administering and enforcing the Architectural Barrier Act. Any fees collected above those annual amounts (estimated to be $0) are hereby appropriated to the Department of Licensing and Regulation for the same purpose.

a. No appropriation of General Revenue in excess of the estimated amounts shown may be expended by the Department of Licensing and Regulation unless:

(1) The department's governing board files a finding of fact along with a written plan outlining the source, use, and projected impact of the funds on performance measures with the Legislative Budget Board and the Governor and indicating that additional appropriations are required to maintain adequate levels of program performance; and,

(2) Neither the Legislative Budget Board nor the Governor issues a written disapproval prohibiting the agency from responding in an emergency. Not later than:

(A) The 10th business day after the date the staff of the Legislative Budget Board concludes its review of the findings of fact and forwards those findings of fact along with the conclusions or comments of the Legislative Budget Board staff to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor;

(B) or within 10 business days of the receipt of the finding of fact and the written plan by the Governor.

b. This provision does not apply to General Revenue included in the amounts appropriated above that are collected pursuant to Health and Safety Code, Chapter 754, Subchapter B, for the purposes of elevators, escalators and related equipment or Government Code, Chapter 469, Subchapter B, for the purposes of administering and enforcing the Architectural Barrier Act programs.

**13. Contingent Revenue.** Out of the amounts appropriated above to the Department of Licensing and Regulation in Strategy B.1.1, Conduct Inspections, the amounts of $315,452 in fiscal year 2012 and $211,512 in fiscal year 2013 and in Strategy C.1.2, Information Resources, the amounts of $191,868 in fiscal year 2012 and $236,587 in fiscal year 2013 in General Revenue are contingent upon the Department of Licensing and Regulation assessing or increasing fees sufficient to generate, during the 2012-13 biennium, $1,073,273 in excess of $75,826,310 (Object Codes 3035, 3146, 3147, 3160, 3161, 3164, 3175, 3366, 3727), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2012 and 2013. Also, the "Number of Full-Time-Equivalents (FTE)" figure indicated above includes 4.0 FTEs in each fiscal year contingent upon the Department of Licensing and Regulation generating the amount of revenue indicated above. The Department of Licensing and Regulation, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Department of Licensing and Regulation's minutes and other information supporting the estimated revenues to be generated for the 2012-13 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes. For informational purposes, the amount of increased revenue identified above reflects amounts sufficient to cover direct appropriations of $955,419 and other direct and indirect costs (estimated to be $117,854 for the 2012-13 biennium).

**14. Combative Sports Regulation.** In addition to the amounts appropriated above, the Department of Licensing and Regulation shall be appropriated $30,000 out of funds collected by the agency and deposited to the General Revenue Fund during each fiscal year for the 2012-13 biennium, for each combative sports event managed by the department for which ticket sales exceed $2,000,000 (estimated to be one event) contingent upon the Department of Licensing and Regulation assessing fees and taxes sufficient to generate, in addition to revenue requirements elsewhere in this act, during the 2012-13 biennium, $30,000 for each such combative sports event in excess of $763,000 in fiscal year 2012 and $788,000 in fiscal year 2013 (Object Codes 3146 and 3147) contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for each fiscal year. The Department of Licensing and Regulation upon completion of necessary actions to assess or increase such additional revenue shall furnish copies of the Department of Licensing and Regulation's minutes and other information supporting the estimated revenues to be generated for the 2012-13 biennium under the revised fee or tax structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact shall be issued and the contingent appropriation shall be made available for the intended purpose.

**15. Motor Vehicle Towing Report.** Out of the amounts appropriated above, the Department of Licensing and Regulation shall conduct a study on the fees charged for motor vehicle towing services, the feasibility and effects of the implementation of a fee schedule or establishment of a

maximum fee for motor vehicle towing services, the terms and timing of payment to incident management towing companies for towing services including payment for the release of semitrailers and other motor vehicles, and evaluate any other aspect of the towing of motor vehicles that the agency determines necessary. The Department of Licensing and Regulation shall submit a report not later than January 1, 2013, on the matters described in this rider and any recommended legislative changes to the presiding officer of the standing committee of each house of the legislature with primary jurisdiction over issues involving motor vehicle towing.

## TEXAS MEDICAL BOARD

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 9,163,397 | $ 9,163,397 |
| GR Dedicated - Public Assurance Account No. 5105 | 2,117,514 | 2,117,513 |
| Appropriated Receipts | 59,418 | 59,418 |
| **Total, Method of Financing** | $ 11,340,329 | $ 11,340,328 |
| **Other Direct and Indirect Costs Appropriated Elsewhere in this Act** | $ 2,520,084 | $ 2,629,957 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 164.5 | 164.5 |
| **Schedule of Exempt Positions:** | | |
| Executive Director, Group 4 | $121,000 | $121,000 |
| Salary Supplement | 12,000 | 12,000 |
| **Items of Appropriation:** | | |
| **A. Goal:** LICENSURE | | |
| Protect the Public through Licensure of Qualified Practitioners. | | |
| **A.1.1. Strategy:** LICENSING | $ 1,773,906 | $ 1,772,526 |
| Conduct a Timely, Efficient, Cost-effective Licensure Process. | | |
| **A.1.2. Strategy:** TEXASONLINE | $ 446,366 | $ 457,670 |
| TexasOnline. Estimated and Nontransferable. | | |
| **Total, Goal A:** LICENSURE | $ 2,220,272 | $ 2,230,196 |
| **B. Goal:** ENFORCE ACTS | | |
| Protect the Public with Investigations, Discipline and Education. | | |
| **B.1.1. Strategy:** ENFORCEMENT | $ 6,975,235 | $ 6,971,389 |
| Conduct Competent, Fair, Timely Investigations and Monitor Results. | | |
| **B.1.2. Strategy:** PHYSICIAN HEALTH PROGRAM | $ 403,090 | $ 403,090 |
| **B.2.1. Strategy:** PUBLIC EDUCATION | $ 219,590 | $ 219,850 |
| Provide Programs to Educate the Public and Licensees. | | |
| **Total, Goal B:** ENFORCE ACTS | $ 7,597,915 | $ 7,594,329 |
| **C. Goal:** INDIRECT ADMINISTRATION | | |
| **C.1.1. Strategy:** INDIRECT ADMIN | $ 625,984 | $ 624,644 |
| Indirect Administration - Licensing. | | |

| | | |
|---|---|---|
| **C.1.2. Strategy:** INDIRECT ADMIN<br>Indirect Administration - Enforcement. | $ 896,158 | $ 891,159 |
| **Total, Goal C:** INDIRECT ADMINISTRATION | $ 1,522,142 | $ 1,515,803 |
| **Grand Total,** TEXAS MEDICAL BOARD | $ 11,340,329 | $ 11,340,328 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 7,376,832 | $ 7,376,854 |
| Other Personnel Costs | 205,399 | 219,919 |
| Professional Fees and Services | 1,849,990 | 1,844,911 |
| Fuels and Lubricants | 5,500 | 5,500 |
| Consumable Supplies | 112,000 | 112,000 |
| Utilities | 77,245 | 77,245 |
| Travel | 292,400 | 292,400 |
| Rent - Building | 12,980 | 12,980 |
| Rent - Machine and Other | 26,900 | 26,900 |
| Other Operating Expense | 1,205,583 | 1,196,119 |
| Capital Expenditures | 175,500 | 175,500 |
| **Total, Object-of-Expense Informational Listing** | $ 11,340,329 | $ 11,340,328 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 386,921 | $ 388,856 |
| Group Insurance | 1,114,455 | 1,129,921 |
| Social Security | 515,163 | 517,738 |
| Benefits Replacement | 22,763 | 21,284 |
| Subtotal, Employee Benefits | $ 2,039,302 | $ 2,057,799 |
| Debt Service | | |
| Lease Payments | $ 38,509 | $ 19,557 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 2,077,811 | $ 2,077,356 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas Medical Board. 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 Texas Medical Board. In order to achieve the objectives and service standards established by this Act, the Texas Medical Board shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** LICENSURE | | |
| **Outcome (Results/Impact):** | | |
| Percent of Licensees Who Renew Online (Physicians) | 94% | 95% |
| Percent of Licensees Who Renew Online (Physician Assistant) | 86% | 87% |
| **A.1.1. Strategy:** LICENSING | | |
| **Output (Volume):** | | |
| Number of New Licenses Issued to Individuals (Physicians) | 3,273 | 3,311 |
| Number of New Licenses Issued to Individuals (Acupuncture) | 72 | 72 |
| Number of New Licenses Issued to Individuals (Physician Assistant) | 538 | 538 |
| Number of New Licenses Issued to Individuals (Surgical Assistant) | 24 | 24 |
| Number of Licenses Renewed (Individuals) (Physicians) | 38,040 | 39,141 |
| Number of Licenses Renewed (Individuals) (Acupuncture) | 945 | 950 |
| Number of Licenses Renewed (Individuals) (Physician Assistant) | 5,652 | 5,740 |
| Number of Licenses Renewed (Individuals) (Surgical Assistant) | 174 | 184 |
| **Efficiencies:** | | |
| Average Number of Days for Individual License Issuance - Physicians | 44 | 44 |

| | | |
|---|---|---|
| **B. Goal:** ENFORCE ACTS | | |
| **Outcome (Results/Impact):** | | |
| Percent of Complaints Resulting in Disciplinary Action (Physician) | 18% | 18% |
| Percent of Complaints Resulting in Disciplinary Action (Acupuncture) | 18% | 18% |
| Percent of Complaints Resulting in Disciplinary Action (Physician Assistant) | 18% | 18% |
| Percent of Complaints Resulting in Disciplinary Action (Surgical Assistant) | 18% | 18% |
| **B.1.1. Strategy:** ENFORCEMENT | | |
| **Output (Volume):** | | |
| Number of Complaints Resolved (Physicians) | 2,400 | 2,400 |
| Number of Complaints Resolved (Acupuncture) | 6 | 6 |
| Number of Complaints Resolved (Physician Assistant) | 85 | 85 |
| Number of Complaints Resolved (Surgical Assistant) | 3 | 3 |
| **Efficiencies:** | | |
| Average Time for Complaint Resolution (Physician) (Days) | 260 | 260 |
| **Explanatory:** | | |
| Number of Jurisdictional Complaints Received (Physicians) | 2,500 | 2,500 |
| Number of Jurisdictional Complaints Received (Acupuncture) | 6 | 6 |
| Number of Jurisdictional Complaints Received (Physician Assistant) | 100 | 100 |
| Number of Jurisdictional Complaints Received (Surgical Assistant) | 3 | 3 |

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 a "(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. Upon approval from the Legislative Budget Board, capital budgeted funds listed below under "Acquisition of Information Resource Technologies" may be used to lease information resources hardware and/or software, if determined by agency management to be in the best interest of the State of Texas.

| | 2012 | 2013 |
|---|---|---|
| a. Acquisition of Information Resource Technologies | | |
| (1) Replace Network Hardware | $ 120,500 | $ 0 |
| (2) Replace Software | $ 55,000 | $ 55,000 |
| Total, Acquisition of Information Resource Technologies | $ 175,500 | $ 55,000 |
| Total, Capital Budget | $ 175,500 | $ 55,000 |
| Method of Financing (Capital Budget): | | |
| General Revenue Fund | $ 175,500 | $ 55,000 |
| Total, Method of Financing | $ 175,500 | $ 55,000 |

3. **Salary Supplementation.** In addition to the amount specified in the schedule of exempt positions for the salary of the executive director, the Texas Medical Board may approve a salary supplement not to exceed $12,000 annually if the executive director is a medical doctor and an attorney.

4. **Quarterly Financial Reports.** The Texas Medical Board shall submit the following information to the Legislative Budget Board, the Office of the Governor and the State Auditor's Office on a quarterly basis:

   (1) Information on appropriated, budgeted, expended, and projected funds and full-time-equivalents, by strategy and method of finance.

   (2) Information on appropriated, budgeted, expended, and projected revenues, including program income, interest earnings, fee revenues, and appropriated receipts.

(3) Narrative explanations of significant budget adjustments, ongoing budget issues, and other items as appropriate.

(4) Any other information requested by the Legislative Budget Board, the Office of the Governor or the State Auditor's Office.

The quarterly financial reports shall be prepared in a format specified by the Legislative Budget Board. It is further the intent of the Legislature that the Texas Medical Board comply with requirements related to the planning and submission of the Information Technology Detail to the Legislative Budget Board.

5. **Contingent Revenue.** Out of the amounts appropriated above to the Texas Medical Board in Strategy A.1.1, Licensing, the amounts of $95,500 in fiscal year 2012 and $95,500 in fiscal year 2013, in Strategy B.1.1, Enforcement, the amounts of $225,500 in fiscal year 2012 and $225,500 in fiscal year 2013, and in Strategy B.1.2, Physician Health Program, the amounts of $184,807 in fiscal year 2012 and $184,807 in fiscal year 2013 from General Revenue are contingent upon the Texas Medical Board assessing or increasing fees sufficient to generate, during the 2012-13 biennium, $1,219,750 in excess of $39,888,000 (Object Codes 3560 and 3562), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2012 and 2013. Also, the "Number of Full-Time-Equivalents (FTE)" figure above includes 11.5 FTEs in each fiscal year contingent upon the Comptroller's certification of increased revenue indicated above. The Texas Medical Board, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Texas Medical Boards' minutes and other information supporting the estimated revenues to be generated for the 2012-13 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes. For informational purposes, the amount of increased revenue identified above reflects amounts sufficient to cover direct appropriations of $1,011,614 and other direct and indirect costs (estimated to be $208,136 for the 2012-13 biennium).

## TEXAS BOARD OF NURSING

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 8,131,032 | $ 8,124,066 |
| Appropriated Receipts | 1,167,998 | 1,167,998 |
| **Total, Method of Financing** | $ 9,299,030 | $ 9,292,064 |
| **Other Direct and Indirect Costs Appropriated Elsewhere in this Act** | $ 1,492,957 | $ 1,549,412 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 108.7 | 108.7 |
| **Schedule of Exempt Positions:** | | |
| Executive Director, Group 3 | $92,600 | $92,600 |
| **Items of Appropriation:** | | |
| **A. Goal:** LICENSING | | |
| Accredit, Examine, and License Nurse Education and Practice. | | |
| **A.1.1. Strategy:** LICENSING | $ 2,673,388 | $ 2,666,423 |
| Operate Efficient System of Nursing Credential Verification. | | |
| **A.1.2. Strategy:** TEXASONLINE | $ 364,375 | $ 364,375 |
| TexasOnline. Estimated and Nontransferable. | | |

| | | |
|---|---|---|
| **A.2.1. Strategy:** ACCREDITATION<br>Accredit Programs That Include Essential Competencies Curricula. | $ 484,650 | $ 484,650 |
| **Total, Goal A:** LICENSING | $ 3,522,413 | $ 3,515,448 |
| **B. Goal:** PROTECT PUBLIC<br>Protect Public and Enforce Nursing Practice Act. | | |
| **B.1.1. Strategy:** ADJUDICATE VIOLATIONS<br>Administer System of Enforcement and Adjudication. | $ 4,250,285 | $ 4,250,284 |
| **B.1.2. Strategy:** PEER ASSISTANCE<br>Identify, Refer and Assist Those Nurses Whose Practice Is Impaired. | $ 665,000 | $ 665,000 |
| **Total, Goal B:** PROTECT PUBLIC | $ 4,915,285 | $ 4,915,284 |
| **C. Goal:** INDIRECT ADMINISTRATION | | |
| **C.1.1. Strategy:** INDIRECT ADMIN - LICENSING<br>Indirect Administration for Licensing Programs. | $ 522,557 | $ 522,557 |
| **C.1.2. Strategy:** INDIRECT ADMIN - ENFORCEMENT<br>Indirect Administration for Enforcement and Adjudication Programs. | $ 338,775 | $ 338,775 |
| **Total, Goal C:** INDIRECT ADMINISTRATION | $ 861,332 | $ 861,332 |
| **Grand Total,** TEXAS BOARD OF NURSING | $ 9,299,030 | $ 9,292,064 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 4,743,307 | $ 4,743,307 |
| Other Personnel Costs | 94,500 | 94,500 |
| Professional Fees and Services | 117,250 | 117,250 |
| Consumable Supplies | 56,500 | 56,500 |
| Utilities | 4,425 | 4,425 |
| Travel | 124,000 | 124,000 |
| Rent - Building | 5,000 | 5,000 |
| Rent - Machine and Other | 16,000 | 16,000 |
| Other Operating Expense | 4,132,410 | 4,130,544 |
| Capital Expenditures | 5,638 | 538 |
| **Total, Object-of-Expense Informational Listing** | $ 9,299,030 | $ 9,292,064 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 255,062 | $ 256,338 |
| Group Insurance | 571,234 | 576,281 |
| Social Security | 332,101 | 333,762 |
| Benefits Replacement | 15,375 | 14,376 |
| Subtotal, Employee Benefits | $ 1,173,772 | $ 1,180,757 |
| Debt Service | | |
| Lease Payments | $ 32,066 | $ 16,285 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 1,205,838 | $ 1,197,042 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Texas Board of Nursing. 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 Texas Board of Nursing. In order to achieve the objectives and service standards established by this Act, the Texas Board of Nursing shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** LICENSING | | |
| **Outcome (Results/Impact):** | | |
| Percentage of Licensees with No Recent Violations (RN) | 98% | 98% |
| Percent of Licensees Who Renew Online (RN) | 91% | 91% |

| | | |
|---|---|---|
| Percent of New Individual Licenses Issued Online (RN) | 70% | 70% |
| Percentage of Licensees with No Recent Violations (LVN) | 97% | 97% |
| Percent of Licensees Who Renew Online (LVN) | 87% | 87% |
| Percent of New Individual Licenses Issued Online (LVN) | 55% | 55% |
| **A.1.1. Strategy:** LICENSING | | |
| **Output (Volume):** | | |
| Number of New Licenses Issued to Individuals (RN) | 16,400 | 16,400 |
| Number of Individual Licenses Renewed (RN) | 105,000 | 105,000 |
| Number of New Licenses Issued to Individuals (LVN) | 6,200 | 6,200 |
| Number of Individual Licenses Renewed (LVN) | 41,500 | 41,500 |
| **B. Goal:** PROTECT PUBLIC | | |
| **Outcome (Results/Impact):** | | |
| Percent of Complaints Resulting in Disciplinary Action (RN) | 18% | 18% |
| Percent of Complaints Resulting in Disciplinary Action (LVN) | 21% | 21% |
| **B.1.1. Strategy:** ADJUDICATE VIOLATIONS | | |
| **Output (Volume):** | | |
| Number of Complaints Resolved (RN) | 4,000 | 4,000 |
| Number of Complaints Resolved (LVN) | 3,500 | 3,500 |
| **Efficiencies:** | | |
| Average Time for Complaint Resolution (Days) (RN) | 170 | 170 |
| **Explanatory:** | | |
| Number of Jurisdictional Complaints Received (RN) | 7,000 | 7,000 |
| Number of Jurisdictional Complaints Received (LVN) | 6,000 | 6,000 |
| **B.1.2. Strategy:** PEER ASSISTANCE | | |
| **Output (Volume):** | | |
| Number of Licensed Individuals Participating in a Peer Assistance Program (RN) | 525 | 525 |
| Number of Licensed Individuals Participating in a Peer Assistance Program (LVN) | 175 | 175 |

2. **Texas Center for Nursing Workforce Studies Funding.** Out of amounts appropriated above in Strategy A.1.1, Licensing, the Board of Nursing shall establish an Interagency Contract with the Department of State Health Services to provide funding for the Texas Center for Nursing Workforce Studies of $365,000 each year.

3. **Contingent Revenue.** Out of the amounts appropriated above to the Board of Nursing in Strategy A.1.1, Licensing, the amounts of $336,607 in fiscal year 2012 and $336,607 in fiscal year 2013 and in Strategy B.1.1, Adjudicate Violations, the amounts of $671,970 in fiscal year 2012 and $671,969 in fiscal year 2013 in General Revenue are contingent upon the Board of Nursing assessing or increasing fees sufficient to generate, during the 2012-13 biennium, $2,419,030 in excess of $27,875,000 (Object Codes 3560 and 3570), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2012 and 2013. Also, the "Number of Full-Time-Equivalents (FTE)" figure indicated above includes 18.0 FTEs in each fiscal year contingent upon the Board of Nursing generating the amount of revenue indicated above. The Board of Nursing, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Board of Nursing's minutes and other information supporting the estimated revenues to be generated for the 2012-13 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes. For informational purposes, the amount of increased revenue identified above reflects amounts sufficient to cover direct appropriations of $2,017,153 and other direct and indirect costs (estimated to be $401,877 for the 2012-13 biennium).

4. **Contingent Appropriation for House Bill 915.** Contingent on the enactment of House Bill 915, or similar legislation relating to establishing a tiered prescriptive authority system for advanced practice registered nurses, by the Eighty-second Legislature, Regular Session, 2011, and contingent upon the Texas Board of Nursing assessing or increasing fees sufficient to generate, in addition to revenue requirements elsewhere in this act, during the 2012-13 biennium, $128,349 in excess of $27,875,000 (Object Codes 3560 and 3570), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2012 and 2013 and the revenue requirements elsewhere in this Act, the Texas Board of Nursing appropriations above in Strategy A.1.1, Licensing, $55,710 in fiscal year 2012 and $48,745 in fiscal year 2013 are out of the General Revenue Fund for the purpose of administering the system. Also, the "Number of Full-Time Equivalents (FTE)" figure indicated above includes 1.0 FTE for each fiscal year of the biennium contingent upon the Texas Board of Nursing meeting the above revenue target. The Texas Board of Nursing, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Texas Board of Nursing's minutes and other information supporting the

estimated revenues to be generated for the 2012-13 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes. For informational purposes, the amount of increased revenue identified above reflects amounts sufficient to cover direct appropriations of $104,455 and other direct and indirect costs (estimated to be $23,894 for the 2012-13 biennium).

# OPTOMETRY BOARD

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 411,971 | $ 425,472 |
| Other Funds | | |
| Appropriated Receipts | 8,000 | 8,000 |
| Interagency Contracts | 37,321 | 37,321 |
| Subtotal, Other Funds | $ 45,321 | $ 45,321 |
| **Total, Method of Financing** | $ 457,292 | $ 470,793 |
| **Other Direct and Indirect Costs Appropriated Elsewhere in this Act** | $ 120,826 | $ 130,093 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 7.0 | 7.5 |
| **Schedule of Exempt Positions:** | | |
| Executive Director, Group 1 | $70,000 | $70,000 |
| **Items of Appropriation:** | | |
| **A. Goal:** LICENSURE AND ENFORCEMENT | | |
| Manage Quality Program of Examination and Licensure, Enforce Statutes. | | |
| **A.1.1. Strategy:** LICENSURE AND ENFORCEMENT | $ 280,985 | $ 293,886 |
| Operate an Efficient & Comprehensive Licensure & Enforcement System. | | |
| **A.1.2. Strategy:** TEXASONLINE | $ 18,000 | $ 18,000 |
| TexasOnline. Estimated and Nontransferable. | | |
| **A.1.3. Strategy:** INDIRECT ADMINISTRATION | $ 122,307 | $ 122,907 |
| **A.1.4. Strategy:** PEER ASSISTANCE | $ 36,000 | $ 36,000 |
| Provide a Peer Assistance Program for Licensed Individuals. | | |
| **Total, Goal A:** LICENSURE AND ENFORCEMENT | $ 457,292 | $ 470,793 |
| **Grand Total,** OPTOMETRY BOARD | $ 457,292 | $ 470,793 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 289,500 | $ 301,500 |
| Other Personnel Costs | 10,250 | 11,350 |
| Professional Fees and Services | 63,000 | 60,000 |
| Consumable Supplies | 2,060 | 2,060 |
| Utilities | 725 | 725 |
| Travel | 19,150 | 23,650 |
| Rent - Building | 20 | 20 |
| Rent - Machine and Other | 2,180 | 2,180 |
| Other Operating Expense | 70,407 | 69,308 |
| **Total, Object-of-Expense Informational Listing** | $ 457,292 | $ 470,793 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 13,531 | $ 13,599 |
| Group Insurance | 49,892 | 50,568 |
| Social Security | 21,428 | 21,535 |
| Benefits Replacement | 1,769 | 1,654 |
| Subtotal, Employee Benefits | $ 86,620 | $ 87,356 |

| | | |
|---|---|---|
| Debt Service | | |
| Lease Payments | $ 3,446 | $ 1,750 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 90,066 | $ 89,106 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Optometry Board. 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 Optometry Board. In order to achieve the objectives and service standards established by this Act, the Optometry Board shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** LICENSURE AND ENFORCEMENT | | |
| **Outcome (Results/Impact):** | | |
| Percent of Licensees with No Recent Violations | 99% | 99% |
| Percent of Licensees Who Renew Online | 85% | 85% |
| **A.1.1. Strategy:** LICENSURE AND ENFORCEMENT | | |
| **Output (Volume):** | | |
| Number of New Licenses Issued to Individuals | 165 | 189 |
| Number of Licenses Renewed (Individuals) | 3,927 | 4,027 |
| Number of Complaints Resolved | 145 | 145 |
| Number of Investigations Conducted | 63 | 63 |
| **Efficiencies:** | | |
| Average Time for Complaint Resolution (Days) | 100 | 100 |
| **A.1.4. Strategy:** PEER ASSISTANCE | | |
| **Output (Volume):** | | |
| Number of Licensed Individuals Participating in a Peer Assistance Program | 3 | 3 |

2. **Reporting Requirement.** The Optometry Board shall provide a report to the Legislative Budget Board and the Governor no later than August 31, 2012 regarding the use of funds expended from available petty cash accounts. The report shall contain the following information:
   1. Total expenditures
   2. Balance of the account

3. **Contingent Revenue.** Out of the amounts appropriated above to the Optometry Board in Strategy A.1.1, Licensure and Enforcement, the amount of $11,400 in fiscal year 2013, and in Strategy A.1.3, Indirect Administration, the amount of $600 in fiscal year 2013 in General Revenue are contingent upon the Optometry Board assessing or increasing fees sufficient to generate, during the 2012-13 biennium, $15,343 in excess of $1,489,000 (Object Codes 3562 and 3570), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2012 and 2013. Also, the "Number of Full-Time-Equivalents (FTE)" figure above includes 0.5 FTEs in fiscal year 2013 contingent upon the Comptroller's certification of increased revenue indicated above. The Optometry Board, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Optometry Board's minutes and other information supporting the estimated revenues to be generated for the 2012-13 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes. For informational purposes, the amount of increased revenue identified above reflects amounts sufficient to cover direct appropriations of $12,000 and other direct and indirect costs (estimated to be $3,343 for the 2012-13 biennium).

## BOARD OF PHARMACY

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 5,197,497 | $ 5,127,326 |

## BOARD OF PHARMACY
(Continued)

| | | |
|---|---|---|
| Appropriated Receipts | 7,730 | 7,730 |
| **Total, Method of Financing** | $ 5,205,227 | $ 5,135,056 |
| **Other Direct and Indirect Costs Appropriated Elsewhere in this Act** | $ 1,201,935 | $ 1,252,436 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 78.0 | 78.0 |
| **Schedule of Exempt Positions:** | | |
| Executive Director, Group 4 | $106,500 | $106,500 |
| **Items of Appropriation:** | | |
| **A. Goal:** MAINTAIN STANDARDS | | |
| Establish and Maintain Standards for Pharmacy Education and Practice. | | |
| **A.1.1. Strategy:** LICENSING | $ 769,282 | $ 770,709 |
| Operate an Application and Renewal Licensure System. | | |
| **A.1.2. Strategy:** TEXASONLINE | $ 217,345 | $ 221,785 |
| TexasOnline. Estimated and Nontransferable. | | |
| **Total, Goal A:** MAINTAIN STANDARDS | $ 986,627 | $ 992,494 |
| **B. Goal:** ENFORCE REGULATIONS | | |
| Protect Public Health by Enforcing All Laws Relating to Practice. | | |
| **B.1.1. Strategy:** ENFORCEMENT | $ 3,359,638 | $ 3,287,541 |
| Operate System of Inspection Assistance Education. | | |
| **B.1.2. Strategy:** PEER ASSISTANCE | $ 179,199 | $ 179,199 |
| Provide a Peer Assistance Program for Licensed Individuals. | | |
| **Total, Goal B:** ENFORCE REGULATIONS | $ 3,538,837 | $ 3,466,740 |
| **C. Goal:** INDIRECT ADMINISTRATION | | |
| **C.1.1. Strategy:** LICENSING - INDIRECT ADMINISTRATION | $ 95,573 | $ 94,632 |
| **C.1.2. Strategy:** ENFORCEMENT-INDIRECT ADMINISTRATION | $ 584,190 | $ 581,190 |
| **Total, Goal C:** INDIRECT ADMINISTRATION | $ 679,763 | $ 675,822 |
| **Grand Total,** BOARD OF PHARMACY | $ 5,205,227 | $ 5,135,056 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 3,865,426 | $ 3,865,426 |
| Other Personnel Costs | 92,603 | 100,383 |
| Professional Fees and Services | 163,798 | 163,049 |
| Fuels and Lubricants | 42,882 | 42,882 |
| Consumable Supplies | 35,416 | 35,416 |
| Utilities | 11,526 | 11,526 |
| Travel | 162,433 | 162,433 |
| Rent - Building | 2,800 | 2,800 |
| Rent - Machine and Other | 7,300 | 7,300 |
| Other Operating Expense | 821,043 | 743,841 |
| **Total, Object-of-Expense Informational Listing** | $ 5,205,227 | $ 5,135,056 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 190,076 | $ 191,027 |
| Group Insurance | 485,140 | 490,261 |

| | | |
|---|---|---|
| Social Security | 263,555 | 264,873 |
| Benefits Replacement | 14,539 | 13,594 |
| Subtotal, Employee Benefits | $ 953,310 | $ 959,755 |
| Debt Service | | |
| Lease Payments | $ 18,307 | $ 9,297 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 971,617 | $ 969,052 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Board of Pharmacy. 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 Board of Pharmacy. In order to achieve the objectives and service standards established by this Act, the Board of Pharmacy shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** MAINTAIN STANDARDS | | |
| **Outcome (Results/Impact):** | | |
| Percent of Licensees with No Recent Violations | 95% | 95% |
| Percent of Licensees Who Renew Online | 89% | 89% |
| **A.1.1. Strategy:** LICENSING | | |
| **Output (Volume):** | | |
| Number of New Licenses Issued to Individuals | 1,300 | 1,300 |
| Number of Licenses Renewed (Individuals) | 13,857 | 14,715 |
| **Explanatory:** | | |
| Total Number of Business Facilities Licensed | 6,842 | 6,910 |
| **B. Goal:** ENFORCE REGULATIONS | | |
| **Outcome (Results/Impact):** | | |
| Percent of Complaints Resulting in Disciplinary Action | 11% | 11% |
| **B.1.1. Strategy:** ENFORCEMENT | | |
| **Output (Volume):** | | |
| Number of Complaints Resolved | 4,980 | 4,980 |
| **Efficiencies:** | | |
| Average Time for Complaint Resolution (Days) | 180 | 180 |
| **Explanatory:** | | |
| Number of Jurisdictional Complaints Received | 5,000 | 5,000 |
| **B.1.2. Strategy:** PEER ASSISTANCE | | |
| **Output (Volume):** | | |
| Number of Individuals Participating in a Peer Assistance Program | 160 | 160 |

2. **Controlled Substance Forfeiture Program.** In addition to amounts appropriated above, all forfeited money collected under federal or state forfeiture programs, proceeds from the sale of forfeited property or similar monetary awards related to the Board of Pharmacy's participation in the seizure of controlled substances or other contraband, are hereby appropriated to the Board of Pharmacy to be used for enforcement purposes. Any funds unexpended at the close of fiscal year 2012 are appropriated for fiscal year 2013. Any unexpended funds at the close of fiscal year 2011 collected under federal or state forfeiture programs, proceeds from the sale of forfeited property or similar monetary awards related to the Board of Pharmacy's participation in the seizure of controlled substances or other contraband are appropriated for fiscal year 2012.

3. **Contingent Revenue.** Out of the amounts appropriated above to the Board of Pharmacy in Strategy B.1.1, Enforcement, the amounts of $317,063 in fiscal year 2012 and $253,518 in fiscal year 2013, in Strategy C.1.1, Licensing - Indirect Administration, the amounts of $7,241 in fiscal year 2012 and $6,481 in fiscal year 2013 and in Strategy C.1.2, Enforcement - Indirect Administration, the amount of $44,486 in fiscal year 2012 and $39,817 in fiscal year 2013 from General Revenue are contingent upon the Board of Pharmacy assessing or increasing fees sufficient to generate, during the 2012-13 biennium, $810,002 in excess of $13,837,000 (Object Codes 3562 and 3570), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2012 and 2013. Also, the number of “Full-Time-Equivalents (FTE)” figure indicated above includes 6.0 FTEs in each fiscal year contingent upon the Board of Pharmacy generating the amount of revenue indicated above. The Board of Pharmacy, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Board of Pharmacy's minutes and other information supporting the estimated revenues to be generated for the 2012-13 biennium under the revised fee structure to the Comptroller of Public

Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes. For informational purposes, the amount of increased revenue identified above reflects amounts sufficient to cover direct appropriations of $668,606 and other direct and indirect costs (estimated to be $141,396 for the 2012-13 biennium).

## EXECUTIVE COUNCIL OF PHYSICAL THERAPY & OCCUPATIONAL THERAPY EXAMINERS

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 1,042,696 | $ 1,042,695 |
| Appropriated Receipts | 80,677 | 80,677 |
| **Total, Method of Financing** | $ 1,123,373 | $ 1,123,372 |
| **Other Direct and Indirect Costs Appropriated Elsewhere in this Act** | $ 305,453 | $ 314,934 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 18.0 | 18.0 |
| **Schedule of Exempt Positions:** | | |
| Executive Director, Group 1 | $70,000 | $70,000 |
| **Items of Appropriation:** | | |
| **A. Goal:** LICENSING AND REGISTRATION | | |
| License Physical and Occupational Therapists and Register Facilities. | | |
| **A.1.1. Strategy:** OPERATE LICENSING SYSTEM | $ 623,922 | $ 623,922 |
| Issue and Renew Licenses and Register Facilities. | | |
| **A.1.2. Strategy:** TEXASONLINE | $ 157,715 | $ 157,715 |
| TexasOnline. Estimated and Nontransferable. | | |
| **Total, Goal A:** LICENSING AND REGISTRATION | $ 781,637 | $ 781,637 |
| **B. Goal:** ENFORCEMENT | | |
| Promote Compliance and Enforce PT and OT Practice Acts and Rules. | | |
| **B.1.1. Strategy:** ADMINISTER ENFORCEMENT | $ 335,128 | $ 335,128 |
| Enforce the Physical Therapy and Occupational Therapy Practice Acts. | | |
| **C. Goal:** INDIRECT ADMINISTRATION | | |
| **C.1.1. Strategy:** LICENSING INDIRECT ADMINISTRATION | $ 3,991 | $ 3,991 |
| **C.1.2. Strategy:** ENFORCEMENT INDIRECT ADMINISTRATION | $ 2,617 | $ 2,616 |
| **Total, Goal C:** INDIRECT ADMINISTRATION | $ 6,608 | $ 6,607 |
| **Grand Total,** EXECUTIVE COUNCIL OF PHYSICAL THERAPY & OCCUPATIONAL THERAPY EXAMINERS | $ 1,123,373 | $ 1,123,372 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 832,886 | $ 832,886 |
| Other Personnel Costs | 31,440 | 31,440 |
| Professional Fees and Services | 5,860 | 5,860 |
| Consumable Supplies | 10,000 | 10,000 |
| Utilities | 8,700 | 8,700 |

| | | |
|---|---|---|
| Travel | 23,523 | 23,523 |
| Rent - Building | 500 | 499 |
| Other Operating Expense | 210,464 | 210,464 |
| **Total, Object-of-Expense Informational Listing** | $ 1,123,373 | $ 1,123,372 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 49,698 | $ 49,947 |
| Group Insurance | 123,402 | 124,079 |
| Social Security | 61,782 | 62,091 |
| Benefits Replacement | 5,473 | 5,117 |
| Subtotal, Employee Benefits | $ 240,355 | $ 241,234 |
| Debt Service | | |
| Lease Payments | $ 8,357 | $ 4,244 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 248,712 | $ 245,478 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Executive Council of Physical Therapy & Occupational Therapy Examiners. 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 Executive Council of Physical Therapy & Occupational Therapy Examiners. In order to achieve the objectives and service standards established by this Act, the Executive Council of Physical Therapy & Occupational Therapy Examiners shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** LICENSING AND REGISTRATION | | |
| **Outcome (Results/Impact):** | | |
| Percent of Licensees with No Recent Violations: Physical Therapy | 99% | 99% |
| Percent of Licensees with No Recent Violations: Occupational Therapy | 99% | 99% |
| Percent of Licensees Who Renew Online | 95% | 95% |
| Percent of New Individual Licenses Issued Online | 80% | 80% |
| **A.1.1. Strategy:** OPERATE LICENSING SYSTEM | | |
| **Output (Volume):** | | |
| Number of New Licenses Issued to Individuals: Physical Therapy | 1,530 | 1,530 |
| Number of New Licenses Issued to Individuals: Occupational Therapy | 900 | 950 |
| Number of Licenses Renewed (Individuals): Physical Therapy | 7,920 | 8,000 |
| Number of Licenses Renewed (Individuals): Occupational Therapy | 4,400 | 4,500 |
| **Explanatory:** | | |
| Total Number of PT and OT Facilities Registered | 3,900 | 4,000 |
| **B. Goal:** ENFORCEMENT | | |
| **Outcome (Results/Impact):** | | |
| Percent of Complaints Resulting in Disciplinary Action: Physical Therapy | 15% | 15% |
| Percent of Complaints Resulting in Disciplinary Action: Occupational Therapy | 15% | 15% |
| **B.1.1. Strategy:** ADMINISTER ENFORCEMENT | | |
| **Output (Volume):** | | |
| Number of Complaints Resolved: Physical Therapy | 325 | 325 |
| Number of Complaints Resolved: Occupational Therapy | 125 | 125 |
| **Efficiencies:** | | |
| Average Time for Complaint Resolution: Physical Therapy (Days) | 150 | 150 |
| Average Time for Complaint Resolution: Occupational Therapy (Days) | 150 | 150 |

| | | |
|---|---|---|
| **Explanatory:** | | |
| Number of Jurisdictional Complaints Received: Physical Therapy | 400 | 400 |
| Number of Jurisdictional Complaints Received: Occupational Therapy | 175 | 185 |

2. **Contingent Revenue.** Out of the amounts appropriated above to the Executive Council of Physical Therapy and Occupational Therapy Examiners in Strategy A.1.1, Operate Licensing System, the amount of $48,380 in fiscal year 2012 and $48,380 in fiscal year 2013, and in Strategy B.1.1, Administer Enforcement, the amount of $24,112 in fiscal year 2012 and $24,112 in fiscal year 2013 in General Revenue are contingent upon the Executive Council of Physical Therapy and Occupational Therapy Examiners assessing or increasing fees sufficient to generate, during the 2012-13 biennium, $185,376 in excess of $7,798,000 (Object Code 3562), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2012 and 2013. Also, the "Number of Full-Time-Equivalents (FTE)" figure above includes 2.0 FTEs in each fiscal year contingent upon the Comptroller's certification of increased revenue indicated above. The Executive Council of Physical Therapy and Occupational Therapy Examiners, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Executive Council of Physical Therapy and Occupational Therapy Examiners' minutes and other information supporting the estimated revenues to be generated for the 2012-13 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes. For informational purposes, the amount of increased revenue identified above reflects amounts sufficient to cover direct appropriations of $144,984 and other direct and indirect costs (estimated to be $40,392 for the 2012-13 biennium).

## BOARD OF PLUMBING EXAMINERS

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 2,160,535 | $ 2,091,535 |
| Appropriated Receipts | 45,000 | 45,000 |
| **Total, Method of Financing** | $ 2,205,535 | $ 2,136,535 |
| **Other Direct and Indirect Costs Appropriated Elsewhere in this Act** | $ 480,845 | $ 507,782 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 27.0 | 27.0 |
| **Schedule of Exempt Positions:** | | |
| Executive Director, Group 1 | $77,000 | $77,000 |
| **Items of Appropriation:** | | |
| **A. Goal:** ENSURE PUBLIC SAFETY/PLUMBING | | |
| Ensure Public Health by Licensing and Registering Plumbers. | | |
| **A.1.1. Strategy:** EXAMINE AND LICENSE PLUMBERS | $ 751,351 | $ 751,351 |
| Administer Competency Examinations, Issue and Renew Licenses. | | |
| **A.1.2. Strategy:** TEXASONLINE | $ 155,000 | $ 155,000 |
| TexasOnline. Estimated and Nontransferable. | | |
| **A.1.3. Strategy:** INSPECTIONS AND ENFORCEMENT | $ 1,032,334 | $ 963,334 |
| Inspect and Monitor Job Sites, Investigate and Resolve Complaints. | | |
| **Total, Goal A:** ENSURE PUBLIC SAFETY/PLUMBING | $ 1,938,685 | $ 1,869,685 |

## BOARD OF PLUMBING EXAMINERS
(Continued)

| | | |
|---|---|---|
| **B. Goal:** INDIRECT ADMINISTRATION | | |
| **B.1.1. Strategy:** INDIRECT ADMIN - EXAM/LICENSE<br>Indirect Administration - Exam/License. | $ 108,407 | $ 108,407 |
| **B.1.2. Strategy:** INDIRECT ADMIN - INSPECT/ENFORCE<br>Indirect Administration - Inspections/Enforcement. | $ 158,443 | $ 158,443 |
| **Total, Goal B:** INDIRECT ADMINISTRATION | $ 266,850 | $ 266,850 |
| **Grand Total,** BOARD OF PLUMBING EXAMINERS | $ 2,205,535 | $ 2,136,535 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 1,255,000 | $ 1,255,000 |
| Other Personnel Costs | 51,100 | 51,100 |
| Professional Fees and Services | 138,000 | 138,000 |
| Fuels and Lubricants | 16,500 | 16,500 |
| Consumable Supplies | 24,700 | 24,700 |
| Utilities | 32,000 | 32,000 |
| Travel | 55,000 | 55,000 |
| Rent - Building | 183,886 | 183,886 |
| Rent - Machine and Other | 11,300 | 11,300 |
| Other Operating Expense | 369,049 | 369,049 |
| Capital Expenditures | 69,000 | 0 |
| **Total, Object-of-Expense Informational Listing** | $ 2,205,535 | $ 2,136,535 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 68,911 | $ 69,255 |
| Group Insurance | 263,713 | 270,006 |
| Social Security | 89,294 | 89,740 |
| Benefits Replacement | 6,385 | 5,970 |
| Subtotal, Employee Benefits | $ 428,303 | $ 434,971 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 428,303 | $ 434,971 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Board of Plumbing Examiners. 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 Board of Plumbing Examiners. In order to achieve the objectives and service standards established by this Act, the Board of Plumbing Examiners shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** ENSURE PUBLIC SAFETY/PLUMBING | | |
| **Outcome (Results/Impact):** | | |
| Percentage of Complaints Resolved Resulting in Disciplinary Action | 55% | 55% |
| Percentage of Licensees with No Recent Violations | 98.5% | 98.5% |
| Percent of Licensees Who Renew Online | 37% | 37% |
| Percent of New Individual Licenses Issued Online | 33% | 33% |
| **A.1.1. Strategy:** EXAMINE AND LICENSE PLUMBERS | | |
| **Output (Volume):** | | |
| Number of New Licenses Issued to Individuals | 1,000 | 1,200 |
| Number of Licenses Renewed (Individuals) | 28,400 | 28,500 |
| Number of Licenses, Certifications, and Registrations Issued | 55,000 | 55,200 |
| **A.1.3. Strategy:** INSPECTIONS AND ENFORCEMENT | | |
| **Output (Volume):** | | |
| Number of Job Sites Monitored | 8,500 | 8,500 |
| Number of Field Investigations Conducted | 800 | 800 |
| Number of Complaints Resolved | 850 | 850 |

2. **Surplus Property.** Notwithstanding Article IX, Sec. 8.04. Surplus Property, one hundred percent of the receipts to the Board of Plumbing Examiners from the sale of scrap metal is appropriated to

the Board for the purpose of providing materials necessary to conduct licensing examinations during the biennium in which the receipts are received.

3. **Contingency Appropriations.** Out of the amounts appropriated above to the Board of Plumbing Examiners in Strategy A.1.3, Inspections and Enforcement, the amounts of $180,900 in fiscal year 2012 and $111,900 in fiscal year 2013, in General Revenue are contingent upon the Board of Plumbing Examiners assessing or increasing fees sufficient to generate, during the 2012-13 biennium, $342,948 in excess of $7,512,000 (Object Code 3175), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2012 and 2013. Also, the "Number of Full-Time-Equivalents (FTE)" figure indicated above includes 2.0 FTEs in each fiscal year contingent upon the Board of Plumbing Examiners generating the amount of revenue indicated above. The Board of Plumbing Examiners, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Board of Plumbing Examiners' minutes and other information supporting the estimated revenues to be generated for the 2012-13 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes. For informational purposes, the amount of increased revenue identified above reflects amounts sufficient to cover direct appropriations of $292,800 and other direct and indirect costs (estimated to be $50,148 for the 2012-13 biennium).

## BOARD OF PODIATRIC MEDICAL EXAMINERS

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 231,531 | $ 241,556 |
| Appropriated Receipts | 3,200 | 3,200 |
| **Total, Method of Financing** | $ 234,731 | $ 244,756 |
| **Other Direct and Indirect Costs Appropriated Elsewhere in this Act** | $ 65,358 | $ 67,902 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 3.0 | 3.0 |
| **Schedule of Exempt Positions:** | | |
| Executive Director, Group 1 | $70,000 | $70,000 |
| **Items of Appropriation:** | | |
| **A. Goal:** PROTECT TEXANS | | |
| Protect Citizens of Texas from Incompetent and Unethical Podiatrists. | | |
| **A.1.1. Strategy:** LICENSURE AND ENFORCEMENT | $ 184,036 | $ 195,962 |
| Provide Exams and Continuing Education & Investigate Violations of Act. | | |
| **A.1.2. Strategy:** TEXASONLINE | $ 4,428 | $ 4,427 |
| TexasOnline. Estimated and Nontransferable. | | |
| **A.1.3. Strategy:** INDIRECT ADMINISTRATION | $ 46,267 | $ 44,367 |
| **Total, Goal A:** PROTECT TEXANS | $ 234,731 | $ 244,756 |
| **Grand Total,** BOARD OF PODIATRIC MEDICAL EXAMINERS | $ 234,731 | $ 244,756 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 168,571 | $ 180,799 |
| Other Personnel Costs | 8,560 | 9,060 |
| Professional Fees and Services | 10,245 | 7,745 |

| | | |
|---|---|---|
| Consumable Supplies | 3,625 | 3,625 |
| Utilities | 200 | 200 |
| Travel | 17,500 | 17,500 |
| Other Operating Expense | 26,030 | 25,827 |
| **Total, Object-of-Expense Informational Listing** | $ 234,731 | $ 244,756 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 9,524 | $ 9,572 |
| Group Insurance | 18,392 | 18,392 |
| Social Security | 11,774 | 11,833 |
| Benefits Replacement | 912 | 853 |
| Subtotal, Employee Benefits | $ 40,602 | $ 40,650 |
| Debt Service | | |
| Lease Payments | $ 3,042 | $ 1,545 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 43,644 | $ 42,195 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Board of Podiatric Medical Examiners. 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 Board of Podiatric Medical Examiners. In order to achieve the objectives and service standards established by this Act, the Board of Podiatric Medical Examiners shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** PROTECT TEXANS | | |
| **Outcome (Results/Impact):** | | |
| Percent of Licensees with No Recent Violations | 98% | 98% |
| Percent of Documented Complaints Resolved within Six Months | 65% | 65% |
| Percent of Licensees Who Renew Online | 65% | 65% |
| **A.1.1. Strategy:** LICENSURE AND ENFORCEMENT | | |
| **Output (Volume):** | | |
| Number of New Licenses Issued to Individuals | 45 | 45 |
| Complaints Resolved | 80 | 80 |
| **Efficiencies:** | | |
| Average Time for Complaint Resolution (Days) | 300 | 300 |
| **Explanatory:** | | |
| Total Number of Individuals Licensed | 1,267 | 1,267 |

2. **Contingent Revenue.** Out of the amounts appropriated above to the Board of Podiatric Medical Examiners in Strategy A.1.1, Licensure and Enforcement, the amounts of $3,000 in fiscal year 2012 and $14,628 in fiscal year 2013, and in Strategy A.1.3, Indirect Administration, the amount of $600 in fiscal year 2013 in General Revenue are contingent upon the Board of Podiatric Medical Examiners assessing or increasing fees sufficient to generate, during the 2012-13 biennium, $21,634 in excess of $960,000 (Object Code 3562), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2012 and 2013. The Board of Podiatric Medical Examiners, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Board of Podiatric Medical Examiners' minutes and other information supporting the estimated revenues to be generated for the 2012-13 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes. For informational purposes, the amount of increased revenue identified above reflects amounts sufficient to cover direct appropriations of $18,228 and other direct and indirect costs (estimated to be $3,406 for the 2012-13 biennium).

# BOARD OF EXAMINERS OF PSYCHOLOGISTS

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 719,742 | $ 724,942 |
| Other Funds | | |
| Appropriated Receipts | 54,640 | 54,640 |
| Interagency Contracts | 27,398 | 27,398 |
| Subtotal, Other Funds | $ 82,038 | $ 82,038 |
| **Total, Method of Financing** | $ 801,780 | $ 806,980 |
| **Other Direct and Indirect Costs Appropriated Elsewhere in this Act** | $ 208,057 | $ 213,690 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 13.0 | 13.0 |
| **Schedule of Exempt Positions:** | | |
| Executive Director, Group 1 | $75,075 | $75,075 |
| **Items of Appropriation:** | | |
| **A. Goal:** LICENSURE | | |
| Protect Public through Quality Program of Licensure. | | |
| **A.1.1. Strategy:** LICENSING | $ 415,978 | $ 416,201 |
| Operate Quality Program of Licensure. | | |
| **A.1.2. Strategy:** TEXASONLINE | $ 32,000 | $ 32,000 |
| TexasOnline. Estimated and Nontransferable. | | |
| **Total, Goal A:** LICENSURE | $ 447,978 | $ 448,201 |
| **B. Goal:** ENFORCEMENT LAWS & RULES | | |
| Protect the Public through Enforcement of Laws & Rules. | | |
| **B.1.1. Strategy:** ENFORCEMENT | $ 223,582 | $ 228,559 |
| Operate a Quality Investigation/Enforcement Program. | | |
| **C. Goal:** INDIRECT ADMINISTRATION | | |
| **C.1.1. Strategy:** INDIRECT ADMIN - LICENSING | $ 63,253 | $ 63,253 |
| Indirect Administration - Licensing. | | |
| **C.1.2. Strategy:** INDIRECT ADMIN - ENFORCEMENT | $ 66,967 | $ 66,967 |
| Indirect Administration - Enforcement. | | |
| **Total, Goal C:** INDIRECT ADMINISTRATION | $ 130,220 | $ 130,220 |
| **Grand Total,** BOARD OF EXAMINERS OF PSYCHOLOGISTS | $ 801,780 | $ 806,980 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 589,575 | $ 589,575 |
| Other Personnel Costs | 20,340 | 21,060 |
| Professional Fees and Services | 32,462 | 32,462 |
| Fuels and Lubricants | 200 | 200 |
| Consumable Supplies | 11,945 | 11,225 |
| Utilities | 500 | 500 |
| Travel | 30,000 | 30,000 |
| Rent - Building | 2,300 | 2,300 |
| Rent - Machine and Other | 6,000 | 6,000 |
| Other Operating Expense | 108,458 | 113,658 |
| **Total, Object-of-Expense Informational Listing** | $ 801,780 | $ 806,980 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 33,318 | $ 33,485 |

## BOARD OF EXAMINERS OF PSYCHOLOGISTS
(Continued)

| | | |
|---|---|---|
| Group Insurance | 78,681 | 78,944 |
| Social Security | 46,540 | 46,772 |
| Benefits Replacement | 5,002 | 4,677 |
| Subtotal, Employee Benefits | $ 163,541 | $ 163,878 |
| Debt Service | | |
| Lease Payments | $ 6,266 | $ 3,182 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 169,807 | $ 167,060 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Board of Examiners of Psychologists. 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 Board of Examiners of Psychologists. In order to achieve the objectives and service standards established by this Act, the Board of Examiners of Psychologists shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** LICENSURE | | |
| **Outcome (Results/Impact):** | | |
| Percent of Licensees with No Recent Violations | 98% | 98% |
| Percent of Licensees Who Renew Online | 88% | 88% |
| **A.1.1. Strategy:** LICENSING | | |
| **Output (Volume):** | | |
| Number of New Certificates/Licenses Issued to Individuals | 550 | 550 |
| Number of Certificates/Licenses Renewed (Individuals) | 7,700 | 7,700 |
| **B. Goal:** ENFORCEMENT LAWS & RULES | | |
| **Outcome (Results/Impact):** | | |
| Percent of Documented Complaints Resolved within Six Months | 45% | 45% |
| **B.1.1. Strategy:** ENFORCEMENT | | |
| **Output (Volume):** | | |
| Complaints Resolved | 200 | 200 |
| **Efficiencies:** | | |
| Average Time for Complaint Resolution (Days) | 242 | 242 |
| **Explanatory:** | | |
| Number of Jurisdictional Complaints Received | 190 | 190 |

## RACING COMMISSION

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| GR Dedicated - Texas Racing Commission Account No. 597 | $ 8,662,097 | $ 8,662,096 |
| **Total, Method of Financing** | $ 8,662,097 | $ 8,662,096 |
| **Other Direct and Indirect Costs Appropriated Elsewhere in this Act** | $ 961,748 | $ 1,010,745 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 61.3 | 61.3 |
| **Number of FTEs in Riders:** | 5.0 | 5.0 |
| **Schedule of Exempt Positions:** | | |
| Executive Director, Group 2 | $94,090 | $94,090 |

## RACING COMMISSION
(Continued)

| | | | | |
|---|---|---|---|---|
| **Items of Appropriation:** | | | | |
| **A. Goal:** ENFORCE RACING REGULATION | | | | |
| Enforce Racing Regulations in Texas. | | | | |
| **A.1.1. Strategy:** LICENSE/REGULATE RACETRACKS<br>Provide Regulatory and Enforcement Services to Racetrack Owners. | $ | 312,576 | $ | 312,576 |
| **A.2.1. Strategy:** TEXAS BRED INCENTIVE PROGRAM<br>Allocate TX Bred Funds. Estimated and Nontransferable. | $ | 4,125,000 | $ | 4,125,000 |
| **A.3.1. Strategy:** SUPERVISE & CONDUCT LIVE RACES<br>Supervise the Conduct of Racing through Enforcement and Monitoring. | $ | 717,948 | $ | 717,948 |
| **A.3.2. Strategy:** MONITOR LICENSEE ACTIVITIES<br>Monitor Occupational Licensee Activities. | $ | 304,965 | $ | 304,965 |
| **A.4.1. Strategy:** INSPECT & PROVIDE EMERGENCY CARE<br>Inspect and Provide Emergency Care. | $ | 316,729 | $ | 316,729 |
| **A.4.2. Strategy:** ADMINISTER DRUG TESTS | $ | 335,633 | $ | 335,633 |
| **Total, Goal A:** ENFORCE RACING REGULATION | $ | 6,112,851 | $ | 6,112,851 |
| **B. Goal:** REGULATE PARTICIPATION | | | | |
| Regulate the Participation in Racing. | | | | |
| **B.1.1. Strategy:** OCCUPATIONAL LICENSING PROGRAM<br>Administer the Occupational Licensing Program through Enforcement. | $ | 732,663 | $ | 732,663 |
| **B.1.2. Strategy:** TEXASONLINE<br>TexasOnline. Estimated and Nontransferable. | $ | 23,250 | $ | 23,250 |
| **Total, Goal B:** REGULATE PARTICIPATION | $ | 755,913 | $ | 755,913 |
| **C. Goal:** REGULATE PARI-MUTUEL WAGERING | | | | |
| Regulate Pari-mutuel Wagering in Texas. | | | | |
| **C.1.1. Strategy:** MONITOR WAGERING AND AUDIT<br>Regulate Pari-mutuel Wagering to Maintain an Honest Racing Industry. | $ | 444,699 | $ | 444,699 |
| **C.1.2. Strategy:** WAGERING COMPLIANCE INSPECTIONS<br>Conduct Wagering Compliance Inspections. | $ | 236,715 | $ | 236,715 |
| **Total, Goal C:** REGULATE PARI-MUTUEL WAGERING | $ | 681,414 | $ | 681,414 |
| **D. Goal:** INDIRECT ADMINISTRATION | | | | |
| **D.1.1. Strategy:** CENTRAL ADMIN & OTHER SUPPORT SVCS<br>Central Administration and Other Support Services. | $ | 724,247 | $ | 724,246 |
| **D.1.2. Strategy:** INFORMATION RESOURCES | $ | 387,672 | $ | 387,672 |
| **Total, Goal D:** INDIRECT ADMINISTRATION | $ | 1,111,919 | $ | 1,111,918 |
| **Grand Total,** RACING COMMISSION | $ | 8,662,097 | $ | 8,662,096 |
| **Supplemental Appropriations Made in Riders:** | $ | 635,637 | $ | 635,637 |
| **Object-of-Expense Informational Listing:** | | | | |
| Salaries and Wages | $ | 3,444,777 | $ | 3,444,777 |
| Other Personnel Costs | | 133,827 | | 133,827 |
| Professional Fees and Services | | 177,000 | | 177,000 |
| Consumable Supplies | | 26,908 | | 26,907 |
| Utilities | | 26,500 | | 26,500 |
| Travel | | 233,615 | | 233,615 |
| Rent - Building | | 108,014 | | 108,014 |
| Rent - Machine and Other | | 14,500 | | 14,500 |
| Other Operating Expense | | 616,756 | | 616,756 |
| Grants | | 4,457,037 | | 4,457,037 |
| Capital Expenditures | | 58,800 | | 58,800 |
| **Total, Object-of-Expense Informational Listing** | $ | 9,297,734 | $ | 9,297,733 |

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

| | | |
|---|---|---|
| Employee Benefits | | |
| Retirement | $ 181,406 | $ 182,313 |
| Group Insurance | 440,443 | 446,814 |
| Social Security | 234,695 | 235,868 |
| Benefits Replacement | 21,125 | 19,752 |
| Subtotal, Employee Benefits | $ 877,669 | $ 884,747 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 877,669 | $ 884,747 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Racing 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 Racing Commission. In order to achieve the objectives and service standards established by this Act, the Racing Commission shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** ENFORCE RACING REGULATION | | |
| **Outcome (Results/Impact):** | | |
| Percentage of Investigations (Individuals) Resulting in Disciplinary Action | 95% | 95% |
| Percentage of Licensees with No Recent Violations | 95% | 95% |
| Percentage of Race Animals Injured or Dismissed from the Racetrack | 0.35% | 0.35% |
| **A.1.1. Strategy:** LICENSE/REGULATE RACETRACKS | | |
| **Output (Volume):** | | |
| Number of Racetrack Inspections | 79 | 79 |
| **Explanatory:** | | |
| Number of Horse Tracks Regulated | 10 | 10 |
| Number of Greyhound Tracks Regulated | 3 | 3 |
| **A.2.1. Strategy:** TEXAS BRED INCENTIVE PROGRAM | | |
| **Output (Volume):** | | |
| Number of Texas Bred Awards | 12,500 | 12,500 |
| **A.3.1. Strategy:** SUPERVISE & CONDUCT LIVE RACES | | |
| **Output (Volume):** | | |
| Number of Occupational Licenses Suspended or Revoked | 147 | 147 |
| **A.3.2. Strategy:** MONITOR LICENSEE ACTIVITIES | | |
| **Output (Volume):** | | |
| Number of Investigations Completed | 175 | 175 |
| **A.4.1. Strategy:** INSPECT & PROVIDE EMERGENCY CARE | | |
| **Output (Volume):** | | |
| Number of Race Animals Inspected Pre-race | 50,000 | 50,000 |
| **B. Goal:** REGULATE PARTICIPATION | | |
| **Outcome (Results/Impact):** | | |
| Average Time Required to Issue a New Occupational License (Minutes) | 20 | 20 |
| **B.1.1. Strategy:** OCCUPATIONAL LICENSING PROGRAM | | |
| **Output (Volume):** | | |
| Number of New Occupational Licenses Issued | 3,000 | 3,000 |
| Number of Occupational Licenses Renewed | 6,000 | 6,000 |
| **C. Goal:** REGULATE PARI-MUTUEL WAGERING | | |
| **Outcome (Results/Impact):** | | |
| Percentage of Compliance Audits Passed | 95% | 95% |
| **C.1.1. Strategy:** MONITOR WAGERING AND AUDIT | | |
| **Explanatory:** | | |
| Total Pari-mutuel Handle (In Millions) | 347.43 | 338.75 |
| Total Take to the State Treasury from Pari-mutuel Wagering on Live and Simulcast Races | 3,196,356 | 3,116,500 |

2. **Limitation on Travel Reimbursement.** Out of the funds appropriated above, not more than $1,500 per Commissioner may be expended on out-of-state travel and not more than $6,000 per Commissioner may be expended on in-state travel in each year of the biennium.

3. **Unexpended Balance Authority.** The unobligated and unexpended balances of appropriations to the Texas Racing Commission for the fiscal year ending August 31, 2012, are hereby appropriated to the agency for the same purposes for the fiscal year ending August 31, 2013.

4. **Texas Bred Incentive Program Receipts.** Amounts set aside by the Texas Racing Act for the Texas Bred Incentive Program are appropriated above in Strategy A.2.1, Texas Bred Incentive Program.

5. **Criminal History Checks and Background Checks.** Out of the funds appropriated above in Strategy B.1.1, Occupational Licensing Program, $317,331in fiscal year 2012 and $317,331in fiscal year 2013 are appropriated to the Racing Commission for the purpose of reimbursing the Department of Public Safety (DPS), Federal Bureau of Investigation (FBI), and/or any other entity authorized to conduct criminal history background checks for costs incurred in conducting criminal history checks or background checks on individuals seeking to transfer ownership interest in an existing racetrack license on Racing Commission license applicants and renewals. Any additional revenue received from occupational license fees to cover the costs of criminal history checks or background checks (estimated to be $0) is hereby appropriated to the Racing Commission for the purpose of reimbursing the DPS, FBI, and/or any other entity authorized to conduct criminal history background checks.

6. **Texas Bred Incentive Program Awards.** None of the funds appropriated above for Texas Bred Incentive Program Awards may be expended for payments to a member serving on the commission. The Racing Commission shall take all necessary steps to ensure compliance with this provision.

7. **Contingent Appropriation: New Horse Racetrack or Reopening Horse Racetrack and Accredited Texas Bred Program.**

   a. In addition to the amounts appropriated above, the Texas Racing Commission shall be appropriated $303,600 out of funds collected by the agency and deposited to GR Dedicated-Texas Racing Commission Account No. 597 during each fiscal year of the 2012-13 biennium, in the following amounts for each new horse racetrack that begins operation for the first time during the biennium or for each reopening horse racetrack that initiates operations again during the biennium (estimated to be one new horse racetrack or reopening horse racetrack) contingent upon the Texas Racing Commission assessing fees sufficient to generate, in addition to revenue requirements elsewhere in this act, during the 2012-13 biennium, $370,540 for fiscal year 2012 and $370,540 for fiscal year 2013 for each new horse racetrack or each reopening horse racetrack during the 2012-13 biennium in excess of $8,605,000 in fiscal year 2012 and $8,453,000 in fiscal year 2013 (Object Codes 3188, 3189, 3190, 3193, 3194, and 3197) contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2012 and 2013:

      (1) $88,561 in Strategy A.3.1, Supervise and Conduct Live Races;
      (2) $66,893 in Strategy A.3.2, Monitor Licensee Activities;
      (3) $48,200 in Strategy A.4.1, Inspect and Provide Emergency Care;
      (4) $27,946 in Strategy A.4.2, Administer Drug Tests;
      (5) $34,000 in Strategy B.1.1, Occupational Licensing Program;
      (6) $38,000 in Strategy C.1.1, Monitor Wagering and Audit.

   Also, the "Number of Full-Time-Equivalents (FTE)" figure indicated above shall be increased by 5.0 FTEs in each fiscal year for each new horse racetrack that begins operations for the first time during the biennium or for each reopening horse racetrack that initiates operations again during the biennium contingent upon the Texas Racing Commission generating the amount of revenue indicated above for each new horse racetrack. The Texas Racing Commission upon completion of necessary actions to access or increase such additional revenue shall furnish copies of the Texas Racing Commission’s minutes and other information supporting the estimated revenues to be generated for the 2012-13 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purpose. For informational purposes, the amount of increased revenue identified above reflects amounts sufficient to cover direct appropriations of $607,200 and other direct and indirect costs (estimated to be $66,940 for the 2012-13 biennium).

b. In addition to amounts appropriated above in GR Dedicated - Texas Racing Commission Account No. 597, the Texas Racing Commission shall be appropriated in Strategy A.2.1, Texas Bred Incentive Program, revenue set aside by the Texas Racing Act pursuant to VTCS, Article 179e § 6.08 (j) for the Texas Bred Incentive Program that is collected by the agency from each new horse racetrack that begins operations for the first time in the 2012-13 biennium or for each reopening horse racetrack that initiates operations again during the 2012-13 biennium in an amount not to exceed $332,037 from GR Dedicated - Texas Racing Commission Account No. 597 each year for each new horse racetrack. Any appropriations from revenue collected by the agency from new horse racetracks for the Texas Bred Incentive Program during the 2012-13 biennium may be used only for that purpose and are not transferable to any other strategy.

c. For the purposes of this contingency rider, a "reopening horse racetrack" is a horse racetrack that has not operated live or simulcast race operations for 365 or more consecutive days prior to the reopening date for which live or simulcast operations are to be initiated again. Additionally, the reopening horse racetrack can not have ceased operations during the same biennium in which it initiates operations again.

**8.** **Contingent Appropriation: New Racetrack Application.** All fees collected to cover the cost of the racetrack application process, in excess of the $15,000 in each fiscal year from GR Dedicated - Texas Racing Commission Account No. 597 (Object Code 3191) in the Comptroller's Biennial Revenue Estimate (estimated to be $0 each fiscal year), are hereby appropriated to Strategy A.1.1, License and Regulate Racetracks. Any appropriations from revenue collected by the agency from new racetrack applications shall be used only for the racetrack application review process for those racetracks that have a scheduled hearing before the State Office of Administrative Hearing or the Texas Racing Commission during the 2012-13 biennium and are not transferable to any other strategy.

**9.** **Sunset Contingency.** Funds appropriated above for fiscal year 2013 for the Racing Commission are made contingent on the continuation of the Racing Commission by the Eighty-second Legislature. In the event that the agency is not continued, the funds appropriated for fiscal year 2012 or as much thereof as may be necessary are to be used to provide for the phase out of the agency operations.

**10.** **Contingent Revenue.** Out of the amounts appropriated above to the Racing Commission in Strategy A.1.1, License and Regulate Racetracks, the amounts of $38,400 in fiscal year 2012 and $38,400 in fiscal year 2013, in Strategy A.3.1, Supervise and Conduct Live Races, the amounts of $33,800 in fiscal year 2012 and $33,800 in fiscal year 2013, in Strategy B.1.1, Occupational Licensing Program, the amounts of $33,517 in fiscal year 2012 and $33,517 in fiscal year 2013, in Strategy C.1.1, Monitor Wagering and Audit, $122,357 in fiscal year 2012 and $122,357 in fiscal year 2013, and in Strategy D.1.2, Information Resources, $85,464 in fiscal year 2012 and $85,463 in fiscal year 2013 from GR Dedicated - Texas Racing Commission Account No. 597 are contingent upon the Racing Commission assessing or increasing fees sufficient to generate, during the 2012-13 biennium, $782,940 in excess of $17,058,000 (Object Codes 3188, 3189, 3190, 3193, 3194, and 3197), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2012 and 2013. Also, the number of "Full-Time-Equivalents (FTE)" figure indicated above includes 6.5 FTEs in each fiscal year contingent upon the Racing Commission generating the amount of revenue indicated above. The Racing Commission, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Racing Commission's minutes and other information supporting the estimated revenues to be generated for the 2012-13 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes. For informational purposes, the amount of increased revenue identified above reflects amounts sufficient to cover direct appropriations of $627,075 and other direct and indirect costs (estimated to be $155,865 for the 2012-13 biennium).

# REAL ESTATE COMMISSION

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 7,091,562 | $ 6,837,500 |
| GR Dedicated - Appraiser Registry Account No. 028 | 120,000 | 120,000 |
| Other Funds | | |
| Appropriated Receipts | 185,800 | 185,800 |
| Real Estate Recovery Trust Fund | 3,500 | 3,500 |
| Real Estate Inspection Trust Fund | 500 | 500 |
| Subtotal, Other Funds | $ 189,800 | $ 189,800 |
| **Total, Method of Financing** | $ 7,401,362 | $ 7,147,300 |
| **Other Direct and Indirect Costs Appropriated Elsewhere in this Act** | $ 1,493,393 | $ 1,573,654 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 99.0 | 99.0 |
| **Schedule of Exempt Positions:** | | |
| Administrator, Group 4 | $106,500 | $106,500 |
| **Items of Appropriation:** | | |
| **A. Goal:** ENSURE STANDARDS | | |
| Determine the Eligibility of TREC Applicants for Licensure. | | |
| **A.1.1. Strategy:** TREC LICENSING | $ 2,408,744 | $ 2,189,007 |
| Review Apps, Perform Criminal Cks, Evaluate Education, Issue Licenses. | | |
| **A.1.2. Strategy:** TEXASONLINE | $ 322,000 | $ 322,000 |
| TexasOnline. Estimated and Nontransferable. | | |
| **Total, Goal A:** ENSURE STANDARDS | $ 2,730,744 | $ 2,511,007 |
| **B. Goal:** ENFORCE REGULATIONS | | |
| Promptly, Aggressively, and Fairly Enforce TREC Laws and Rules. | | |
| **B.1.1. Strategy:** TREC INVESTIGATION | $ 1,592,478 | $ 1,592,478 |
| Investigate and Resolve Valid Complaint Cases. | | |
| **C. Goal:** PROVIDE EDUCATION | | |
| To Communicate Effectively with the Public and Licensees. | | |
| **C.1.1. Strategy:** LICENSEE/CONSUMER OUTREACH | $ 763,660 | $ 763,660 |
| **D. Goal:** LICENSE APPRAISERS | | |
| Implement and Enforce TALCB Standards. | | |
| **D.1.1. Strategy:** TALCB LICENSING | $ 299,878 | $ 275,943 |
| Process Applications and License Applicants. | | |
| **D.2.1. Strategy:** TALCB ENFORCEMENT | $ 646,610 | $ 646,610 |
| Investigate and Resolve Complaints; Impose Penalties as Appropriate. | | |
| **Total, Goal D:** LICENSE APPRAISERS | $ 946,488 | $ 922,553 |
| **E. Goal:** INDIRECT ADMINISTRATION | | |
| **E.1.1. Strategy:** INDIRECT ADMINISTRATION | $ 1,367,992 | $ 1,357,602 |
| **Grand Total,** REAL ESTATE COMMISSION | $ 7,401,362 | $ 7,147,300 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 4,556,579 | $ 4,556,579 |
| Other Personnel Costs | 158,961 | 158,961 |
| Professional Fees and Services | 106,591 | 106,591 |
| Consumable Supplies | 66,600 | 66,600 |
| Utilities | 9,900 | 9,900 |
| Travel | 74,700 | 74,700 |
| Rent - Building | 4,600 | 4,600 |

| | | |
|---|---|---|
| Rent - Machine and Other | 39,500 | 39,500 |
| Other Operating Expense | 2,369,231 | 2,129,869 |
| Capital Expenditures | 14,700 | 0 |
| **Total, Object-of-Expense Informational Listing** | $ 7,401,362 | $ 7,147,300 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 266,821 | $ 268,155 |
| Group Insurance | 822,012 | 835,017 |
| Social Security | 358,217 | 360,008 |
| Benefits Replacement | 23,660 | 22,122 |
| Subtotal, Employee Benefits | $ 1,470,710 | $ 1,485,302 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 1,470,710 | $ 1,485,302 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Real Estate 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 Real Estate Commission. In order to achieve the objectives and service standards established by this Act, the Real Estate Commission shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** ENSURE STANDARDS | | |
| **Outcome (Results/Impact):** | | |
| Percent of Licensees with No Recent Violations | 99% | 99% |
| Percent of Licensees Who Renew Online | 83% | 83% |
| Percent of New Licenses Issued Online | 75% | 75% |
| **A.1.1. Strategy:** TREC LICENSING | | |
| **Output (Volume):** | | |
| Number of New Licenses Issued to Individuals | 20,000 | 20,000 |
| Number of Licenses Renewed (Individuals) | 63,000 | 63,000 |
| **Efficiencies:** | | |
| Average Time for Individual License Issuance (Days) | 35 | 35 |
| Percentage of New Individual Licenses Issued Within Ten Days | 90% | 90% |
| Percentage of Individual License Renewals Issued within Seven Days | 95% | 95% |
| **B. Goal:** ENFORCE REGULATIONS | | |
| **Outcome (Results/Impact):** | | |
| Percent of Documented Complaints Resolved Within Six Months | 80% | 85% |
| **B.1.1. Strategy:** TREC INVESTIGATION | | |
| **Output (Volume):** | | |
| Number of Complaints Resolved | 2,100 | 2,100 |
| **Efficiencies:** | | |
| Average Time for Complaint Resolution (Days) | 195 | 165 |
| **C. Goal:** PROVIDE EDUCATION | | |
| **C.1.1. Strategy:** LICENSEE/CONSUMER OUTREACH | | |
| **Output (Volume):** | | |
| Number of Calls Received | 315,000 | 315,000 |
| **D. Goal:** LICENSE APPRAISERS | | |
| **Outcome (Results/Impact):** | | |
| Percent of Licensed or Certified Appraisers with No Recent Violations | 99% | 99% |
| Percent of Licensees Who Renew Online | 70% | 75% |
| Percent of Documented Complaints Resolved Within Six Months | 35% | 40% |
| **D.1.1. Strategy:** TALCB LICENSING | | |
| **Output (Volume):** | | |
| Number of New Licenses/Certifications/Registrations Issued to Individuals | 650 | 650 |
| Number of Licenses and Certifications Renewed (Individuals) | 3,000 | 3,000 |

| | | |
|---|---|---|
| **D.2.1. Strategy:** TALCB ENFORCEMENT | | |
| **Output (Volume):** | | |
| Number of Complaints Resolved | 350 | 360 |
| **Efficiencies:** | | |
| Average Time for Complaint Resolution (Days) | 275 | 250 |

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. Upon approval from the Legislative Budget Board, capital budgeted funds listed below under "Acquisition of Information Resource Technologies" may be used to lease information resources hardware and/or software versus the purchase of information resources hardware and/or software, if determined by commission management to be in the best interest of the State of Texas.

| | 2012 | 2013 |
|---|---|---|
| a. Acquisition of Information Resource Technologies | | |
| (1) Image System Implementation | $ 307,941 | $ 61,595 |
| Total, Acquisition of Information Resource Technologies | $ 307,941 | $ 61,595 |
| b. Other Lease Payments to the Master Lease Purchase Program (MLPP) | | |
| (1) Upgrade Obsolete Telephone System | 14,700 | 0 |
| Total, Other Lease Payments to the Master Lease Purchase Program (MLPP) | $ 14,700 | $ 0 |
| Total, Capital Budget | $ 322,641 | $ 61,595 |
| Method of Financing (Capital Budget): | | |
| General Revenue Fund | $ 322,641 | $ 61,595 |
| Total, Method of Financing | $ 322,641 | $ 61,595 |

3. **Appropriation of Residential Service Company Examination Fees.** In addition to the funds appropriated above ($5,500 each year of the biennium), all monies collected pursuant to §1303.052 (c), Occupations Code, are hereby appropriated to the Texas Real Estate Commission for the purposes of conducting examinations and related activities included within Strategy B.1.1, TREC Investigation.

4. **Appropriation of Receipts: National Registry Fees.** Fee revenue deposited to the Appraiser Registry Account No. 028, in the General Revenue Fund pursuant to § 1103.156, Occupations Code, including the estimated amounts appropriated above, $120,000 in fiscal year 2012 and $120,000 in fiscal year 2013, is hereby appropriated to the Texas Appraiser Licensing and Certification Board, as an independent subdivision of the Texas Real Estate Commission. The appropriation made herein shall be expended only for the purpose specified in § 1103.156, Occupations Code, relating to revenue transmitted to the federal Appraisal Subcommittee.

5. **Real Estate Recovery Fund and Inspection Recovery Fund.** The amounts appropriated above include an estimated total of $4,000 per year from the Real Estate Recovery Trust Fund and the Real Estate Inspection Trust Fund to recover travel and related expenses incurred for collection of court judgments affecting the funds.

6. **Reimbursement of Advisory Committee Members.** Pursuant to Government Code § 2110.004, reimbursement of expenses for advisory committee members, out of amounts appropriated above, is limited to the following advisory committees: Texas Real Estate Broker-Lawyer Committee and the Texas Real Estate Inspector Committee.

# SECURITIES BOARD

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 6,839,784 | $ 6,839,784 |
| **Total, Method of Financing** | $ 6,839,784 | $ 6,839,784 |
| **Other Direct and Indirect Costs Appropriated Elsewhere in this Act** | $ 1,897,696 | $ 1,965,649 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 102.0 | 102.0 |
| **Schedule of Exempt Positions:** | | |
| Securities Commissioner, Group 5 | $130,000 | $130,000 |
| **Items of Appropriation:** | | |
| **A. Goal:** PROTECT INVESTORS | | |
| Protect Investors and Assure Access to Capital for Business. | | |
| **A.1.1. Strategy:** LAW ENFORCEMENT | $ 2,626,000 | $ 2,626,000 |
| Investigate Violations, Coordinate Appropriate Action by Authorities. | | |
| **A.2.1. Strategy:** SECURITIES REGISTRATION | $ 363,548 | $ 363,548 |
| Review Security Documentation for Conformity. | | |
| **A.3.1. Strategy:** DEALER REGISTRATION | $ 359,889 | $ 359,889 |
| Perform Extensive Review of Applications and Submissions. | | |
| **A.4.1. Strategy:** INSPECT RECORDS | $ 1,952,719 | $ 1,952,719 |
| Inspect Dealer & Investment Adviser Records for Regulatory Compliance. | | |
| **Total, Goal A:** PROTECT INVESTORS | $ 5,302,156 | $ 5,302,156 |
| **B. Goal:** INDIRECT ADMINISTRATION | | |
| **B.1.1. Strategy:** CENTRAL ADMINISTRATION | $ 1,323,442 | $ 1,323,442 |
| **B.1.2. Strategy:** INFORMATION TECHNOLOGY | $ 214,186 | $ 214,186 |
| **Total, Goal B:** INDIRECT ADMINISTRATION | $ 1,537,628 | $ 1,537,628 |
| **Grand Total,** SECURITIES BOARD | $ 6,839,784 | $ 6,839,784 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 5,804,178 | $ 5,804,178 |
| Other Personnel Costs | 86,020 | 86,020 |
| Professional Fees and Services | 66,500 | 66,500 |
| Consumable Supplies | 48,000 | 48,000 |
| Utilities | 43,500 | 43,500 |
| Travel | 212,288 | 212,288 |
| Rent - Building | 137,857 | 137,857 |
| Rent - Machine and Other | 21,300 | 21,300 |
| Other Operating Expense | 330,366 | 330,366 |
| Capital Expenditures | 89,775 | 89,775 |
| **Total, Object-of-Expense Informational Listing** | $ 6,839,784 | $ 6,839,784 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 308,828 | $ 310,372 |
| Group Insurance | 712,298 | 724,249 |
| Social Security | 398,639 | 400,632 |
| Benefits Replacement | 16,418 | 15,351 |
| Subtotal, Employee Benefits | $ 1,436,183 | $ 1,450,604 |

| | | |
|---|---|---|
| Debt Service | | |
| Lease Payments | $ 19,635 | $ 952 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 1,455,818 | $ 1,451,556 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Securities Board. 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 Securities Board. In order to achieve the objectives and service standards established by this Act, the Securities Board shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** PROTECT INVESTORS | | |
| **Outcome (Results/Impact):** | | |
| Percentage of Texas Dealers and Investment Advisers Inspected | 20% | 20% |
| Percentage of Inspected Dealers and Investment Advisers Found to Require Corrective Action | 80% | 80% |
| **A.1.1. Strategy:** LAW ENFORCEMENT | | |
| **Output (Volume):** | | |
| Number of Investigations Opened | 370 | 370 |
| **A.2.1. Strategy:** SECURITIES REGISTRATION | | |
| **Output (Volume):** | | |
| Number of Securities Filings and Submissions Processed | 46,715 | 46,715 |
| **Explanatory:** | | |
| Revenues Deposited to the State Treasury from Securities Applications | 94,944,170 | 94,944,170 |
| **A.3.1. Strategy:** DEALER REGISTRATION | | |
| **Output (Volume):** | | |
| Number of Applications and Submissions Processed | 70,000 | 70,000 |
| **Explanatory:** | | |
| Number of Dealers, Agents, Investment Advisers, and Investment Adviser Representatives Licensed or Authorized | 290,000 | 290,000 |
| **A.4.1. Strategy:** INSPECT RECORDS | | |
| **Output (Volume):** | | |
| Number of Inspections Conducted | 235 | 235 |

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 a "(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. Upon approval from the Legislative Budget Board, capital budgeted funds listed below under "Acquisition of Information Resource Technologies" may be used to lease information resources hardware and/or software, if determined by agency management to be in the best interest of the State of Texas.

| | 2012 | 2013 |
|---|---|---|
| a. Acquisition of Information Resource Technologies | | |
| (1) Purchase of Information Technologies | $ 89,775 | $ 89,775 |
| Total, Capital Budget | $ 89,775 | $ 89,775 |
| Method of Financing (Capital Budget): | | |
| General Revenue Fund | $ 89,775 | $ 89,775 |
| Total, Method of Financing | $ 89,775 | $ 89,775 |

3. **Appropriation of Unexpended Balances Within the Biennium.** The unobligated and unexpended balances of appropriations to the Securities Board for the fiscal year ending August 31, 2012, are hereby appropriated to the Securities Board for the same purposes for the fiscal year ending August 31, 2013.

4. **Out-of-State Travel Cap Exemption.** Out of the funds appropriated above, expenditures for out-of-state travel by the Securities Board are limited to $5,300 in fiscal year 2012 and $5,300 in fiscal year 2013. Travel related to regulatory matters, including examinations, inspections and the training of financial examiners, inspectors, investigators, attorneys and related directors is exempt from this limitation.

5. **Contingent Revenue.** Out of the amounts appropriated above to the Securities Board in Strategy A.1.1, Law Enforcement, the amounts of $37,705 in fiscal year 2012 and $37,705 in fiscal year 2013, in Strategy A.2.1, Securities Registration, the amounts of $7,182 in fiscal year 2012 and $7,182 in fiscal year 2013, in Strategy A.3.1, Dealer Registration, the amounts of $7,182 in 2012 and $7,182 in 2013, in Strategy A.4.1, Inspect Records, the amounts of $326,055 in 2012 and $326,055 in 2013, in Strategy B.1.1, and in Central Administration, $17,057 in 2012 and $17,057 in 2013 in General Revenue are contingent upon the Securities Board increasing revenues sufficient to generate, during the 2012-13 biennium, $907,374 in excess of $229,550,000 (Object Code 3175), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2012 and 2013. Also, the "Number of Full-Time-Equivalents (FTE)" figure indicated above includes 5.0 FTEs in each fiscal year contingent upon the Securities Board generating the amount of revenue indicated above. The Securities Board, upon completion of necessary actions to generate such additional revenues, shall furnish copies of the Securities Board's minutes and other information supporting the estimated revenues to be generated for the 2012-13 biennium under the revised fee revenue structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes. For informational purposes, the amount of increased revenue identified above reflects amounts sufficient to cover direct appropriations of $790,362 and other direct and indirect costs (estimated to be $117,012 for the 2012-13 biennium).

## PUBLIC UTILITY COMMISSION OF TEXAS

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 4,591,590 | $ 4,591,588 |
| GR Dedicated - System Benefit Account No. 5100 | 81,234,862 | 86,138,757 |
| Federal American Recovery and Reinvestment Fund | 541,666 | 82,197 |
| Other Funds | | |
| Appropriated Receipts | 475,000 | 475,000 |
| Interagency Contracts | 720,228 | 0 |
| Subtotal, Other Funds | $ 1,195,228 | $ 475,000 |
| **Total, Method of Financing** | $ 87,563,346 | $ 91,287,542 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 178.0 | 170.6 |
| **Schedule of Exempt Positions:** | | |
| Executive Director, Group 4 | $125,000 | $125,000 |
| Commissioner Chairman, Group 6 | 150,000 | 150,000 |
| Commissioners, Group 6 | (2) 150,000 | (2) 150,000 |
| **Items of Appropriation:** | | |
| **A. Goal:** COMPETITION/CHOICE/RATES/SERVICE | | |
| Ensure Competition, Choice, Just Rates, and Reliable Quality Service. | | |
| **A.1.1. Strategy:** MARKET COMPETITION | $ 4,333,042 | $ 3,873,573 |
| Foster and Monitor Market Competition. | | |

| | | |
|---|---|---|
| **A.2.1. Strategy:** UTILITY REGULATION<br>Conduct Rate Cases for Regulated Telephone and Electric Utilities. | $ 4,213,538 | $ 3,493,310 |
| **A.3.1. Strategy:** INVESTIGATION AND ENFORCEMENT<br>Conduct Investigations and Initiate Enforcement Actions. | $ 1,665,034 | $ 1,665,033 |
| **Total, Goal A:** COMPETITION/CHOICE/RATES/SERVICE | $ 10,211,614 | $ 9,031,916 |
| **B. Goal:** EDUCATION AND CUSTOMER ASSISTANCE<br>Educate Customers and Assist Customers. | | |
| **B.1.1. Strategy:** PROVIDE FACTS ABOUT CHANGES<br>Provide Information about Changes in Electric and Telecom Industries. | $ 537,650 | $ 537,650 |
| **B.2.1. Strategy:** ASSIST CUSTOMERS<br>Assist Customers in Resolving Disputes. | $ 668,245 | $ 668,244 |
| **Total, Goal B:** EDUCATION AND CUSTOMER ASSISTANCE | $ 1,205,895 | $ 1,205,894 |
| **C. Goal:** ELECTRIC UTILITY RESTRUCTURING | | |
| **C.1.1. Strategy:** ENERGY ASSISTANCE<br>Energy Assistance. Nontransferable. | $ 73,635,575 | $ 78,539,470 |
| **C.1.2. Strategy:** CONSUMER EDUCATION<br>Customer Education. Nontransferable. | $ 750,000 | $ 750,000 |
| **Total, Goal C:** ELECTRIC UTILITY RESTRUCTURING | $ 74,385,575 | $ 79,289,470 |
| **D. Goal:** INDIRECT ADMINISTRATION | | |
| **D.1.1. Strategy:** CENTRAL ADMINISTRATION | $ 1,172,508 | $ 1,172,508 |
| **D.1.2. Strategy:** INFORMATION RESOURCES | $ 480,105 | $ 480,105 |
| **D.1.3. Strategy:** OTHER SUPPORT SERVICES | $ 107,649 | $ 107,649 |
| **Total, Goal D:** INDIRECT ADMINISTRATION | $ 1,760,262 | $ 1,760,262 |
| **Grand Total,** PUBLIC UTILITY COMMISSION OF TEXAS | $ 87,563,346 | $ 91,287,542 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 10,748,607 | $ 10,131,451 |
| Other Personnel Costs | 595,563 | 419,676 |
| Professional Fees and Services | 3,460,637 | 3,159,953 |
| Consumable Supplies | 60,000 | 60,000 |
| Utilities | 24,779 | 24,779 |
| Travel | 93,138 | 69,125 |
| Rent - Building | 10,000 | 10,000 |
| Rent - Machine and Other | 419,168 | 429,851 |
| Other Operating Expense | 555,879 | 483,237 |
| Client Services | 71,595,575 | 76,499,470 |
| **Total, Object-of-Expense Informational Listing** | $ 87,563,346 | $ 91,287,542 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 509,991 | $ 486,986 |
| Group Insurance | 1,129,098 | 1,102,800 |
| Social Security | 651,713 | 622,316 |
| Benefits Replacement | 47,252 | 44,180 |
| Subtotal, Employee Benefits | $ 2,338,054 | $ 2,256,282 |
| Debt Service | | |
| Lease Payments | $ 129,213 | $ 109,134 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 2,467,267 | $ 2,365,416 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Public Utility Commission of Texas. 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 Public Utility Commission of Texas. In order to achieve the objectives and service standards established by this Act, the Public Utility Commission of Texas shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** COMPETITION/CHOICE/RATES/SERVICE | | |
| **Outcome (Results/Impact):** | | |
| Percent of Texas Cities Served by Three or More Certificated Telecommunication Providers | 80% | 80% |
| Average Price of Electricity Per kWh in Texas for Residential Customers from Competitive Suppliers as a Percentage of the National Residential Average | 127.6% | 127.6% |
| Average Annual Residential Electric Bill from Competitive Suppliers as a Percentage of the National Average | 159.9% | 159.9% |
| Average Annual Residential Telephone Bill in Texas as a Percentage of the National Average | 105.94% | 112.27% |
| **A.1.1. Strategy:** MARKET COMPETITION | | |
| **Output (Volume):** | | |
| Number of Investigations Conducted for Market Power, Market Design, or Anti-competitive Conduct in the Electric Market | 8 | 8 |
| Number of Cases Completed Related to Competition Among Providers | 350 | 350 |
| **Efficiencies:** | | |
| Average Number of Days to Process an Application for a Certificate of Authority and Service Provider Certificate of Authority | 60 | 60 |
| **A.2.1. Strategy:** UTILITY REGULATION | | |
| **Output (Volume):** | | |
| Number of Rate Cases Completed for Regulated Electric Utilities | 35 | 35 |
| Number of Rate Cases Completed for Regulated Telecommunications Providers | 7 | 7 |
| **Efficiencies:** | | |
| Average Number of Days to Process a Major Rate Case for a Transmission and Distribution Utility | 220 | 220 |
| **B. Goal:** EDUCATION AND CUSTOMER ASSISTANCE | | |
| **Outcome (Results/Impact):** | | |
| Percentage of Customer Complaints Resolved through Informal Complaint Resolution Process | 99% | 99% |
| **B.1.1. Strategy:** PROVIDE FACTS ABOUT CHANGES | | |
| **Output (Volume):** | | |
| Number of Information Requests to Which Responses Were Provided | 75,000 | 75,000 |
| **Efficiencies:** | | |
| Percent of Customer Information Product Distributed Electronically | 75% | 75% |
| **Explanatory:** | | |
| Number of Website Hits to Customer Protection Home Page | 280,500 | 280,500 |
| **B.2.1. Strategy:** ASSIST CUSTOMERS | | |
| **Output (Volume):** | | |
| Number of Customer Complaints Concluded | 13,000 | 13,000 |
| **Efficiencies:** | | |
| Average Number of Days to Conclude Customer Complaints | 30 | 30 |
| **C. Goal:** ELECTRIC UTILITY RESTRUCTURING | | |
| **Outcome (Results/Impact):** | | |
| Percent of Eligible Low-income Customers Provided a Discount for Electric Service | 95% | 95% |

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 a "(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. Upon approval from the Legislative Budget Board, capital budget funds listed below under "Acquisition of Information Resource Technologies" may

be used to lease information resources hardware and/or software versus the purchase of information resources hardware and/or software, if determined by commission management to be in the best interest of the State of Texas.

| | 2012 | 2013 |
|---|---|---|
| a. Acquisition of Information Resource Technologies | | |
| (1) Data Center Consolidation | $ 343,552 | $ 332,869 |
| Total, Capital Budget | $ 343,552 | $ 332,869 |
| Method of Financing (Capital Budget): | | |
| General Revenue Fund | $ 343,552 | $ 332,869 |
| Total, Method of Financing | $ 343,552 | $ 332,869 |

**3. Transfer Authority.** The Public Utility Commission shall not transfer an appropriation to or from any item under Goal C: Electric Utility Restructuring, and shall not expend amounts above those appropriated above in each strategy of Goal C: Electric Utility Restructuring.

**4. System Benefit Account Reporting.** The Public Utility Commission shall submit a quarterly report to the Legislative Budget Board and the Governor on revenues and expenditures made from the GR Dedicated - System Benefit Account No. 5100. The report shall be submitted with documentation as specified by the Legislative Budget Board and the Governor.

**5. Unexpended Balance Authority.** The unobligated and unexpended balances of appropriations to the Public Utility Commission for the fiscal year ending August 31, 2012 are hereby appropriated to the agency for the same purposes for the fiscal year ending August 31, 2013.

**6. Sunset Contingency.** Funds appropriated above for fiscal year 2013 for the Public Utility Commission are made contingent on the continuation of the Public Utility Commission by the Eighty-second Legislature. In the event that the agency is not continued, the funds appropriated for fiscal year 2012 or as much thereof as may be necessary are to be used to provide for the phase out of the agency operations.

**7. Contingent Revenue.** Of the amounts appropriated above to the Public Utility Commission from the GR Dedicated - System Benefit Account No. 5100, the estimated amounts of $81,234,862 in fiscal year 2012 and $86,138,757 in fiscal year 2013 are contingent on the Public Utility Commission assessing a rate sufficient to generate the estimated needs of the GR Dedicated - System Benefit Account No. 5100. The Public Utility Commission, upon completion of necessary actions for the assessment, shall furnish copies of the Public Utility Commission's order and other information supporting the estimated revenues to be generated for the 2012-13 biennium to the Comptroller of Public Accounts. If the comptroller finds the information sufficient to support the projection of revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

**8. Allocation of System Benefit Account.** The maximum statutory assessment rate of the GR Dedicated - System Benefit Account No. 5100 is estimated to be $153,858,000 in fiscal year 2012 and $155,887,000 in fiscal year 2013. The estimated balance as of August 31, 2011 is $623,440,000 and interest income is estimated to be $19,869,000 for the biennium. The total account balance available for appropriation for 2012-13, estimated to be $933,185,000, has been allocated throughout this act as follows:

| | 2012 | 2013 |
|---|---|---|
| Public Utility Commission: | | |
| Electric Market Oversight Contracts Wholesale and Retail Market | $ 6,041,736 | $ 6,041,736 |
| Low Income Discount | $ 73,635,575 | $ 78,539,470 |

| | | |
|---|---|---|
| Customer Education | $ 750,000 | $ 750,000 |
| Administration | $ 807,551 | $ 807,551 |
| Total | $ 81,234,862 | $ 86,138,757 |

9. **Low Income Discount.** All amounts appropriated above in Strategy C.1.1, Energy Assistance, shall only be expended to provide a discount of up to 20 percent during the months of May through September in each fiscal year.

10. **Contingency Rider: Power to Choose Website.** Contingent upon the passage of Senate Bill 1219, or similar legislation, out of the funds appropriated above, the Public Utility Commission may allocate up to $150,000 to redesign the state's Power to Choose website to improve usability and facilitate customer choice in the state's deregulated electric market, and the Commission may accept gifts and grants as authorized by general law to pay for the additional costs of redesigning the Power to Choose website.

## OFFICE OF PUBLIC UTILITY COUNSEL

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 1,503,703 | $ 1,503,703 |
| **Total, Method of Financing** | $ 1,503,703 | $ 1,503,703 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 20.5 | 20.5 |
| **Schedule of Exempt Positions:** | | |
| Public Counsel, Group 4 | $115,000 | $115,000 |
| **Items of Appropriation:** | | |
| **A. Goal:** EQUITABLE ELECTRIC RATES | | |
| Equitable Electric Rates for Residential and Small Business Consumers. | | |
| **A.1.1. Strategy:** PARTICIPATION IN PROCEEDINGS | $ 1,229,464 | $ 1,229,464 |
| Participate in Major Electric Rate Cases, Rules and Other Proceedings. | | |
| **B. Goal:** TELEPHONE COMPETITION | | |
| Provide Benefits and Protect Telephone Consumers in Competitive Market. | | |
| **B.1.1. Strategy:** TELECOMMUNICATIONS PROCEEDINGS | $ 274,239 | $ 274,239 |
| Participate in Telecom Proceedings Involving Competitive Issues. | | |
| **Grand Total,** OFFICE OF PUBLIC UTILITY COUNSEL | $ 1,503,703 | $ 1,503,703 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 1,129,573 | $ 1,129,573 |
| Other Personnel Costs | 60,461 | 60,461 |
| Professional Fees and Services | 132,509 | 132,509 |
| Consumable Supplies | 12,500 | 12,500 |
| Utilities | 360 | 360 |
| Travel | 6,620 | 6,620 |
| Rent - Building | 3,264 | 3,264 |
| Rent - Machine and Other | 26,116 | 26,116 |
| Other Operating Expense | 132,300 | 132,300 |
| **Total, Object-of-Expense Informational Listing** | $ 1,503,703 | $ 1,503,703 |

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

| | | |
|---|---|---|
| Employee Benefits | | |
| Retirement | $ 64,040 | $ 64,361 |
| Group Insurance | 137,989 | 139,608 |
| Social Security | 94,128 | 94,599 |
| Benefits Replacement | 4,859 | 4,543 |
| Subtotal, Employee Benefits | $ 301,016 | $ 303,111 |
| Debt Service | | |
| Lease Payments | $ 20,899 | $ 17,651 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 321,915 | $ 320,762 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Office of Public Utility Counsel. 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 Office of Public Utility Counsel. In order to achieve the objectives and service standards established by this Act, the Office of Public Utility Counsel shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** EQUITABLE ELECTRIC RATES | | |
| **Outcome (Results/Impact):** | | |
| Percentage of OPUC Electric Proceedings That Are Competition Related | 55% | 55% |
| **A.1.1. Strategy:** PARTICIPATION IN PROCEEDINGS | | |
| **Output (Volume):** | | |
| Number of Electric Cases in Which OPUC Participates | 20 | 20 |
| Number of Electric Projects in Which OPUC Participates | 15 | 15 |
| **Efficiencies:** | | |
| Average Cost Per Electric Proceeding in Which OPUC Participates | 21,500 | 21,500 |
| **B. Goal:** TELEPHONE COMPETITION | | |
| **Outcome (Results/Impact):** | | |
| Percent of OPUC Telecommunications Proceedings That Are Competition Related | 65% | 65% |
| **B.1.1. Strategy:** TELECOMMUNICATIONS PROCEEDINGS | | |
| **Output (Volume):** | | |
| Number of Telecommunications Cases in Which OPUC Participates | 3 | 3 |
| Number of Telecommunications Projects in Which OPUC Participates | 5 | 5 |
| **Efficiencies:** | | |
| Average Cost Per Telecommunications Proceeding in Which OPUC Participates | 6,500 | 6,500 |

2. **Unexpended Balance Authority.** The unobligated and unexpended balances of appropriations to the Office of Public Utility Counsel for the fiscal year ending August 31, 2012, are hereby appropriated to the agency for the same purposes for the fiscal year ending August 31, 2013.

3. **Sunset Contingency.** Funds appropriated above for fiscal year 2013 for the Office of Public Utility Counsel are made contingent on the continuation of the Office of Public Utility Counsel by the Eighty-second Legislature. In the event that the agency is not continued, the funds appropriated for fiscal year 2012 or as much thereof as may be necessary are to be used to provide for the phase out of the agency operations.

# BOARD OF VETERINARY MEDICAL EXAMINERS

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 967,265 | $ 967,266 |
| Appropriated Receipts | 1,884 | 1,884 |
| **Total, Method of Financing** | $ 969,149 | $ 969,150 |
| **Other Direct and Indirect Costs Appropriated Elsewhere in this Act** | $ 230,795 | $ 238,381 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Number of Full-Time-Equivalents (FTE):** | 16.0 | 16.0 |
| **Schedule of Exempt Positions:** | | |
| Executive Director, Group 2 | $80,500 | $80,500 |
| **Items of Appropriation:** | | |
| **A. Goal:** VETERINARY REGULATION | | |
| Implement Standards of Veterinary Practice, Enforce Statutes and Rules. | | |
| **A.1.1. Strategy:** OPERATE LICENSURE SYSTEM | $ 164,035 | $ 164,035 |
| Examine and License Veterinarians and Renew Licenses. | | |
| **A.1.2. Strategy:** TEXASONLINE | $ 33,650 | $ 33,650 |
| TexasOnline. Estimated and Nontransferable. | | |
| **A.2.1. Strategy:** COMPLAINTS AND ACTION | $ 622,249 | $ 622,250 |
| Investigate Complaints, Take Disciplinary Action, Compliance Program. | | |
| **A.2.2. Strategy:** PEER ASSISTANCE | $ 30,000 | $ 30,000 |
| **Total, Goal A:** VETERINARY REGULATION | $ 849,934 | $ 849,935 |
| **B. Goal:** INDIRECT ADMINISTRATION | | |
| **B.1.1. Strategy:** LICENSING INDIRECT ADMINISTRATION | $ 29,401 | $ 29,401 |
| **B.1.2. Strategy:** COMPLAINTS & ACTION INDIRECT ADMIN | $ 89,814 | $ 89,814 |
| Complaints and Action Indirect Administration. | | |
| **Total, Goal B:** INDIRECT ADMINISTRATION | $ 119,215 | $ 119,215 |
| **Grand Total,** BOARD OF VETERINARY MEDICAL EXAMINERS | $ 969,149 | $ 969,150 |
| **Object-of-Expense Informational Listing:** | | |
| Salaries and Wages | $ 718,500 | $ 718,501 |
| Other Personnel Costs | 24,220 | 24,220 |
| Professional Fees and Services | 52,875 | 52,875 |
| Consumable Supplies | 9,257 | 9,257 |
| Utilities | 2,737 | 2,737 |
| Travel | 62,961 | 62,961 |
| Rent - Building | 1,964 | 1,964 |
| Other Operating Expense | 96,635 | 96,635 |
| **Total, Object-of-Expense Informational Listing** | $ 969,149 | $ 969,150 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 31,966 | $ 32,126 |
| Group Insurance | 89,155 | 90,126 |
| Social Security | 56,763 | 57,047 |
| Benefits Replacement | 2,579 | 2,412 |
| Subtotal, Employee Benefits | $ 180,463 | $ 181,711 |

| | | |
|---|---|---|
| Debt Service | | |
| Lease Payments | $ 5,459 | $ 2,772 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 185,922 | $ 184,483 |

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Board of Veterinary Medical Examiners. 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 Board of Veterinary Medical Examiners. In order to achieve the objectives and service standards established by this Act, the Board of Veterinary Medical Examiners shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

| | 2012 | 2013 |
|---|---|---|
| **A. Goal:** VETERINARY REGULATION | | |
| **Outcome (Results/Impact):** | | |
| Percentage of Licensees with No Recent Violations | 98% | 98% |
| Percent of Licensees Who Renew Online | 87% | 87% |
| Percentage of Complaints Resulting in Disciplinary Action | 15% | 15% |
| Recidivism Rate for Peer Assistance Programs | 0% | 0% |
| **A.1.1. Strategy:** OPERATE LICENSURE SYSTEM | | |
| **Output (Volume):** | | |
| Number of New Licenses Issued to Individuals | 441 | 456 |
| Number of Licenses Renewed (Individuals) | 7,573 | 7,748 |
| **A.2.1. Strategy:** COMPLAINTS AND ACTION | | |
| **Output (Volume):** | | |
| Number of Complaints Resolved | 450 | 450 |
| **Efficiencies:** | | |
| Average Time for Complaint Resolution (Days) | 250 | 250 |
| **Explanatory:** | | |
| Number of Jurisdictional Complaints Received | 500 | 500 |
| **A.2.2. Strategy:** PEER ASSISTANCE | | |
| **Output (Volume):** | | |
| Number of Licensed Individuals Participating in a Peer Assistance Program | 15 | 15 |

2. **Contingent Revenue.** Out of the amounts appropriated above to the Board of Veterinary Medical Examiners in Strategy A.2.1, Complaints and Action, the amounts of $83,644 in fiscal year 2012 and $83,645 in fiscal year 2013, in Strategy B.1.1, Licensing Indirect Administration, the amounts of $5,775 in fiscal year 2012 and $5,775 in fiscal year 2013 and in Strategy B.1.2, Complaints and Action Indirect Administration, the amount of $17,325 in fiscal year 2012 and $17,325 in fiscal year 2013 from General Revenue are contingent upon the Board of Veterinary Medical Examiners assessing or increasing fees sufficient to generate, during the 2012-13 biennium, $247,509 in excess of $2,751,000 (Object Codes 3175 and 3570), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2012 and 2013. Also, the number of "Full-Time-Equivalents (FTE)" figure indicated above includes 2.0 FTEs in each fiscal year contingent upon the Board of Veterinary Medical Examiners generating the amount of revenue indicated above. The Board of Veterinary Medical Examiners, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Board of Veterinary Medical Examiners' minutes and other information supporting the estimated revenues to be generated for the 2012-13 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes. For informational purposes, the amount of increased revenue identified above reflects amounts sufficient to cover direct appropriations of $213,489 and other direct and indirect costs (estimated to be $34,020 for the 2012-13 biennium).

## RETIREMENT AND GROUP INSURANCE

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund, estimated | $ 14,559,243 | $ 15,723,557 |
| General Revenue Dedicated Accounts, estimated | 20,723,709 | 22,551,291 |
| Federal Funds, estimated | 404,525 | 439,638 |
| State Highway Fund No. 006, estimated | 139 | 150 |
| **Total, Method of Financing** | $ 35,687,616 | $ 38,714,636 |
| **Items of Appropriation:** | | |
| **A. Goal:** EMPLOYEES RETIREMENT SYSTEM | | |
| **A.1.1. Strategy:** RETIREMENT CONTRIBUTIONS<br>Retirement Contributions. Estimated. | $ 9,225,479 | $ 9,966,860 |
| **A.1.2. Strategy:** GROUP INSURANCE<br>Group Insurance Contributions. Estimated. | $ 26,462,137 | $ 28,747,776 |
| **Total, Goal A:** EMPLOYEES RETIREMENT SYSTEM | $ 35,687,616 | $ 38,714,636 |
| **Grand Total,** RETIREMENT AND GROUP INSURANCE | $ 35,687,616 | $ 38,714,636 |

## SOCIAL SECURITY AND BENEFIT REPLACEMENT PAY

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund, estimated | $ 5,407,046 | $ 5,385,810 |
| General Revenue Dedicated Accounts, estimated | 7,276,426 | 7,267,964 |
| Federal Funds, estimated | 151,516 | 150,743 |
| State Highway Fund No. 006, estimated | 197,879 | 197,806 |
| **Total, Method of Financing** | $ 13,032,867 | $ 13,002,323 |
| **Items of Appropriation:** | | |
| **A. Goal:** SOCIAL SECURITY/BENEFIT REPLACEMENT<br>Comptroller - Social Security. | | |
| **A.1.1. Strategy:** STATE MATCH -- EMPLOYER<br>State Match — Employer. Estimated. | $ 12,132,095 | $ 12,160,101 |
| **A.1.2. Strategy:** BENEFIT REPLACEMENT PAY<br>Benefit Replacement Pay. Estimated. | $ 900,772 | $ 842,222 |
| **Total, Goal A:** SOCIAL SECURITY/BENEFIT REPLACEMENT | $ 13,032,867 | $ 13,002,323 |
| **Grand Total,** SOCIAL SECURITY AND BENEFIT REPLACEMENT PAY | $ 13,032,867 | $ 13,002,323 |

## LEASE PAYMENTS

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 968,106 | $ 828,747 |

## LEASE PAYMENTS
(Continued)

| | | |
|---|---|---|
| GR Dedicated - Texas Department of Insurance Operating Fund Account No. 036 | 503,597 | 255,406 |
| **Total, Method of Financing** | $ 1,471,703 | $ 1,084,153 |
| **Items of Appropriation:** | | |
| **A. Goal:** FINANCE CAPITAL PROJECTS | | |
| **A.1.1. Strategy:** LEASE PAYMENTS | $ 1,471,703 | $ 1,084,153 & UB |
| To TFC for Payment to TPFA. | | |
| **Grand Total,** LEASE PAYMENTS | $ 1,471,703 | $ 1,084,153 |

## SPECIAL PROVISIONS RELATING TO ALL REGULATORY AGENCIES

**Sec. 2. Appropriations Limited to Revenue Collections.** It is the intent of the Legislature that fees, fines, and other miscellaneous revenues as authorized and generated by each of the following agencies cover, at a minimum, the cost of appropriations made above and elsewhere in this Act to those agencies as well as an amount equal to the amount identified in the informational item "Other Direct and Indirect Costs Appropriated Elsewhere in this Act."

Board of Chiropractic Examiners
Texas State Board of Dental Examiners
Funeral Service Commission
Board of Professional Geoscientists
Office of Injured Employee Counsel
Department of Insurance
Office of Public Insurance Counsel
Board of Professional Land Surveying
Department of Licensing and Regulation
Texas Medical Board
Texas Board of Nursing
Optometry Board
Board of Pharmacy
Executive Council of Physical Therapy and Occupational Therapy Examiners
Board of Plumbing Examiners
Board of Podiatric Medical Examiners
Board of Examiners of Psychologists
Racing Commission
Real Estate Commission
Securities Board
Board of Veterinary Medical Examiners

In the event that actual and/or projected revenue collections are insufficient to offset the costs identified by this provision, the Legislative Budget Board and Governor may direct that the Comptroller of Public Accounts reduce the appropriation authority provided by this Act to be within the amount of fee revenue expected to be available.

**Sec. 3. Funding for Health Professions Council.**

a. An agency participating in the Health Professions Council or the Health Professions Council Shared Regulatory Database shall transfer funds through interagency contract to the Health Professions Council from appropriations made to the agency elsewhere in this Act in order to carry out the functions required under Chapter 101, Occupations Code, and to maintain and update functions of the database. Included in the amounts appropriated above to the Health Professions Council, are funds transferred by the following participating agencies in the amounts noted below for each year of the 2012-13 biennium:

| | 2012 | 2013 |
|---|---|---|
| Department of State Health Services | $ 13,517 | $ 13,517 |
| Board of Chiropractic Examiners | 6,202 | 6,202 |
| Texas State Board of Dental Examiners | 228,328 | 226,435 |
| Funeral Service Commission | 9,663 | 9,663 |

| | | |
|---|---|---|
| Board of Professional Land Surveying | 16,005 | 15,858 |
| Texas Medical Board | 29,266 | 29,266 |
| Texas Board of Nursing | 25,832 | 25,832 |
| Optometry Board | 19,896 | 19,771 |
| Board of Pharmacy | 288,169 | 285,727 |
| Executive Council of Physical Therapy & Occupational Therapy Examiners | 12,557 | 12,557 |
| Board of Plumbing Examiners | 161,664 | 160,173 |
| Board of Podiatric Medical Examiners | 5,565 | 5,565 |
| Board of Examiners of Psychologists | 36,595 | 36,354 |
| Board of Veterinary Medical Examiners | 9,326 | 9,326 |
| Total | $ 862,585 | $ 856,246 |

b. The following is an informational listing of appropriations made to agencies that are transferred to the Health Professions Council in subsection (a) above for the purpose of funding the Health Professions Council Shared Regulatory Database maintenance and upgrade costs:

| | 2012 | 2013 |
|---|---|---|
| Texas State Board of Dental Examiners | $ 205,293 | $ 203,400 |
| Board of Professional Land Surveying | 16,005 | 15,858 |
| Optometry Board | 13,642 | 13,517 |
| Board of Pharmacy | 264,909 | 262,467 |
| Board of Plumbing Examiners | 161,664 | 160,173 |
| Board of Examiners of Psychologists | 26,232 | 25,991 |
| Total | $ 687,745 | $ 681,406 |

**Sec. 4. TexasOnline Authority Appropriation.**

a. Each Article VIII licensing agency participating in the TexasOnline Authority is authorized in accordance with § 2054.252 of the Government Code to increase the occupational license, permit, and registration fees imposed on the licensees by an amount sufficient to cover the cost of the subscription fee charged by the TexasOnline Authority.

b. The following is an informational listing of appropriated fee revenue for each Article VIII licensing agency participating in TexasOnline for the purpose of paying TexasOnline Authority subscription fees.

| | 2012 | 2013 |
|---|---|---|
| Board of Chiropractic Examiners | $ 29,850 | $ 29,850 |
| Texas State Board of Dental Examiners | 184,629 | 184,629 |
| Funeral Service Commission | 39,000 | 39,000 |
| Board of Professional Geoscientists | 30,000 | 30,000 |
| Department of Insurance | 380,000 | 380,000 |
| Board of Professional Land Surveying | 18,000 | 18,000 |
| Department of Licensing and Regulation | 467,200 | 467,200 |
| Texas Medical Board | 446,366 | 457,670 |
| Texas Board of Nursing | 364,375 | 364,375 |
| Optometry Board | 18,000 | 18,000 |
| Board of Pharmacy | 217,345 | 221,785 |
| Executive Council of Physical Therapy & Occupational Therapy Examiners | 157,715 | 157,715 |
| Board of Plumbing Examiners | 155,000 | 155,000 |
| Board of Podiatric Medical Examiners | 4,428 | 4,427 |
| Board of Examiners of Psychologists | 32,000 | 32,000 |
| Racing Commission | 23,250 | 23,250 |
| Real Estate Commission | 322,000 | 322,000 |
| Board of Veterinary Medical Examiners | 33,650 | 33,650 |
| Total | $ 2,922,808 | $ 2,938,551 |

c. In the event that actual and/or projected revenue collections from fee increases to cover the cost of TexasOnline subscription fees are insufficient to offset the costs identified above, the Comptroller is hereby directed to reduce the appropriation authority provided by this Act to agencies participating in TexasOnline to be within the amount of fee revenue expected to be available.

d. For new licensing applications, the Article VIII licensing agencies participating in TexasOnline are hereby appropriated the additional revenue generated from occupational license, permit, or registration fees in excess of the Comptroller's biennial revenue estimate for 2012-13 for the sole purpose of payment to the TexasOnline Authority contractor of subscription fees for implementing and maintaining electronic services for the licensing agencies. Each agency, upon completion of necessary actions to access or increase fees, shall furnish copies of board meeting minutes, an annual schedule of the number of license issuances or renewals and associated annual fee total, and any other supporting documentation to the Comptroller. If the Comptroller finds the information sufficient to support the projection of increased revenues, a notification letter will be issued and the contingent appropriation made available for the intended purposes.

e. Each Article VIII licensing agency participating in TexasOnline shall notify the Legislative Budget Board and the Comptroller of Public Accounts in writing upon receiving an exemption from participating in TexasOnline. Within 45 days of receiving an exemption, an agency shall provide the Legislative Budget Board and the Comptroller with a report of the effective date, the reason for exemption, and all estimated expenditures for TexasOnline costs in the fiscal year in which the exemption is made.

**Sec. 5. Peer Assistance Program Funding Requirements.** Funds collected during the biennium beginning September 1, 2011, by the Board of Pharmacy pursuant to Chapter 564, Occupations Code, and by the Texas Board of Nursing, the Texas State Board of Dental Examiners, the Optometry Board, and the Board of Veterinary Medical Examiners pursuant to Chapter 467 of the Health and Safety Code, in order to administer or finance peer assistance programs for professionals impaired by chemical dependency or mental illness, are appropriated elsewhere in this Act as identified in each Board's peer assistance strategy. The expenditure of the appropriations identified by this section is hereby made contingent upon sufficient revenue collections from peer assistance surcharges or other receipts collected pursuant to Chapter 467 of the Health and Safety Code or Chapter 564, Occupations Code as appropriate. None of the appropriations identified by this section may be expended unless each agency with a peer assistance program has on file the following current documents:

a. a request for proposal documentation and contracts documenting that the respective agency governing board has a competitively bid contract with the peer assistance program;

b. documentation for programs authorized under Chapter 467 of the Health and Safety Code that the agency's peer assistance program has been certified by the Department of State Health Services (DSHS) as meeting all DSHS criteria for peer assistance programs;

c. documentation for programs authorized under Chapter 467 showing compliance with statutory requirements regarding eligible participants and conditions for which services may be offered; and

d. documentation that the program has been approved by the agency governing board.

**Sec. 6. Contingency Appropriation for Criminal History Record Information.**

a. For each Article VIII licensing agency conducting criminal history background checks that is authorized in accordance with the Government Code to increase the occupational license, permit, and/or registration fee imposed on the licensees by an amount sufficient to cover the cost of the fee charged by the Department of Public Safety (DPS), Federal Bureau of Investigation (FBI), and/or any other entity authorized to conduct criminal history background checks, in the event that actual and/or projected revenue collections from fee increases to cover the cost of criminal history background checks are insufficient to offset the costs included in the agency's appropriations that is budgeted for criminal history background checks, the Comptroller is hereby directed to reduce the appropriation authority provided by this Act to agencies conducting criminal history background checks to be within the amount of revenue expected to be available.

b. Each Article VIII licensing agency conducting criminal history background checks is hereby appropriated the additional revenue generated from occupational license, permit, and/or registration fees in excess of the Comptroller's biennial revenue estimate for 2012-13 for the sole purpose of conducting criminal history background checks. Each agency, upon completion of necessary actions to assess or increase fees, shall furnish copies of board meeting minutes, an annual schedule of the number of license issuances or renewals and associated annual fee total, and any other supporting documentation to the Comptroller. If the Comptroller finds the information sufficient to support the projection of increased revenues, a notification letter will be issued and the contingent appropriation made available for the intended purpose.

c. The following is an informational listing of agency appropriations included for each Article VIII licensing agency conducting criminal history background checks.

| | 2012 | 2013 |
|---|---|---|
| Department of Licensing and Regulation | $ 141,500 | $ 141,500 |
| Texas Board of Nursing | 928,225 | 928,225 |
| Board of Plumbing Examiners | 2,500 | 2,500 |
| Board of Podiatric Medical Examiners | 3,000 | 3,000 |
| Racing Commission | 317,331 | 317,331 |
| Real Estate Commission | 1,175,000 | 1,175,000 |
| Board of Veterinary Medical Examiners | 200 | 200 |
| Total | $ 2,567,756 | $ 2,567,756 |

d. Appropriations made elsewhere to Article VIII licensing agencies, including amounts listed above and any new amounts that may be appropriated during the 2012-13 biennium for the purpose of conducting criminal history background checks, may be used only for the purpose of paying for the cost of the fee charged by the entities listed in subsection (a) and may not be used for any other purpose.

## RECAPITULATION - ARTICLE VIII
## REGULATORY
## (General Revenue)

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| State Office of Administrative Hearings | $ 3,305,957 | $ 3,299,539 |
| Board of Chiropractic Examiners | 571,539 | 571,539 |
| Texas State Board of Dental Examiners | 2,069,954 | 2,072,865 |
| Funeral Service Commission | 675,214 | 675,213 |
| Board of Professional Geoscientists | 584,080 | 584,583 |
| Department of Insurance | 37,449,544 | 37,449,544 |
| Contingency Appropriations | 350,000 | 550,000 |
| Total | 37,799,544 | 37,999,544 |
| Office of Public Insurance Counsel | 841,418 | 841,418 |
| Board of Professional Land Surveying | 441,593 | 441,593 |
| Department of Licensing and Regulation | 22,401,004 | 22,341,784 |
| Contingency Appropriations | 30,000 | 30,000 |
| Total | 22,431,004 | 22,371,784 |
| Texas Medical Board | 9,163,397 | 9,163,397 |
| Texas Board of Nursing | 8,131,032 | 8,124,066 |
| Optometry Board | 411,971 | 425,472 |
| Board of Pharmacy | 5,197,497 | 5,127,326 |
| Executive Council of Physical Therapy & Occupational Therapy Examiners | 1,042,696 | 1,042,695 |
| Board of Plumbing Examiners | 2,160,535 | 2,091,535 |
| Board of Podiatric Medical Examiners | 231,531 | 241,556 |
| Board of Examiners of Psychologists | 719,742 | 724,942 |
| Real Estate Commission | 7,091,562 | 6,837,500 |
| Securities Board | 6,839,784 | 6,839,784 |
| Public Utility Commission of Texas | 4,591,590 | 4,591,588 |
| Office of Public Utility Counsel | 1,503,703 | 1,503,703 |
| Board of Veterinary Medical Examiners | 967,265 | 967,266 |
| Subtotal, Regulatory | $ 116,772,608 | $ 116,538,908 |
| Retirement and Group Insurance | 14,559,243 | 15,723,557 |
| Social Security and Benefit Replacement Pay | 5,407,046 | 5,385,810 |
| Subtotal, Employee Benefits | $ 19,966,289 | $ 21,109,367 |
| Lease Payments | 968,106 | 828,747 |
| Subtotal, Debt Service | $ 968,106 | $ 828,747 |
| TOTAL, ARTICLE VIII - REGULATORY | $ 137,707,003 | $ 138,477,022 |

## RECAPITULATION - ARTICLE VIII
## REGULATORY
## (General Revenue - Dedicated)

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| Office of Injured Employee Counsel | $ 7,769,542 | $ 7,769,542 |
| Department of Insurance | 63,991,312 | 61,891,311 |
| Department of Licensing and Regulation | 131,041 | 131,040 |
| Texas Medical Board | 2,117,514 | 2,117,513 |
| Racing Commission | 8,662,097 | 8,662,096 |
| Contingency Appropriations | 635,637 | 635,637 |
| Total | 9,297,734 | 9,297,733 |
| Real Estate Commission | 120,000 | 120,000 |
| Public Utility Commission of Texas | 81,234,862 | 86,138,757 |
| Subtotal, Regulatory | $ 164,662,005 | $ 167,465,896 |
| Retirement and Group Insurance | 20,723,709 | 22,551,291 |
| Social Security and Benefit Replacement Pay | 7,276,426 | 7,267,964 |
| Subtotal, Employee Benefits | $ 28,000,135 | $ 29,819,255 |
| Lease Payments | 503,597 | 255,406 |
| Subtotal, Debt Service | $ 503,597 | $ 255,406 |
| TOTAL, ARTICLE VIII - REGULATORY | $ 193,165,737 | $ 197,540,557 |

## RECAPITULATION - ARTICLE VIII
## REGULATORY
## (Federal Funds)

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| Department of Insurance | $ 2,266,721 | $ 2,266,721 |
| Public Utility Commission of Texas | 541,666 | 82,197 |
| Subtotal, Regulatory | $ 2,808,387 | $ 2,348,918 |
| Retirement and Group Insurance | 404,525 | 439,638 |
| Social Security and Benefit Replacement Pay | 151,516 | 150,743 |
| Subtotal, Employee Benefits | $ 556,041 | $ 590,381 |
| TOTAL, ARTICLE VIII - REGULATORY | $ 3,364,428 | $ 2,939,299 |

## RECAPITULATION - ARTICLE VIII
## REGULATORY
## (Other Funds)

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| State Office of Administrative Hearings | $ 6,934,950 | $ 6,934,950 |
| Board of Chiropractic Examiners | 40,000 | 40,000 |
| Texas State Board of Dental Examiners | 128,047 | 128,047 |
| Funeral Service Commission | 58,000 | 58,000 |
| Health Professions Council | 862,585 | 856,246 |
| Department of Insurance | 9,944,882 | 9,947,882 |
| Office of Public Insurance Counsel | 191,670 | 191,670 |
| Board of Professional Land Surveying | 5,400 | 5,400 |
| Department of Licensing and Regulation | 897,882 | 897,882 |
| Texas Medical Board | 59,418 | 59,418 |
| Texas Board of Nursing | 1,167,998 | 1,167,998 |
| Optometry Board | 45,321 | 45,321 |
| Board of Pharmacy | 7,730 | 7,730 |
| Executive Council of Physical Therapy & Occupational Therapy Examiners | 80,677 | 80,677 |
| Board of Plumbing Examiners | 45,000 | 45,000 |
| Board of Podiatric Medical Examiners | 3,200 | 3,200 |
| Board of Examiners of Psychologists | 82,038 | 82,038 |
| Real Estate Commission | 189,800 | 189,800 |
| Public Utility Commission of Texas | 1,195,228 | 475,000 |
| Board of Veterinary Medical Examiners | 1,884 | 1,884 |
| Subtotal, Regulatory | $ 21,941,710 | $ 21,218,143 |
| Retirement and Group Insurance | 139 | 150 |
| Social Security and Benefit Replacement Pay | 197,879 | 197,806 |
| Subtotal, Employee Benefits | $ 198,018 | $ 197,956 |
| Less Interagency Contracts | $ 10,425,271 | $ 9,698,704 |
| TOTAL, ARTICLE VIII - REGULATORY | $ 11,714,457 | $ 11,717,395 |

# RECAPITULATION - ARTICLE VIII
# REGULATORY
# (All Funds)

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| State Office of Administrative Hearings | $ 10,240,907 | $ 10,234,489 |
| Board of Chiropractic Examiners | 611,539 | 611,539 |
| Texas State Board of Dental Examiners | 2,198,001 | 2,200,912 |
| Funeral Service Commission | 733,214 | 733,213 |
| Board of Professional Geoscientists | 584,080 | 584,583 |
| Health Professions Council | 862,585 | 856,246 |
| Office of Injured Employee Counsel | 7,769,542 | 7,769,542 |
| Department of Insurance | 113,652,459 | 111,555,458 |
| Contingency Appropriations | 350,000 | 550,000 |
| Total | 114,002,459 | 112,105,458 |
| Office of Public Insurance Counsel | 1,033,088 | 1,033,088 |
| Board of Professional Land Surveying | 446,993 | 446,993 |
| Department of Licensing and Regulation | 23,429,927 | 23,370,706 |
| Contingency Appropriations | 30,000 | 30,000 |
| Total | 23,459,927 | 23,400,706 |
| Texas Medical Board | 11,340,329 | 11,340,328 |
| Texas Board of Nursing | 9,299,030 | 9,292,064 |
| Optometry Board | 457,292 | 470,793 |
| Board of Pharmacy | 5,205,227 | 5,135,056 |
| Executive Council of Physical Therapy & Occupational Therapy Examiners | 1,123,373 | 1,123,372 |
| Board of Plumbing Examiners | 2,205,535 | 2,136,535 |
| Board of Podiatric Medical Examiners | 234,731 | 244,756 |
| Board of Examiners of Psychologists | 801,780 | 806,980 |
| Racing Commission | 8,662,097 | 8,662,096 |
| Contingency Appropriations | 635,637 | 635,637 |
| Total | 9,297,734 | 9,297,733 |
| Real Estate Commission | 7,401,362 | 7,147,300 |
| Securities Board | 6,839,784 | 6,839,784 |
| Public Utility Commission of Texas | 87,563,346 | 91,287,542 |
| Office of Public Utility Counsel | 1,503,703 | 1,503,703 |
| Board of Veterinary Medical Examiners | 969,149 | 969,150 |
| Subtotal, Regulatory | $ 306,184,710 | $ 307,571,865 |
| Retirement and Group Insurance | 35,687,616 | 38,714,636 |
| Social Security and Benefit Replacement Pay | 13,032,867 | 13,002,323 |
| Subtotal, Employee Benefits | $ 48,720,483 | $ 51,716,959 |
| Lease Payments | 1,471,703 | 1,084,153 |
| Subtotal, Debt Service | $ 1,471,703 | $ 1,084,153 |
| Less Interagency Contracts | $ 10,425,271 | $ 9,698,704 |
| TOTAL, ARTICLE VIII - REGULATORY | $ 345,951,625 | $ 350,674,273 |
| Number of Full-Time-Equivalents (FTE) | 3,361.7 | 3,354.8 |

## PART 1. GENERAL PROVISIONS LEGISLATIVE INTENT

**Sec. 1.01. Limitations.** The provisions of this Article and all other Articles of this Act are limitations on the appropriations made by this Act. It is the purpose of the Legislature in enacting this bill only to appropriate funds and to restrict and limit by its provisions the amount and conditions under which the appropriations can be expended.

## PART 2. PROVISIONS RELATING TO THE POSITION CLASSIFICATION PLAN

**Sec. 2.01. Position Classification Plan.** Except as otherwise specifically provided in this Act, expenditures of appropriations for the salaries of employees, in classified positions in all affected agencies appropriated funds by this Act, other than institutions of higher education, university system offices, and the Texas Higher Education Coordinating Board, are governed by Chapter 654, Government Code (the Position Classification Act), Chapter 659, Government Code, and this section, including the following lists of position classification numbers, position titles, salary group allocations, and rates of pay in classification salary schedules as provided by this Article.

### CLASSIFIED POSITIONS FOR THE 2012-13 BIENNIUM

| Class Number | Class Title | Salary Group |
|---|---|---|
| 0006 | Receptionist | A06 |
| 0053 | Clerk I | A05 |
| 0055 | Clerk II | A07 |
| 0057 | Clerk III | A09 |
| 0059 | Clerk IV | A11 |
| 0130 | Customer Service Representative I | A09 |
| 0132 | Customer Service Representative II | A11 |
| 0134 | Customer Service Representative III | A13 |
| 0136 | Customer Service Representative IV | A15 |
| 0138 | Customer Service Representative V | A17 |
| 0150 | Administrative Assistant I | A09 |
| 0152 | Administrative Assistant II | A11 |
| 0154 | Administrative Assistant III | A13 |
| 0156 | Administrative Assistant IV | A15 |
| 0158 | Administrative Assistant V | A17 |
| 0160 | Executive Assistant I | B17 |
| 0162 | Executive Assistant II | B19 |
| 0164 | Executive Assistant III | B21 |
| 0170 | License and Permit Specialist I | A12 |
| 0171 | License and Permit Specialist II | A14 |
| 0172 | License and Permit Specialist III | A16 |
| 0173 | License and Permit Specialist IV | A18 |
| 0174 | License and Permit Specialist V | A20 |
| 0203 | Data Entry Operator I | A06 |
| 0205 | Data Entry Operator II | A08 |
| 0207 | Data Entry Operator III | A10 |
| 0210 | Data Base Administrator I | B18 |
| 0211 | Data Base Administrator II | B20 |
| 0212 | Data Base Administrator III | B22 |
| 0213 | Data Base Administrator IV | B24 |
| 0214 | Data Base Administrator V | B26 |
| 0215 | Data Base Administrator VI | B28 |
| 0220 | Computer Operations Technician | A10 |
| 0228 | Systems Support Specialist I | B13 |
| 0229 | Systems Support Specialist II | B15 |
| 0230 | Systems Support Specialist III | B17 |
| 0231 | Systems Support Specialist IV | B19 |
| 0260 | Computer Operations Specialist I | B12 |
| 0261 | Computer Operations Specialist II | B14 |
| 0262 | Computer Operations Specialist III | B16 |

## CLASSIFIED POSITIONS FOR THE 2012-13 BIENNIUM
(Continued)

| | | |
|---|---|---|
| 0263 | Computer Operations Specialist IV | B18 |
| 0264 | Computer Operations Specialist V | B20 |
| 0265 | Computer Operations Specialist VI | B22 |
| 0240 | Programmer I | B17 |
| 0241 | Programmer II | B19 |
| 0242 | Programmer III | B21 |
| 0243 | Programmer IV | B23 |
| 0244 | Programmer V | B25 |
| 0245 | Programmer VI | B27 |
| 0250 | Information Technology Security Analyst I | B23 |
| 0251 | Information Technology Security Analyst II | B25 |
| 0252 | Information Technology Auditor I | B23 |
| 0253 | Information Technology Auditor II | B25 |
| 0254 | Systems Analyst I | B16 |
| 0255 | Systems Analyst II | B18 |
| 0256 | Systems Analyst III | B20 |
| 0257 | Systems Analyst IV | B22 |
| 0258 | Systems Analyst V | B24 |
| 0259 | Systems Analyst VI | B26 |
| 0270 | Geographic Information Specialist I | B18 |
| 0271 | Geographic Information Specialist II | B20 |
| 0272 | Geographic Information Specialist III | B22 |
| 0273 | Geographic Information Specialist IV | B24 |
| 0274 | Geographic Information Specialist V | B26 |
| 0281 | Telecommunications Specialist I | B16 |
| 0282 | Telecommunications Specialist II | B18 |
| 0283 | Telecommunications Specialist III | B20 |
| 0284 | Telecommunications Specialist IV | B22 |
| 0285 | Telecommunications Specialist V | B24 |
| 0287 | Network Specialist I | B16 |
| 0288 | Network Specialist II | B18 |
| 0289 | Network Specialist III | B20 |
| 0290 | Network Specialist IV | B22 |
| 0291 | Network Specialist V | B24 |
| 0292 | Network Specialist VI | B26 |
| 0294 | Business Continuity Coordinator I | B25 |
| 0295 | Business Continuity Coordinator II | B26 |
| 0300 | Web Administrator I | B18 |
| 0301 | Web Administrator II | B20 |
| 0302 | Web Administrator III | B22 |
| 0303 | Web Administrator IV | B24 |
| 0304 | Web Administrator V | B26 |
| 0331 | Printing Services Technician I | A09 |
| 0332 | Printing Services Technician II | A11 |
| 0333 | Printing Services Technician III | A13 |
| 0334 | Printing Services Technician IV | A15 |
| 0335 | Printing Services Technician V | A17 |
| 0351 | Micrographics Technician I | A09 |
| 0352 | Micrographics Technician II | A11 |
| 0354 | Micrographics Technician III | A13 |
| 0356 | Micrographics Technician IV | A15 |
| 0367 | Photographer I | B16 |
| 0368 | Photographer II | B18 |
| 0516 | Planner I | B17 |
| 0517 | Planner II | B19 |
| 0518 | Planner III | B21 |
| 0519 | Planner IV | B23 |
| 0520 | Planner V | B25 |
| 0590 | Research and Statistics Technician I | A11 |
| 0592 | Research and Statistics Technician II | A13 |
| 0600 | Research Specialist I | B15 |
| 0602 | Research Specialist II | B17 |
| 0604 | Research Specialist III | B19 |
| 0606 | Research Specialist IV | B21 |

## CLASSIFIED POSITIONS FOR THE 2012-13 BIENNIUM
(Continued)

| | | |
|---|---|---|
| 0608 | Research Specialist V | B23 |
| 0624 | Statistician I | B16 |
| 0626 | Statistician II | B18 |
| 0628 | Statistician III | B20 |
| 0630 | Statistician IV | B22 |
| 0640 | Economist I | B18 |
| 0642 | Economist II | B20 |
| 0644 | Economist III | B22 |
| 0646 | Economist IV | B24 |
| 0812 | Teacher Aide I | A09 |
| 0813 | Teacher Aide II | A11 |
| 0814 | Teacher Aide III | A13 |
| 0820 | Education Specialist I | B17 |
| 0821 | Education Specialist II | B19 |
| 0822 | Education Specialist III | B21 |
| 0823 | Education Specialist IV | B23 |
| 0824 | Education Specialist V | B25 |
| 1000 | Accounting Technician I | A11 |
| 1002 | Accounting Technician II | A13 |
| 1012 | Accountant I | B14 |
| 1014 | Accountant II | B15 |
| 1016 | Accountant III | B17 |
| 1018 | Accountant IV | B19 |
| 1020 | Accountant V | B21 |
| 1022 | Accountant VI | B23 |
| 1024 | Accountant VII | B25 |
| 1042 | Auditor I | B15 |
| 1044 | Auditor II | B17 |
| 1046 | Auditor III | B19 |
| 1048 | Auditor IV | B21 |
| 1050 | Auditor V | B23 |
| 1052 | Auditor VI | B25 |
| 1059 | Taxpayer Compliance Officer I | B11 |
| 1060 | Taxpayer Compliance Officer II | B13 |
| 1061 | Taxpayer Compliance Officer III | B15 |
| 1062 | Taxpayer Compliance Officer IV | B17 |
| 1063 | Taxpayer Compliance Officer V | B19 |
| 1073 | Accounts Examiner I | B13 |
| 1074 | Accounts Examiner II | B15 |
| 1075 | Accounts Examiner III | B17 |
| 1076 | Accounts Examiner IV | B19 |
| 1077 | Accounts Examiner V | B21 |
| 1080 | Financial Analyst I | B19 |
| 1082 | Financial Analyst II | B21 |
| 1084 | Financial Analyst III | B23 |
| 1085 | Financial Analyst IV | B25 |
| 1100 | Financial Examiner I | B17 |
| 1102 | Financial Examiner II | B19 |
| 1104 | Financial Examiner III | B21 |
| 1106 | Financial Examiner IV | B23 |
| 1108 | Financial Examiner V | B25 |
| 1110 | Financial Examiner VI | B26 |
| 1112 | Financial Examiner VII | B27 |
| 1130 | Investment Analyst I | B22 |
| 1131 | Investment Analyst II | B24 |
| 1132 | Investment Analyst III | B26 |
| 1133 | Investment Analyst IV | B28 |
| 1150 | Portfolio Manager I | B27 |
| 1151 | Portfolio Manager II | B29 |
| 1152 | Portfolio Manager III | B31 |
| 1153 | Portfolio Manager IV | B33 |
| 1154 | Portfolio Manager V | B35 |
| 1155 | Budget Analyst I | B17 |
| 1156 | Budget Analyst II | B19 |

## CLASSIFIED POSITIONS FOR THE 2012-13 BIENNIUM
(Continued)

| | | |
|---|---|---|
| 1157 | Budget Analyst III | B21 |
| 1158 | Budget Analyst IV | B23 |
| 1159 | Budget Analyst V | B25 |
| 1161 | Trader I | B25 |
| 1162 | Trader II | B28 |
| 1165 | Chief Investment Officer | B33 |
| 1175 | Chief Trader I | B31 |
| 1176 | Chief Trader II | B33 |
| 1242 | Reimbursement Officer I | A11 |
| 1244 | Reimbursement Officer II | A13 |
| 1246 | Reimbursement Officer III | A15 |
| 1248 | Reimbursement Officer IV | A17 |
| 1260 | Loan Specialist I | B17 |
| 1261 | Loan Specialist II | B19 |
| 1262 | Loan Specialist III | B21 |
| 1263 | Loan Specialist IV | B23 |
| 1315 | Boiler Inspector I | B20 |
| 1316 | Boiler Inspector II | B21 |
| 1317 | Boiler Inspector III | B22 |
| 1320 | Inspector I | B10 |
| 1321 | Inspector II | B11 |
| 1322 | Inspector III | B13 |
| 1323 | Inspector IV | B15 |
| 1324 | Inspector V | B17 |
| 1325 | Inspector VI | B19 |
| 1326 | Inspector VII | B21 |
| 1350 | Investigator I | B12 |
| 1351 | Investigator II | B14 |
| 1352 | Investigator III | B16 |
| 1353 | Investigator IV | B18 |
| 1354 | Investigator V | B20 |
| 1355 | Investigator VI | B22 |
| 1356 | Investigator VII | B24 |
| 1550 | Staff Services Officer I | B17 |
| 1551 | Staff Services Officer II | B18 |
| 1552 | Staff Services Officer III | B19 |
| 1553 | Staff Services Officer IV | B20 |
| 1554 | Staff Services Officer V | B21 |
| 1558 | Project Manager I | B20 |
| 1559 | Project Manager II | B22 |
| 1560 | Project Manager III | B24 |
| 1561 | Project Manager IV | B26 |
| 1570 | Program Specialist I | B17 |
| 1571 | Program Specialist II | B18 |
| 1572 | Program Specialist III | B19 |
| 1573 | Program Specialist IV | B20 |
| 1574 | Program Specialist V | B21 |
| 1575 | Program Specialist VI | B23 |
| 1576 | Program Specialist VII | B25 |
| 1580 | Program Supervisor I | B17 |
| 1581 | Program Supervisor II | B18 |
| 1582 | Program Supervisor III | B19 |
| 1583 | Program Supervisor IV | B20 |
| 1584 | Program Supervisor V | B21 |
| 1586 | Program Supervisor VI | B23 |
| 1588 | Program Supervisor VII | B25 |
| 1600 | Manager I | B22 |
| 1601 | Manager II | B23 |
| 1602 | Manager III | B24 |
| 1603 | Manager IV | B25 |
| 1604 | Manager V | B26 |
| 1620 | Director I | B26 |
| 1621 | Director II | B27 |
| 1622 | Director III | B28 |

## CLASSIFIED POSITIONS FOR THE 2012-13 BIENNIUM
(Continued)

| | | |
|---|---|---|
| 1623 | Director IV | B29 |
| 1624 | Director V | B31 |
| 1626 | Division Director | B32 |
| 1630 | Deputy Director | B33 |
| 1640 | Deputy Comptroller | B33 |
| 1727 | Human Resources Assistant | B11 |
| 1729 | Human Resources Specialist I | B13 |
| 1731 | Human Resources Specialist II | B15 |
| 1733 | Human Resources Specialist III | B17 |
| 1735 | Human Resources Specialist IV | B19 |
| 1737 | Human Resources Specialist V | B21 |
| 1739 | Human Resources Specialist VI | B23 |
| 1780 | Training Assistant | B11 |
| 1781 | Training Specialist I | B13 |
| 1782 | Training Specialist II | B15 |
| 1783 | Training Specialist III | B17 |
| 1784 | Training Specialist IV | B19 |
| 1785 | Training Specialist V | B21 |
| 1786 | Training Specialist VI | B23 |
| 1822 | Marketing Specialist I | B15 |
| 1823 | Marketing Specialist II | B17 |
| 1824 | Marketing Specialist III | B19 |
| 1825 | Marketing Specialist IV | B21 |
| 1826 | Marketing Specialist V | B23 |
| 1830 | Information Specialist I | B15 |
| 1831 | Information Specialist II | B17 |
| 1832 | Information Specialist III | B19 |
| 1833 | Information Specialist IV | B21 |
| 1834 | Information Specialist V | B23 |
| 1840 | Audio/Visual Technician I | A10 |
| 1841 | Audio/Visual Technician II | A12 |
| 1842 | Audio/Visual Technician III | A14 |
| 1843 | Audio/Visual Technician IV | A16 |
| 1860 | Management Analyst I | B18 |
| 1862 | Management Analyst II | B20 |
| 1864 | Management Analyst III | B22 |
| 1866 | Management Analyst IV | B24 |
| 1870 | Technical Writer I | B17 |
| 1871 | Technical Writer II | B19 |
| 1872 | Technical Writer III | B21 |
| 1875 | Editor I | B17 |
| 1876 | Editor II | B19 |
| 1877 | Editor III | B21 |
| 1880 | Governor's Advisor I | B21 |
| 1881 | Governor's Advisor II | B23 |
| 1882 | Governor's Advisor III | B25 |
| 1883 | Governor's Advisor IV | B27 |
| 1884 | Governor's Advisor V | B29 |
| 1890 | Government Relations Specialist I | B23 |
| 1892 | Government Relations Specialist II | B25 |
| 1894 | Government Relations Specialist III | B27 |
| 1911 | Inventory and Store Specialist I | A10 |
| 1912 | Inventory and Store Specialist II | A12 |
| 1913 | Inventory and Store Specialist III | A14 |
| 1914 | Inventory and Store Specialist IV | A16 |
| 1915 | Inventory and Store Specialist V | A18 |
| 1920 | Grant Coordinator I | B18 |
| 1921 | Grant Coordinator II | B20 |
| 1922 | Grant Coordinator III | B22 |
| 1930 | Purchaser I | B12 |
| 1931 | Purchaser II | B14 |
| 1932 | Purchaser III | B16 |
| 1933 | Purchaser IV | B18 |
| 1934 | Purchaser V | B20 |

## CLASSIFIED POSITIONS FOR THE 2012-13 BIENNIUM
(Continued)

| | | |
|---|---|---|
| 1935 | Purchaser VI | B22 |
| 1960 | Contract Administration Manager I | B25 |
| 1962 | Contract Administration Manager II | B27 |
| 1970 | Contract Technician I | A09 |
| 1972 | Contract Technician II | A11 |
| 1974 | Contract Technician III | A13 |
| 1976 | Contract Specialist I | B15 |
| 1980 | Contract Specialist II | B17 |
| 1982 | Contract Specialist III | B19 |
| 1984 | Contract Specialist IV | B21 |
| 1986 | Contract Specialist V | B23 |
| 1990 | Property Manager I | B17 |
| 1992 | Property Manager II | B19 |
| 1994 | Property Manager III | B21 |
| 2050 | Land Surveyor I | B19 |
| 2054 | Land Surveyor II | B21 |
| 2056 | Land Surveyor III | B23 |
| 2058 | Land Surveyor IV | B25 |
| 2062 | Appraiser I | B17 |
| 2064 | Appraiser II | B19 |
| 2065 | Appraiser III | B21 |
| 2066 | Appraiser IV | B23 |
| 2080 | Right of Way Agent I | B13 |
| 2082 | Right of Way Agent II | B15 |
| 2084 | Right of Way Agent III | B17 |
| 2086 | Right of Way Agent IV | B19 |
| 2088 | Right of Way Agent V | B21 |
| 2093 | Utility Specialist I | B20 |
| 2094 | Utility Specialist II | B22 |
| 2095 | Utility Specialist III | B24 |
| 2119 | Engineering Aide | A09 |
| 2122 | Engineering Technician I | A11 |
| 2123 | Engineering Technician II | A13 |
| 2124 | Engineering Technician III | A15 |
| 2125 | Engineering Technician IV | A17 |
| 2127 | Engineering Specialist I | B17 |
| 2128 | Engineering Specialist II | B18 |
| 2129 | Engineering Specialist III | B19 |
| 2130 | Engineering Specialist IV | B20 |
| 2131 | Engineering Specialist V | B21 |
| 2132 | Engineering Specialist VI | B22 |
| 2151 | Engineer I | B21 |
| 2152 | Engineer II | B22 |
| 2153 | Engineer III | B23 |
| 2154 | Engineer IV | B24 |
| 2155 | Engineer V | B25 |
| 2156 | Engineer VI | B26 |
| 2157 | Engineer VII | B27 |
| 2161 | District Engineer | B33 |
| 2167 | Graphic Designer I | B16 |
| 2168 | Graphic Designer II | B18 |
| 2169 | Graphic Designer III | B20 |
| 2181 | Drafting Technician I | A17 |
| 2182 | Drafting Technician II | A19 |
| 2255 | Project Design Assistant | B17 |
| 2260 | Architect I | B21 |
| 2264 | Architect II | B23 |
| 2266 | Architect III | B25 |
| 2268 | Architect IV | B27 |
| 2350 | Earth Science Specialist I | B17 |
| 2351 | Earth Science Specialist II | B19 |
| 2352 | Earth Science Specialist III | B21 |
| 2353 | Earth Science Specialist IV | B23 |
| 2356 | Geoscientist I | B17 |

## CLASSIFIED POSITIONS FOR THE 2012-13 BIENNIUM
(Continued)

| | | |
|---|---|---|
| 2360 | Geoscientist II | B19 |
| 2364 | Geoscientist III | B21 |
| 2365 | Geoscientist IV | B23 |
| 2366 | Geoscientist V | B25 |
| 2456 | Hydrologist I | B17 |
| 2460 | Hydrologist II | B19 |
| 2464 | Hydrologist III | B21 |
| 2465 | Hydrologist IV | B23 |
| 2466 | Hydrologist V | B25 |
| 2472 | Chemist I | B16 |
| 2473 | Chemist II | B18 |
| 2474 | Chemist III | B20 |
| 2475 | Chemist IV | B22 |
| 2476 | Chemist V | B24 |
| 2583 | Sanitarian I | B17 |
| 2584 | Sanitarian II | B19 |
| 2585 | Sanitarian III | B21 |
| 2590 | Biologist I | B14 |
| 2591 | Biologist II | B16 |
| 2592 | Biologist III | B18 |
| 2593 | Biologist IV | B20 |
| 2594 | Biologist V | B22 |
| 2640 | Park Ranger I | B14 |
| 2641 | Park Ranger II | B16 |
| 2642 | Park Ranger III | B18 |
| 2643 | Park Ranger IV | B20 |
| 2644 | Park Ranger V | B22 |
| 2651 | Environmental Protection Specialist I | B16 |
| 2652 | Environmental Protection Specialist II | B18 |
| 2653 | Environmental Protection Specialist III | B20 |
| 2654 | Environmental Protection Specialist IV | B22 |
| 2655 | Environmental Protection Specialist V | B24 |
| 2661 | Toxicologist I | B22 |
| 2662 | Toxicologist II | B24 |
| 2682 | Natural Resources Specialist I | B15 |
| 2683 | Natural Resources Specialist II | B17 |
| 2684 | Natural Resources Specialist III | B19 |
| 2685 | Natural Resources Specialist IV | B21 |
| 2686 | Natural Resources Specialist V | B23 |
| 2688 | Fish and Wildlife Technician I | A13 |
| 2689 | Fish and Wildlife Technician II | A15 |
| 2690 | Fish and Wildlife Technician III | A17 |
| 2691 | Fish and Wildlife Technician IV | A19 |
| 2700 | Park Superintendent I | B20 |
| 2701 | Park Superintendent II | B21 |
| 2702 | Park Superintendent III | B22 |
| 2703 | Park Superintendent IV | B23 |
| 2704 | Park Superintendent V | B24 |
| 2720 | Lifeguard | A03 |
| 2730 | Safety Officer I | B15 |
| 2731 | Safety Officer II | B17 |
| 2732 | Safety Officer III | B19 |
| 2733 | Safety Officer IV | B21 |
| 2734 | Safety Officer V | B23 |
| 2740 | Risk Management Specialist I | B14 |
| 2741 | Risk Management Specialist II | B16 |
| 2742 | Risk Management Specialist III | B18 |
| 2743 | Risk Management Specialist IV | B20 |
| 2744 | Risk Management Specialist V | B22 |
| 2761 | Rescue Specialist I | B17 |
| 2762 | Rescue Specialist II | B19 |
| 2763 | Rescue Specialist III | B21 |
| 2802 | Actuary I | B21 |
| 2803 | Actuary II | B23 |

## CLASSIFIED POSITIONS FOR THE 2012-13 BIENNIUM
(Continued)

| | | |
|---|---|---|
| 2804 | Actuary III | B25 |
| 2805 | Actuary IV | B27 |
| 2806 | Actuary V | B31 |
| 2808 | Chief Actuary | B33 |
| 2824 | Insurance Technician | A10 |
| 2841 | Insurance Specialist I | B12 |
| 2842 | Insurance Specialist II | B14 |
| 2843 | Insurance Specialist III | B16 |
| 2844 | Insurance Specialist IV | B18 |
| 2845 | Insurance Specialist V | B20 |
| 2911 | Retirement System Benefits Specialist I | B12 |
| 2912 | Retirement System Benefits Specialist II | B14 |
| 2913 | Retirement System Benefits Specialist III | B16 |
| 2914 | Retirement System Benefits Specialist IV | B18 |
| 2915 | Retirement System Benefits Specialist V | B20 |
| 2920 | Claims Assistant | A12 |
| 2921 | Claims Examiner I | B14 |
| 2922 | Claims Examiner II | B16 |
| 2923 | Claims Examiner III | B18 |
| 2924 | Claims Examiner IV | B20 |
| 3020 | Workforce Development Specialist I | B11 |
| 3021 | Workforce Development Specialist II | B12 |
| 3023 | Workforce Development Specialist III | B14 |
| 3025 | Workforce Development Specialist IV | B16 |
| 3026 | Workforce Development Specialist V | B18 |
| 3151 | Unemployment Insurance Claims Examiner I | B11 |
| 3153 | Unemployment Insurance Claims Examiner II | B13 |
| 3154 | Unemployment Insurance Claims Examiner III | B15 |
| 3171 | Unemployment Insurance Specialist I | B16 |
| 3173 | Unemployment Insurance Specialist II | B18 |
| 3501 | Attorney I | B20 |
| 3502 | Attorney II | B21 |
| 3503 | Attorney III | B23 |
| 3504 | Attorney IV | B25 |
| 3505 | Attorney V | B27 |
| 3506 | Attorney VI | B29 |
| 3510 | Assistant Attorney General I | B20 |
| 3511 | Assistant Attorney General II | B21 |
| 3512 | Assistant Attorney General III | B23 |
| 3513 | Assistant Attorney General IV | B25 |
| 3514 | Assistant Attorney General V | B27 |
| 3515 | Assistant Attorney General VI | B29 |
| 3516 | Assistant Attorney General VII | B31 |
| 3517 | First Assistant Attorney General | B33 |
| 3520 | General Counsel I | B23 |
| 3521 | General Counsel II | B25 |
| 3522 | General Counsel III | B27 |
| 3523 | General Counsel IV | B29 |
| 3524 | General Counsel V | B31 |
| 3559 | Hearings Reporter | B22 |
| 3565 | Legal Secretary I | A10 |
| 3566 | Legal Secretary II | A12 |
| 3567 | Legal Secretary III | A14 |
| 3568 | Legal Secretary IV | A16 |
| 3569 | Legal Secretary V | A18 |
| 3572 | Legal Assistant I | B15 |
| 3574 | Legal Assistant II | B17 |
| 3576 | Legal Assistant III | B19 |
| 3578 | Legal Assistant IV | B21 |
| 3604 | Law Clerk | B13 |
| 3610 | Court Law Clerk I | B18 |
| 3611 | Court Law Clerk II | B20 |
| 3620 | Deputy Clerk I | A10 |
| 3622 | Deputy Clerk II | A12 |

## CLASSIFIED POSITIONS FOR THE 2012-13 BIENNIUM
(Continued)

| | | |
|---|---|---|
| 3624 | Deputy Clerk III | A14 |
| 3626 | Deputy Clerk IV | A16 |
| 3630 | Chief Deputy Clerk | B21 |
| 3635 | Clerk of the Court | B28 |
| 3637 | Court Coordinator | B17 |
| 3640 | Administrative Law Judge I | B25 |
| 3642 | Administrative Law Judge II | B26 |
| 3644 | Administrative Law Judge III | B27 |
| 3646 | Master Administrative Law Judge I | B29 |
| 3648 | Master Administrative Law Judge II | B31 |
| 3652 | Associate Judge | B28 |
| 3659 | Associate Ombudsman | B15 |
| 3660 | Ombudsman I | B17 |
| 3662 | Ombudsman II | B19 |
| 3663 | Ombudsman III | B21 |
| 3665 | Ombudsman IV | B23 |
| 3672 | Benefit Review Officer | B21 |
| 4001 | Dietetic Technician I | A08 |
| 4002 | Dietetic Technician II | A10 |
| 4016 | Dietetic and Nutrition Specialist I | B17 |
| 4017 | Dietetic and Nutrition Specialist II | B19 |
| 4018 | Dietetic and Nutrition Specialist III | B21 |
| 4060 | Public Health and Prevention Technician I | A06 |
| 4062 | Public Health and Prevention Technician II | A08 |
| 4064 | Public Health and Prevention Technician III | A10 |
| 4066 | Public Health and Prevention Technician IV | A12 |
| 4068 | Public Health and Prevention Technician V | A14 |
| 4072 | Public Health and Prevention Specialist I | B14 |
| 4074 | Public Health and Prevention Specialist II | B16 |
| 4076 | Public Health and Prevention Specialist III | B18 |
| 4078 | Public Health and Prevention Specialist IV | B20 |
| 4080 | Public Health and Prevention Specialist V | B22 |
| 4082 | Epidemiologist I | B19 |
| 4083 | Epidemiologist II | B21 |
| 4084 | Epidemiologist III | B23 |
| 4125 | Veterinarian I | B23 |
| 4127 | Veterinarian II | B25 |
| 4129 | Veterinarian III | B27 |
| 4142 | Laboratory Technician I | A10 |
| 4144 | Laboratory Technician II | A12 |
| 4146 | Laboratory Technician III | A14 |
| 4148 | Laboratory Technician IV | A16 |
| 4221 | Microbiologist I | B15 |
| 4222 | Microbiologist II | B17 |
| 4223 | Microbiologist III | B19 |
| 4224 | Microbiologist IV | B21 |
| 4225 | Microbiologist V | B23 |
| 4292 | Radiological Technologist I | B14 |
| 4293 | Radiological Technologist II | B16 |
| 4294 | Radiological Technologist III | B18 |
| 4342 | Orthopedic Equipment Technician I | A09 |
| 4344 | Orthopedic Equipment Technician II | A11 |
| 4346 | Orthopedic Equipment Technician III | A13 |
| 4360 | Registered Therapist Assistant | A17 |
| 4362 | Registered Therapist I | B17 |
| 4363 | Registered Therapist II | B19 |
| 4364 | Registered Therapist III | B21 |
| 4365 | Registered Therapist IV | B23 |
| 4366 | Registered Therapist V | B25 |
| 4374 | Medical Technician I | A05 |
| 4376 | Medical Technician II | A07 |
| 4385 | Medical Technician III | A09 |
| 4386 | Medical Technician IV | A11 |
| 4387 | Medical Technician V | A13 |

## CLASSIFIED POSITIONS FOR THE 2012-13 BIENNIUM
(Continued)

| | | |
|---|---|---|
| 4390 | Health Physicist I | B22 |
| 4392 | Health Physicist II | B24 |
| 4394 | Health Physicist III | B26 |
| 4401 | Medical Technologist I | B13 |
| 4402 | Medical Technologist II | B15 |
| 4403 | Medical Technologist III | B17 |
| 4404 | Medical Technologist IV | B19 |
| 4405 | Medical Technologist V | B21 |
| 4410 | Nurse I | B17 |
| 4411 | Nurse II | B19 |
| 4412 | Nurse III | B21 |
| 4413 | Nurse IV | B23 |
| 4414 | Nurse V | B25 |
| 4416 | Public Health Nurse I | B19 |
| 4417 | Public Health Nurse II | B21 |
| 4418 | Public Health Nurse III | B23 |
| 4420 | Licensed Vocational Nurse I | A10 |
| 4421 | Licensed Vocational Nurse II | A12 |
| 4422 | Licensed Vocational Nurse III | A14 |
| 4423 | Licensed Vocational Nurse IV | A16 |
| 4428 | Respiratory Care Practitioner | A17 |
| 4435 | Resident Physician | B19 |
| 4436 | Physician I | B31 |
| 4437 | Physician II | B32 |
| 4438 | Physician III | B33 |
| 4440 | Physician Assistant | B26 |
| 4451 | Nurse Practitioner | B26 |
| 4453 | Medical Research Specialist | B24 |
| 4455 | Dentist I | B28 |
| 4457 | Dentist II | B30 |
| 4459 | Dentist III | B32 |
| 4462 | Psychologist I | B22 |
| 4464 | Psychologist II | B24 |
| 4465 | Psychologist III | B26 |
| 4466 | Psychological Assistant | B13 |
| 4468 | Associate Psychologist I | B16 |
| 4469 | Associate Psychologist II | B17 |
| 4470 | Associate Psychologist III | B18 |
| 4471 | Associate Psychologist IV | B19 |
| 4472 | Associate Psychologist V | B20 |
| 4473 | Behavior Analyst I | B22 |
| 4474 | Behavior Analyst II | B24 |
| 4476 | Psychiatrist I | B31 |
| 4477 | Psychiatrist II | B32 |
| 4478 | Psychiatrist III | B33 |
| 4482 | Dental Assistant I | A09 |
| 4483 | Dental Assistant II | A11 |
| 4489 | Dental Hygienist | B19 |
| 4492 | Pharmacist I | B26 |
| 4493 | Pharmacist II | B28 |
| 4494 | Pharmacist III | B30 |
| 4498 | Pharmacy Technician I | A09 |
| 4499 | Pharmacy Technician II | A11 |
| 4501 | Correctional Officer I | A09 |
| 4502 | Correctional Officer II | A11 |
| 4503 | Correctional Officer III | A13 |
| 4504 | Correctional Officer IV | A14 |
| 4505 | Correctional Officer V | A16 |
| 4510 | Sergeant of Correctional Officers | B17 |
| 4511 | Lieutenant of Correctional Officers | B18 |
| 4512 | Captain of Correctional Officers | B19 |
| 4513 | Major of Correctional Officers | B20 |
| 4520 | Juvenile Correctional Officer I | A09 |
| 4521 | Juvenile Correctional Officer II | A11 |

## CLASSIFIED POSITIONS FOR THE 2012-13 BIENNIUM
(Continued)

| | | |
|---|---|---|
| 4522 | Juvenile Correctional Officer III | A13 |
| 4523 | Juvenile Correctional Officer IV | A14 |
| 4524 | Juvenile Correctional Officer V | A16 |
| 4525 | Juvenile Correctional Officer VI | A18 |
| 4526 | Dorm Supervisor | B19 |
| 4530 | Halfway House Assistant Superintendent | B21 |
| 4531 | Halfway House Superintendent | B23 |
| 4532 | Youth Facility Assistant Superintendent | B24 |
| 4533 | Youth Facility Superintendent | B26 |
| 4540 | Parole Officer I | B14 |
| 4541 | Parole Officer II | B15 |
| 4542 | Parole Officer III | B16 |
| 4543 | Parole Officer IV | B18 |
| 4544 | Parole Officer V | B20 |
| 4550 | Assistant Warden | B23 |
| 4551 | Warden I | B25 |
| 4552 | Warden II | B26 |
| 4560 | Counsel Substitute I | A13 |
| 4561 | Counsel Substitute II | A15 |
| 4562 | Counsel Substitute III | A17 |
| 4571 | Correctional Transportation Officer | A14 |
| 4646 | Industrial Specialist I | A13 |
| 4647 | Industrial Specialist II | A14 |
| 4648 | Industrial Specialist III | A15 |
| 4649 | Industrial Specialist IV | A16 |
| 4650 | Industrial Specialist V | A17 |
| 4651 | Industrial Specialist VI | A18 |
| 4671 | Agriculture Specialist I | A13 |
| 4672 | Agriculture Specialist II | A14 |
| 4673 | Agriculture Specialist III | A15 |
| 4674 | Agriculture Specialist IV | A16 |
| 4675 | Agriculture Specialist V | A17 |
| 4676 | Agriculture Specialist VI | A18 |
| 5002 | Adult Protective Services Specialist I | B14 |
| 5003 | Adult Protective Services Specialist II | B15 |
| 5004 | Adult Protective Services Specialist III | B16 |
| 5005 | Adult Protective Services Specialist IV | B17 |
| 5006 | Adult Protective Services Specialist V | B18 |
| 5010 | Family Services Specialist I | B19 |
| 5011 | Family Services Specialist II | B20 |
| 5016 | Family and Protective Services Supervisor I | B18 |
| 5017 | Family and Protective Services Supervisor II | B20 |
| 5018 | Family and Protective Services Supervisor III | B22 |
| 5023 | Child Protective Services Specialist I | B14 |
| 5024 | Child Protective Services Specialist II | B15 |
| 5025 | Child Protective Services Specialist III | B16 |
| 5026 | Child Protective Services Specialist IV | B17 |
| 5027 | Child Protective Services Specialist V | B18 |
| 5030 | Protective Services Intake Specialist I | B14 |
| 5031 | Protective Services Intake Specialist II | B15 |
| 5032 | Protective Services Intake Specialist III | B16 |
| 5033 | Protective Services Intake Specialist IV | B17 |
| 5034 | Protective Services Intake Specialist V | B18 |
| 5050 | Rehabilitation Therapy Technician I | A06 |
| 5051 | Rehabilitation Therapy Technician II | A08 |
| 5052 | Rehabilitation Therapy Technician III | A10 |
| 5053 | Rehabilitation Therapy Technician IV | A12 |
| 5054 | Rehabilitation Therapy Technician V | A14 |
| 5062 | Vocational Rehabilitation Counselor I | B16 |
| 5063 | Vocational Rehabilitation Counselor II | B17 |
| 5064 | Vocational Rehabilitation Counselor III | B18 |
| 5065 | Vocational Rehabilitation Counselor IV | B20 |
| 5079 | Chaplaincy Services Assistant | A13 |
| 5081 | Chaplain I | B17 |

## CLASSIFIED POSITIONS FOR THE 2012-13 BIENNIUM
(Continued)

| | | |
|---|---|---|
| 5082 | Chaplain II | B19 |
| 5083 | Chaplain III | B21 |
| 5090 | Rehabilitation Teacher I | B11 |
| 5091 | Rehabilitation Teacher II | B13 |
| 5092 | Rehabilitation Teacher III | B15 |
| 5104 | Veterans Service Representative I | B13 |
| 5105 | Veterans Service Representative II | B14 |
| 5106 | Veterans Service Representative III | B15 |
| 5107 | Veterans Service Representative IV | B16 |
| 5108 | Veterans Service Representative V | B18 |
| 5109 | Veterans Service Representative VI | B20 |
| 5111 | Substance Abuse Counselor I | B13 |
| 5112 | Substance Abuse Counselor II | B14 |
| 5113 | Substance Abuse Counselor III | B15 |
| 5121 | Direct Support Professional I | A07 |
| 5122 | Direct Support Professional II | A09 |
| 5123 | Direct Support Professional III | A11 |
| 5124 | Direct Support Professional IV | A13 |
| 5131 | Qualified Developmental Disability I | B15 |
| 5132 | Qualified Developmental Disability II | B16 |
| 5133 | Qualified Developmental Disability III | B17 |
| 5134 | Qualified Developmental Disability IV | B18 |
| 5140 | Recreation Program Specialist I | B11 |
| 5142 | Recreation Program Specialist II | B13 |
| 5144 | Recreation Program Specialist III | B15 |
| 5151 | Psychiatric Nursing Assistant I | A07 |
| 5152 | Psychiatric Nursing Assistant II | A09 |
| 5153 | Psychiatric Nursing Assistant III | A11 |
| 5154 | Psychiatric Nursing Assistant IV | A13 |
| 5201 | Resident Specialist I | A07 |
| 5203 | Resident Specialist II | A09 |
| 5205 | Resident Specialist III | A11 |
| 5207 | Resident Specialist IV | A13 |
| 5209 | Resident Specialist V | A15 |
| 5226 | Case Manager I | B11 |
| 5227 | Case Manager II | B13 |
| 5228 | Case Manager III | B15 |
| 5229 | Case Manager IV | B17 |
| 5232 | Volunteer Services Coordinator I | B13 |
| 5233 | Volunteer Services Coordinator II | B15 |
| 5234 | Volunteer Services Coordinator III | B17 |
| 5235 | Volunteer Services Coordinator IV | B19 |
| 5300 | Health and Human Services Program Coordinator I | B18 |
| 5302 | Health and Human Services Program Coordinator II | B20 |
| 5304 | Health and Human Services Program Coordinator III | B22 |
| 5400 | Social Worker I | B15 |
| 5402 | Social Worker II | B17 |
| 5404 | Social Worker III | B19 |
| 5406 | Social Worker IV | B21 |
| 5408 | Social Worker V | B23 |
| 5503 | Human Services Technician I | A06 |
| 5504 | Human Services Technician II | A08 |
| 5505 | Human Services Technician III | A10 |
| 5506 | Human Services Technician IV | A12 |
| 5526 | Quality Assurance Specialist I | B17 |
| 5527 | Quality Assurance Specialist II | B18 |
| 5528 | Quality Assurance Specialist III | B20 |
| 5529 | Quality Assurance Specialist IV | B22 |
| 5540 | Child Support Officer I | B11 |
| 5541 | Child Support Officer II | B13 |
| 5542 | Child Support Officer III | B15 |
| 5543 | Child Support Officer IV | B17 |
| 5550 | Child Support Technician I | A09 |
| 5551 | Child Support Technician II | A11 |

## CLASSIFIED POSITIONS FOR THE 2012-13 BIENNIUM
(Continued)

| | | |
|---|---|---|
| 5552 | Child Support Technician III | A13 |
| 5616 | Interpreter I | B16 |
| 5618 | Interpreter II | B18 |
| 5620 | Texas Works Advisor I | B12 |
| 5622 | Texas Works Advisor II | B13 |
| 5624 | Texas Works Advisor III | B14 |
| 5630 | Texas Works Supervisor I | B19 |
| 5632 | Texas Works Supervisor II | B21 |
| 5700 | Human Services Specialist I | B11 |
| 5701 | Human Services Specialist II | B12 |
| 5702 | Human Services Specialist III | B13 |
| 5703 | Human Services Specialist IV | B14 |
| 5704 | Human Services Specialist V | B15 |
| 5705 | Human Services Specialist VI | B16 |
| 5706 | Human Services Specialist VII | B17 |
| 6052 | Forensic Scientist I | B19 |
| 6053 | Forensic Scientist II | B20 |
| 6054 | Forensic Scientist III | B21 |
| 6055 | Forensic Scientist IV | B22 |
| 6056 | Forensic Scientist V | B23 |
| 6057 | Forensic Scientist VI | B24 |
| 6084 | Forensic Photographer I | B19 |
| 6086 | Forensic Photographer II | B20 |
| 6095 | Police Communications Operator I | A12 |
| 6096 | Police Communications Operator II | A13 |
| 6097 | Police Communications Operator III | A14 |
| 6098 | Police Communications Operator IV | A15 |
| 6099 | Police Communications Operator V | A17 |
| 6100 | Police Communications Operator VI | A18 |
| 6115 | Fingerprint Technician I | A12 |
| 6116 | Fingerprint Technician II | A14 |
| 6117 | Fingerprint Technician III | A16 |
| 6120 | Crime Laboratory Specialist I | B15 |
| 6121 | Crime Laboratory Specialist II | B16 |
| 6122 | Crime Laboratory Specialist III | B17 |
| 6154 | Combined DNA Index System Analyst | B21 |
| 6160 | Crime Analyst I | B15 |
| 6162 | Crime Analyst II | B17 |
| 6170 | Criminal Intelligence Analyst I | B19 |
| 6172 | Criminal Intelligence Analyst II | B21 |
| 6174 | Criminal Intelligence Analyst III | B23 |
| 6221 | Public Safety Records Technician I | A10 |
| 6222 | Public Safety Records Technician II | A11 |
| 6229 | Security Officer I | A07 |
| 6230 | Security Officer II | A09 |
| 6232 | Security Officer III | A11 |
| 6234 | Security Officer IV | A13 |
| 7306 | Archeologist I | B18 |
| 7308 | Archeologist II | B20 |
| 7310 | Archeologist III | B22 |
| 7315 | Historian I | B14 |
| 7317 | Historian II | B16 |
| 7319 | Historian III | B18 |
| 7350 | Library Assistant I | A09 |
| 7352 | Library Assistant II | A11 |
| 7354 | Library Assistant III | A13 |
| 7401 | Librarian I | B14 |
| 7402 | Librarian II | B16 |
| 7403 | Librarian III | B18 |
| 7404 | Librarian IV | B20 |
| 7407 | Archivist I | B16 |
| 7409 | Archivist II | B18 |
| 7462 | Exhibit Technician I | B12 |
| 7464 | Exhibit Technician II | B14 |

## CLASSIFIED POSITIONS FOR THE 2012-13 BIENNIUM
(Continued)

| | | |
|---|---|---|
| 7466 | Curator I | B16 |
| 7468 | Curator II | B18 |
| 8003 | Custodian I | A04 |
| 8005 | Custodian II | A06 |
| 8007 | Custodian III | A08 |
| 8021 | Custodial Manager I | A11 |
| 8023 | Custodial Manager II | A13 |
| 8025 | Custodial Manager III | A15 |
| 8031 | Groundskeeper I | A04 |
| 8032 | Groundskeeper II | A06 |
| 8033 | Groundskeeper III | A08 |
| 8103 | Food Service Worker I | A04 |
| 8104 | Food Service Worker II | A06 |
| 8108 | Food Service Manager I | A12 |
| 8109 | Food Service Manager II | A14 |
| 8110 | Food Service Manager III | A16 |
| 8111 | Food Service Manager IV | A18 |
| 8116 | Cook I | A04 |
| 8117 | Cook II | A05 |
| 8118 | Cook III | A07 |
| 8119 | Cook IV | A09 |
| 8252 | Laundry/Sewing Room Worker I | A04 |
| 8253 | Laundry/Sewing Room Worker II | A06 |
| 8254 | Laundry/Sewing Room Worker III | A08 |
| 8260 | Laundry Manager I | A12 |
| 8261 | Laundry Manager II | A14 |
| 8262 | Laundry Manager III | A16 |
| 8263 | Laundry Manager IV | A18 |
| 8302 | Barber/ Cosmetologist | A07 |
| 9004 | Maintenance Assistant | A06 |
| 9034 | Air Conditioning and Boiler Operator I | A11 |
| 9035 | Air Conditioning and Boiler Operator II | A13 |
| 9036 | Air Conditioning and Boiler Operator III | A15 |
| 9037 | Air Conditioning and Boiler Operator IV | A17 |
| 9041 | Maintenance Specialist I | A08 |
| 9042 | Maintenance Specialist II | A10 |
| 9043 | Maintenance Specialist III | A11 |
| 9044 | Maintenance Specialist IV | A13 |
| 9045 | Maintenance Specialist V | A15 |
| 9052 | Maintenance Supervisor I | A14 |
| 9053 | Maintenance Supervisor II | A15 |
| 9054 | Maintenance Supervisor III | A16 |
| 9055 | Maintenance Supervisor IV | A17 |
| 9056 | Maintenance Supervisor V | A19 |
| 9060 | Electronics Technician I | A15 |
| 9062 | Electronics Technician II | A17 |
| 9064 | Electronics Technician III | A19 |
| 9305 | Transportation Maintenance Specialist I | A14 |
| 9306 | Transportation Maintenance Specialist II | A15 |
| 9307 | Transportation Maintenance Specialist III | A16 |
| 9308 | Transportation Maintenance Specialist IV | A17 |
| 9309 | Transportation Maintenance Specialist V | A18 |
| 9322 | Vehicle Driver I | A07 |
| 9323 | Vehicle Driver II | A09 |
| 9324 | Vehicle Driver III | A11 |
| 9416 | Motor Vehicle Technician I | A09 |
| 9417 | Motor Vehicle Technician II | A11 |
| 9418 | Motor Vehicle Technician III | A13 |
| 9419 | Motor Vehicle Technician IV | A15 |
| 9420 | Motor Vehicle Technician V | A17 |
| 9512 | Machinist I | A13 |
| 9514 | Machinist II | A15 |
| 9624 | Aircraft Pilot I | B20 |
| 9626 | Aircraft Pilot II | B22 |

## CLASSIFIED POSITIONS FOR THE 2012-13 BIENNIUM
(Continued)

| | | |
|---|---|---|
| 9628 | Aircraft Pilot III | B24 |
| 9636 | Aircraft Mechanic | B21 |
| 9700 | Radio Communications Technician I | A10 |
| 9704 | Radio Communications Technician II | A12 |
| 9706 | Radio Communications Technician III | A14 |
| 9733 | Equipment Maintenance Technician I | A14 |
| 9734 | Equipment Maintenance Technician II | A16 |
| 9802 | Electrician I | A14 |
| 9804 | Electrician II | A16 |
| 9806 | Electrician III | A18 |
| 9808 | Electrician IV | A20 |
| 9812 | HVAC Mechanic I | A14 |
| 9814 | HVAC Mechanic II | A16 |
| 9816 | HVAC Mechanic III | A18 |
| 9830 | Ferryboat Specialist I | B20 |
| 9832 | Ferryboat Specialist II | B21 |
| 9834 | Ferryboat Specialist III | B22 |
| 9901 | Public Safety Inspector I | C05 |
| 9902 | Public Safety Inspector II | C06 |
| 9905 | Pilot Investigator I | C04 |
| 9906 | Pilot Investigator II | C05 |
| 9907 | Pilot Investigator III | C06 |
| 9908 | Pilot Investigator IV | C07 |
| 9920 | Trooper Trainee | C01 |
| 9922 | Probationary Trooper | C02 |
| 9928 | Trooper | C03 |
| 9935 | Corporal | C03 |
| 9940 | Sergeant, Public Safety | C04 |
| 9941 | Lieutenant, Public Safety | C05 |
| 9942 | Captain, Public Safety | C06 |
| 9943 | Assistant Commander, Public Safety | C07 |
| 9944 | Commander, Public Safety | C08 |
| 9945 | Major, Public Safety | C08 |
| 9950 | Agent Trainee | C02 |
| 9956 | Agent | C03 |
| 9960 | Sergeant, Alcoholic Beverage | C04 |
| 9961 | Lieutenant, Alcoholic Beverage | C05 |
| 9962 | Captain, Alcoholic Beverage | C06 |
| 9963 | Major, Alcoholic Beverage | C08 |
| 9965 | Investigator Trainee - Office of the Inspector General | C01 |
| 9971 | Investigator - Office of the Inspector General | C03 |
| 9972 | Regional Supervisor - Office of the Inspector General | C04 |
| 9973 | Regional Manager - Office of the Inspector General | C05 |
| 9974 | Multi-Regional Administrator - Office of the Inspector General | C06 |
| 9975 | Chief Inspector - Office of the Inspector General (less than 12 years service) | C07 |
| 9976 | Chief Inspector - Office of the Inspector General (more than 12 years service) | C08 |
| 9980 | Game Warden Trainee | C01 |
| 9981 | Probationary Game Warden | C02 |
| 9987 | Game Warden | C03 |
| 9990 | Sergeant, Game Warden | C04 |
| 9991 | Lieutenant, Game Warden | C05 |
| 9992 | Captain, Game Warden | C06 |
| 9993 | Assistant Commander, Game Warden | C07 |
| 9994 | Commander, Game Warden | C08 |
| 9995 | Major, Game Warden | C08 |

## SCHEDULE A CLASSIFICATION SALARY SCHEDULE

**For the Fiscal Years Beginning September 1, 2011 and September 1 ,2012**

| Group | Minimum | Maximum |
|---|---|---|
| A3 | $16,850 | $24,433 |
| A4 | $17,693 | $25,654 |
| A5 | $18,577 | $26,937 |
| A6 | $19,506 | $28,284 |
| A7 | $20,481 | $29,698 |
| A8 | $21,505 | $31,183 |
| A9 | $22,581 | $32,742 |
| A10 | $23,710 | $34,379 |
| A11 | $25,132 | $38,955 |
| A12 | $26,640 | $41,292 |
| A13 | $28,239 | $43,770 |
| A14 | $29,933 | $46,396 |
| A15 | $31,729 | $49,180 |
| A16 | $33,633 | $52,130 |
| A17 | $35,651 | $55,258 |
| A18 | $38,146 | $61,034 |
| A19 | $40,816 | $65,306 |
| A20 | $43,673 | $69,878 |

## SCHEDULE B CLASSIFICATION SALARY SCHEDULE

**For the Fiscal Years Beginning September 1, 2011 and September 1, 2012**

| Salary Group | Minimum | Maximum |
|---|---|---|
| B10 | $23,710 | $34,379 |
| B11 | $25,132 | $38,955 |
| B12 | $26,640 | $41,292 |
| B13 | $28,239 | $43,770 |
| B14 | $29,933 | $46,396 |
| B15 | $31,729 | $49,180 |
| B16 | $33,633 | $52,130 |
| B17 | $35,651 | $55,258 |
| B18 | $38,146 | $61,034 |
| B19 | $40,816 | $65,306 |
| B20 | $43,673 | $69,878 |
| B21 | $46,731 | $74,769 |
| B22 | $50,002 | $80,003 |
| B23 | $53,502 | $85,603 |
| B24 | $57,247 | $91,595 |
| B25 | $61,254 | $98,007 |
| B26 | $67,380 | $111,176 |
| B27 | $74,118 | $122,294 |
| B28 | $81,529 | $134,524 |
| B29 | $89,682 | $147,976 |
| B30 | $98,651 | $162,773 |
| B31 | $108,516 | $179,051 |
| B32 | $119,367 | $196,956 |
| B33 | $131,304 | $216,652 |
| B34 | $144,434 | $238,317 |
| B35 | $158,878 | $262,148 |

## SCHEDULE C CLASSIFICATION SALARY SCHEDULE

**For the Fiscal Years Beginning September 1, 2011 and September 1, 2012**

**Salary Rates**

| Group | <4 Years of Service | ≥4 Years of Service | ≥8 Years of Service | ≥12 Years of Service | ≥16 Years of Service | ≥20Years of Service |
|---|---|---|---|---|---|---|
| C1 | 35,787 | | | | | |
| C2 | 39,097 | | | | | |
| C3 | 47,221 | 50,988 | 54,860 | 57,504 | 60,307 | 61,793 |
| C4 | | 57,578 | 61,677 | 64,402 | 67,377 | 69,043 |
| C5 | | 64,489 | 68,859 | 71,682 | 74,848 | 76,714 |
| C6 | | 71,470 | 76,077 | 79,001 | 82,359 | 84,427 |
| C7 | | 87,719 | 88,529 | 88,939 | 88,939 | 88,939 |
| C8 | | 91,200 | 91,935 | 92,394 | 92,394 | 92,394 |

## PART 3. SALARY ADMINISTRATION AND EMPLOYMENT PROVISIONS

**Sec. 3.01. Salary Rates.**

(a) For each fiscal year of the biennium beginning September 1, 2011, annual salary rates for classified positions are as provided by the Classification Salary Schedules of § 2.01.

(b) In addition to the limits under this Article, the State Classification Office shall review new exempt positions created during the interim and provide recommendations on the appropriate class title and salary group for these positions to the Legislature during the appropriations process.

(c) There is no authority to grant salary increases as part of the conversion of employees to Salary Schedules A, B, and C, except in the cases of:

(1) across-the-board salary increases authorized in this Act; or

(2) employees whose positions are reallocated or reclassified in accordance with § § 654.0155, 654.0156, or 659.254, Government Code.

(d) An employee hired by the State on or after September 1, 2011, including interagency transfers, must be paid at a salary rate that falls within the salary range of the applicable salary group.

(e) Notwithstanding other provisions in this Act, the Department of Public Safety of the State of Texas may pay its employees classified as Corporal I, II, III, IV, or V, Traffic Law Enforcement, at rates that exceed the maximum rates designated in Salary Schedule C by up to $600 per fiscal year.

(f) Employees within the Principals, Teachers, Supervisors, and Coaches title at the Texas School for the Blind and Visually Impaired, the Texas School for the Deaf, and Texas Youth Commission are not subject to the salary administration provisions in Part 3 of this Article.

(g) Notwithstanding other provisions in this Act, the Department of Public Safety, Department of Criminal Justice, Parks and Wildlife Department, and the Alcoholic Beverage Commission of Texas shall pay its employees classified as commissioned peace officers in Salary Schedule C, salary stipends at rates that exceed the maximum rates designated in Salary Schedule C. Salary stipends shall be paid to commissioned peace officers who achieve certain levels of skill or certifications as approved by the departments. Such skills and certifications shall include:

(1) Education Level: $50 per month for an associate degree, $100 per month for a bachelor degree, and $150 per month for a masters degree.

(2) Commission on Law Enforcement Officer Standards and Education Certification Level: $50 per month for intermediate, $100 per month for advanced, and $150 per month for masters.

(3) Bilingual Capabilities: $50 per month for the ability to speak a language other than English.

Commissioned peace officers may receive a stipend for education level or certification level, but not both. The agencies shall work with the Comptroller to establish an efficient salary reporting and payment system.

**Sec. 3.02. Salary Supplementation.** Funds appropriated by this Act to a state agency or to an institution of higher education may not be expended for payment of salary to a person whose classified or exempt salary is being supplemented from other than appropriated funds until a report showing the amount and sources of salary being paid from other sources has been reported to the Secretary of State and Comptroller.

**Sec. 3.03. Classified Salary Rates.** An agency subject to Part 2 or Part 3 of this Article shall make employments of personnel as provided by the Position Classification Plan including paying salaries at rates within the salary schedules provided by this Article IX.

**Sec. 3.04. Salary Limits.** For the biennium beginning September 1, 2011, the rate for determining the expenditure limitations for merit salary increases and promotions under § 659.261, Government Code, is not limited by this Act as a percentage of the total amount spent by the agency in the preceding fiscal year for classified salaries.

**Sec. 3.05. Scheduled Exempt Positions.**

(a) Except for the positions listed under Subsection (b)(3) or (c)(6), a position listed following an agency's appropriation in the agency's "Schedule of Exempt Positions" shall receive compensation at a rate not to exceed the amount indicated in that agency's "Schedule of Exempt Positions."

(b) (1) Notwithstanding the rate listed in an agency's "Schedule of Exempt Positions," a position listed in Subsection (b)(3) may receive compensation at a rate set by the Governor in an amount not to exceed the "Maximum Salary" but not less than the "Minimum Salary" for the appropriate group as listed in Subsection (b)(2).

(2) An exempt position listed in Subsection (b)(3) or (c)(6), for which the term "Group," followed by an Arabic numeral, is indicated, may receive compensation at a rate within the range indicated below for the respective salary group indicated.

**Scheduled Exempt Position Salary Rates**

| Group | Minimum Salary | Maximum Salary |
|---|---|---|
| 1 | $70,000 | $110,000 |
| 2 | 80,500 | 126,600 |
| 3 | 92,600 | 145,600 |
| 4 | 106,500 | 167,500 |
| 5 | 122,500 | 192,600 |
| 6 | 140,900 | 221,500 |
| 7 | 162,000 | 254,700 |
| 8 | 186,300 | 292,500 |

(3)

| | Agency | Position | Salary Group |
|---|---|---|---|
| (A) | Fire Fighters' Pension Commissioner: | Commissioner | Group 1; |
| (B) | Secretary of State: | Secretary of State | Group 5; |
| (C) | Office of State-Federal Relations: | Executive Director | Group 3; |
| (D) | Health and Human Services Commission: | Executive Commissioner | Group 8; |
| (E) | Texas Education Agency: | Commissioner of Education | Group 8; |
| (F) | Adjutant General's Department: | Adjutant General | Group 5; |
| (G) | Texas Department of Criminal Justice: | Presiding Officer, Board of Pardons and Paroles | Group 4; |
| (H) | Texas Department of Criminal Justice: | Parole Board Members (6) | Group 3; |
| (I) | Texas Commission on Environmental Quality: | Commissioners (3) | Group 6; |
| (J) | Texas Department of Housing and Community Affairs: | Executive Director | Group 5; |

| | | | |
|---|---|---|---|
| (K) | Texas Workforce Commission: | Commissioners (2) | Group 5; |
| (L) | Texas Workforce Commission: | Commission Chair | Group 6; |
| (M) | State Office of Administrative Hearings: | Chief Administrative Law Judge | Group 5; |
| (N) | Texas Department of Insurance: | Commissioner of Insurance | Group 6; |
| (O) | Office of Public Insurance Counsel: | Public Counsel | Group 4; |
| (P) | Public Utility Commission of Texas: | Commissioners (3) | Group 6; |
| (Q) | Office of Public Utility Counsel: | Public Counsel | Group 4; |
| (R) | Bond Review Board: and | Executive Director | Group 3; |
| (S) | Texas Department of Insurance: | Commissioner of Workers' Compensation | Group 5. |

(c) (1) Notwithstanding the rate listed in an agency's "Schedule of Exempt Positions," an agency whose exempt position listed following the agency's appropriations in the "Schedule of Exempt of Positions" is listed in Subsection (c)(6)may request to set the rate of compensation provided for the agency's respective exempt position at an amount not to exceed the "Maximum Salary" but not less than the "Minimum Salary" for the appropriate group as listed in Subsection (b)(2).

(2) The request submitted by the governing board (when applicable for an agency with a governing board) of the state agency may include :

(A) The date on which the board (when applicable for an agency with a governing board) approved the request;

(B) A statement justifying the need to exceed the limitation; and

(C) The source of funds to be used to pay the additional salary amount.

(3) The governing board (when applicable for an agency with a governing board) may make a request under subsection (c)(1) a maximum of once per fiscal year or upon a vacancy in an exempt position listed in subsection (c)(6).

(4) A proposed rate increase shall be considered to be approved if neither the Legislative Budget Board nor the Governor issues a written disapproval of the proposal not later than:

(A) the tenth business day after the date the staff of the Legislative Budget Board concludes its review of the proposed rate increase and forwards its review to the Chair of the House Committee on Appropriations, Chair of the Senate Committee on Finance, Speaker of the House, and Lieutenant Governor; and

(B) the tenth business day after the receipt of the proposed transfer by the Governor.

(5) If a proposed rate increase is approved, the Legislative Budget Board shall notify the affected agency, the Governor's Office, and the Comptroller.

(6)

| | Agency | Position | Salary Group |
|---|---|---|---|
| (A) | Department of State Health Services | Commissioner | Group 7; |
| (B) | Department of Family and Protective Services | Commissioner | Group 7; |
| (C) | Higher Education Coordinating Board | Commissioner | Group 8; |
| (D) | Department of Aging and Disability Services | Commissioner | Group 7; |
| (E) | Department of Information Resources | Executive Director | Group 6; |
| (F) | Department of Assistive and Rehabilitative Services | Commissioner | Group 7; |
| (G) | Texas Lottery Commission; | Executive Director | Group 6; |
| (H) | Texas Youth Commission | Executive Director | Group 6; and |
| ( I ) | Preservation Board | Executive Director | Group 4. |
| ( J ) | School for the Blind and Visually Impaired | Superintendent | Group 4 |
| (K) | School for the Deaf | Superintendent | Group 4 |

(d) In addition to all other requirements, any salary increase from appropriated funds within the limits provided by this section and salary increases within the limit established under an agency's bill pattern, must be:

(1) in writing;

(2) signed by the presiding officer of the governing board (for an agency with a governing board);

(3) submitted to the Governor, the Legislative Budget Board and the Comptroller; and

(4) approved by the governing board (for an agency with a governing board) in a public meeting.

(e) (1) Each title listed in a "Schedule of Exempt Positions" following an agency's appropriation authorizes one position for the agency unless the title is followed by an Arabic numeral indicating the number of positions authorized.

(2) The number of authorized positions for a title listed in a "Schedule of Exempt Positions" may be exceeded only:

(A) for the purpose of hiring a replacement in a key management position as certified by the chief administrator of the agency;

(B) if the current incumbent of the position has formally resigned or otherwise announced irrevocable plans to vacate the position;

(C) for a period of time not to exceed the equivalent of one month's salary per fiscal year per terminating incumbent (excluding time spent on the payroll for the purpose of exhausting accrued annual leave or state compensatory time); and

(D) if exceptions are reported as prescribed for payroll reporting procedures.

**Sec. 3.06. Evening, Night, Weekend Shift Pay: Registered Nurses and Licensed Vocational Nurses.** A state agency may pay an additional evening shift or night shift differential not to exceed 15 percent of the monthly pay rate to registered nurses or licensed vocational nurses who work the 3:00 p.m. to 11:00 p.m. shift, or its equivalent, or who work the 11:00 p.m. to 7:00 a.m. shift, or its equivalent. An additional weekend shift salary differential not to exceed five percent of the monthly pay rate may be paid to registered nurses and licensed vocational nurses. The weekend shift salary differential may be paid to an eligible individual in addition to the evening shift or night shift salary differential.

**Sec. 3.07. Recruitment and Retention Bonuses.** A state agency may pay a bonus to an individual as provided by § 659.262, Government Code.

**Sec. 3.08. Equity Adjustments.**

(a) A state agency is authorized to adjust the salary rate of an employee whose position is classified under the position classification plan to any rate within the employee's salary group range as necessary to maintain desirable salary relationships:

(1) between and among employees of the agency; or

(2) between employees of the agency and employees who hold similar positions in the relevant labor market.

(b) In determining desirable salary relationships under Subsection (a), a state agency shall consider the education, skills, related work experience, length of service, and job performance of agency employees and similar employees in the relevant labor market.

(c) A state agency may award an equity adjustment to an employee under this section only if:

(1) the employee has worked in the employee's current position for not less than six months while maintaining at least a satisfactory level of job performance; and

(2) the adjustment does not take effect during the same fiscal year as another equity adjustment made to the employee's salary under this section.

(d) A state agency shall adopt internal written rules relating to making equity adjustments under this section. The rules shall include procedures under which the agency will review and analyze the salary relationships between agency employees who receive salaries under the same job classification and perform the same type and level of work to determine if inequities exist.

**Sec. 3.09. Classification Study on Scheduled Exempt Positions.** The State Auditor's Office is directed to conduct a study (which is similar to the biennial study performed by the Auditor's office on the state's classification plan under Chapter 654, Government Code) that reviews the compensation of exempt positions in the General Appropriations Act. The study should compare exempt positions from different agencies and take into account the size of an agency's annual appropriations, the number of full-time equivalent employees (FTES) of the agency, market average compensation for similar executive positions, the exempt position salary as compared to classified positions within the agency, and other objective criteria the Auditor's Office deems appropriate. The study shall be submitted to all members of the Legislature and the director of the Legislative Budget Board no later than September 1,2012.

**Sec. 3.10. Method of Salary Payments.** All annual salaries appropriated by this Act are for full-time employment unless specifically designated as part-time. This section may not be construed to prevent the chief administrator of an agency from paying less than the maximum salary rate specified in this Act for a position, or the employment of a part-time employee to fill a regular position provided for in this Act, so long as the salary rate for such part-time employee is proportional to the regular rate for full-time employment.

**Sec. 3.11. Exception - Contracts Less Than 12 Months.** Facilities of the Texas Youth Commission in Article V or institutions of higher education or the schools for the blind or deaf in Article III of this Act that make contracts for less than a twelve-month period may pay salaries in equal monthly payments for the period of the contract.

**Sec. 3.12. Matching Retirement and Certain Insurance.** In each instance in which an operating fund or account is created and named by statute, the responsible officials of the state may transfer into the operating fund or account sufficient monies from treasury funds, local, institutional, or federal funds to pay proportionally the costs of matching state employees' retirement contributions and the state's share of Old Age and Survivors Insurance.

## PART 4. GRANT-MAKING PROVISIONS

**Sec. 4.01. Emergency and Deficiency Grants Out of Special Funds.** For the purposes of §§ 401.061 and 403.075, Government Code, appropriations to the Office of the Governor from "special funds" include excess revenues from General Revenue Fund-Dedicated accounts that were previously special funds above those estimated by the Comptroller in certifying this Act.

**Sec. 4.02. Grant Restriction.** Funds appropriated by this Act may not be expended for a grant to a law enforcement agency regulated by Chapter 1701, Occupations Code, unless:

(1) the law enforcement agency requesting the grant is in compliance with all rules developed by the Commission on Law Enforcement Officer Standards and Education; or

(2) the Commission on Law Enforcement Officer Standards and Education certifies that the requesting agency is in the process of achieving compliance with such rules.

**Sec. 4.03. Grants.**

(a) Funds appropriated by this Act for grants of money to be made by state agencies, including the agencies in the legislative branch, are appropriated for the statutory purposes as the grantor agency may specify. A state agency shall distribute grants on a reimbursement or as needed basis unless otherwise provided by statute or otherwise determined by the grantor agency to be necessary for the purposes of the grant.

(b) Funds appropriated by this Act for grants to be made by a state agency for a particular fiscal year may be distributed in subsequent fiscal years so long as the grant has been awarded and

treated as a binding encumbrance by the grantor agency prior to the end of the appropriation year of the funds appropriated for grant purposes. Distribution of the grant funds is subject to § 403.071, Government Code.

**Sec. 4.04. Grants for Political Polling Prohibited.** None of the funds appropriated by the Act may be granted to or expended by any entity which performs political polling. This prohibition regarding political polling does not apply to a poll conducted by an academic institution as a part of the institution's academic mission that is not conducted for the benefit of a particular candidate or party.

**Sec. 4.05. Limitation on Grants to Units of Local Government.**

(a) The funds appropriated by this Act may not be expended in the form of a grant to, or a contract with, a unit of local government unless the terms of the grant or contract require that the funds received under the grant or contract will be expended subject to limitations and reporting requirements similar to those provided by:

(1) Parts 2 and 3 of this Article (except there is no requirement for increased salaries for local government employees);

(2) § § 556.004, 556.005, and 556.006, Government Code;

(3) § § 2113.012 and 2113.101, Government Code;

(4) § 6.13 of this Article (Performance Rewards and Penalties);

(5) § 7.01 of this Article (Budgeting and Reporting);

(6) § 7.02 of this Article (Annual Reports and Inventories); and

(7) § 2102.0091, Government Code.

(b) In this section, "unit of local government" means:

(1) a council of governments, a regional planning commission, or a similar regional planning agency created under Chapter 391, Local Government Code;

(2) a local workforce development board; or

(3) a MHMR community center.

## PART 5. TRAVEL REGULATIONS

**Sec. 5.01. Travel Definitions.** The definitions established by § 660.002, Government Code, apply to Part 5 of this Article, unless another meaning is clearly provided. In Part 5 of this Article:

(1) "Council of governments" includes:

(A) a council of governments created under Chapter 391, Local Government Code;

(B) a regional planning commission created under Chapter 391, Local Government Code; or

(C) a regional planning agency created under Chapter 391, Local Government Code.

(2) "State agency" includes the entities within the definition of § 660.002(19), Government Code, and also includes a council of governments, a local workforce development board, or a MHMR community center, that uses funds appropriated by this Act to pay for the transportation, meals, lodging, or other travel expenses of its employees.

**Sec. 5.02. General Travel Provisions.** The funds appropriated by this Act to a state agency for the payment of transportation, meals, lodging, or incidental expenses is the maximum amount that may be expended by the agency. The funds appropriated by this Act may not be expended for those expenses

unless the travel and the resulting requests for payment or reimbursement comply with the conditions and limitations in this Act, Chapter 660, Government Code, and the Comptroller's Rules.

**Sec. 5.03. Failure to Comply.**

(a) If the State Auditor determines that the travel for which payment was made out of appropriated funds is not in compliance with Chapter 660, Government Code, the State Auditor shall so certify to the Comptroller. The Comptroller shall reduce the appropriation of the state agency that paid the travel expenses by an amount equal to the entire amount paid by the state agency for that individual for that travel occurrence.

(b) The Comptroller shall prepare an annual report indicating the appropriation reductions, by state agency, made pursuant to this section for the previous fiscal year. The Comptroller shall submit the report to the Legislative Budget Board not later than December 1.

**Sec. 5.04. Transportation Expenses.** For a state employee's use of a personally owned or leased motor vehicle, the mileage reimbursement rate for travel equals the maximum fixed mileage allowance specified in the revenue rulings issued by the Internal Revenue Service under the federal income tax regulations as announced by the Comptroller.

**Sec. 5.05. Transportation in Personally Owned or Leased Aircraft.**

(a) The rate of reimbursement to be paid to a key official, member of a board, commission, or a member of the Legislature for travel in the person's personally owned or leased aircraft, either within or without the boundaries of this state, is the maximum fixed mileage allowance specified in the revenue rulings issued by the Internal Revenue Service under the federal income tax regulations or alternatively as determined by the Comptroller the rates adopted by the United States Administrator of General Services as announced by the Comptroller.

(b) The rate of reimbursement for a state employee when the employee travels in the employee's personally owned or leased aircraft, either within or without the boundaries of this state, is:

(1) 40 cents per highway mile when traveling in single-engine aircraft; or

(2) 50 cents per highway mile when traveling in twin-engine, turbine-powered, or other aircraft.

**Sec. 5.06. Travel Meals and Lodging Expenses.**

(a) A state employee who travels within the continental United States shall be reimbursed for the actual cost of lodging and meals. However, the reimbursements may not exceed the maximum meals and lodging rates based on the federal travel regulations issued by the United States General Services Administration; unless the agency head or designee of the agency head determines that local conditions necessitate a change in the lodging rate for a particular location.

(b) At the discretion of each chief administrator of a state agency, a state employee whose duties require the employee to travel outside the employee's designated headquarters without an overnight stay away from the employee's headquarters may be reimbursed for the actual cost of the employee's meals not to exceed $36.

(c) A state employee may receive reimbursements for the employee's actual expenses for meals and lodging when traveling outside the continental United States.

(d) A state agency or institution may reimburse a state employee for a meal expense the employee incurs while traveling outside the employee's designated headquarters for less than six consecutive hours if the reimbursement:

(1) receives the written approval by the chief administrator of the state agency or institution;

(2) meets the rules adopted by the Comptroller regarding reimbursement for traveling outside the employee's designated headquarters for less than six consecutive hours; and

(3) complies with § 660.206, Government Code.

**Sec. 5.07. Special Provisions Regarding Travel Expenses.** Reimbursement for meals and lodging as authorized by Subchapter H, Chapter 660, Government Code, on an "actual expenses" or "actual amount of" basis may not exceed twice the maximum rates specified in § 5.06 of this Article.

**Sec. 5.08. Limitation on Travel Expenditures.**

(a) In this section "travel expenditures" refers only to travel outside the state of Texas, except as provided by Subsection (i) of this section, and does not include travel expenses incurred after August 31, 2011, for travel critical to the delivery of services consistent with the mission of the agency or institution.

(b) (1) None of the funds appropriated by this Act may be expended, without the prior approval of the Legislative Budget Board, for travel purposes if such expenditure would cause the agency's or institution's travel expenditures for that fiscal year to exceed the greatest of:

(A) 125 percent of that agency's or institution's fiscal year 2000 amount of out-of-state travel expenditures; or

(B) 100 percent of that agency's or institution's fiscal year 2000 amount of out-of-state travel expenditures plus $10,000; or

(C) 100 percent of that agency's or institution's fiscal year 2000 amount of out-of-state travel expenditures plus any excess travel expenditure amounts approved by waiver.

(2) The general limitations provided by this subsection apply in addition to the limits of any additional agency specific limitation.

(3) In the event that a state agency or institution had, as determined by the Comptroller, no expenditures for travel outside the state of Texas during fiscal year 2000, the general limitations provided by Subsection (b)(1) shall not apply, but out-of-state travel spending may not exceed in either year of the biennium the amount spent for that purpose in the last state fiscal year in which out-of-state travel occurred.

(c) The Legislative Budget Board may consider requests from agencies which demonstrate circumstances which would make such reductions in actual travel impractical or inefficient in accomplishing the goals and strategies contained in their appropriations pattern. Such circumstances may include: new or expanded programs, law enforcement, tax collection activities, statutorily mandated travel, or other pressing public purposes.

(d) The Comptroller shall prescribe accounting procedures and reporting requirements to administer this section and to ensure that expenditures for travel by all state agencies and institutions of higher education are properly reported and monitored.

(e) (1) Upon notification by the Comptroller that a state agency or institution of higher education has exceeded the travel cap limit as specified in Subsection (b) of this section for two consecutive fiscal years without the written approval of the Legislative Budget Board, the state agency or institution of higher education may not pay or reimburse with funds appropriated by this Act, a travel expense for travel to conventions, conferences, or seminars except as provided by this Subsection (e).

(2) The Comptroller may allow a state agency or institution of higher education to reimburse or pay a travel expense incurred by an employee on or after the date the agency or institution receives notice of its exceeding the limits if:

(A) the expense is incurred while the employee is returning to the employee's designated headquarters;

(B) the reimbursement or payment is necessary to prevent unreasonable hardship to the employee; or

(C) the expense is incurred while the employee is completing official state business that the agency or institution deems critical to fulfillment of the agency's or institution's constitutional or statutory duties.

(3) The Comptroller shall notify the Legislative Budget Board if the Comptroller allows such a payment or reimbursement. The notification must include the reason that the payment or reimbursement is allowed. The Legislative Budget Board may then direct the Comptroller to reduce the agency's or institution's appropriation by the amount of the payment or reimbursement if in the Legislative Budget Board's opinion the payment was the result of an agency failing to comply with the notification by the Comptroller.

(f) All documents filed by an appointed officer under this section are public information. In this section, the term "public information" has the meaning provided by Chapter 552, Government Code.

(g) In this section "appointed officer" includes all persons included under the definition provided by Chapter 572, Government Code, except that for the purposes of the definition of "appointed officer," the term "state agency" also includes a council of governments, a local workforce development board, or a mental health mental retardation community center that uses funds appropriated by this Act to pay for the transportation, meals, lodging, or other travel expenses of its employees or officials. For the purpose of this provision, the term "council of governments" shall include a council of governments, a regional planning commission, or similar regional planning agency created under Chapter 391, Local Government Code.

(h) An appointed officer may not receive reimbursement from funds appropriated by this Act for expenses related to travel before filing with the Texas Ethics Commission copies of all documents that will be submitted to the Comptroller and Legislative Budget Board in support of the travel expense claim.

(i) Travel expenses incurred within the Washington, D.C. area by the Office of State-Federal Relations (OSFR) and by state agencies and institutions of higher education that are represented by their employees in the Washington, D.C. office of OSFR shall be considered in-state travel for the purpose of calculating the agencies' compliance with out-of-state travel limitation provisions.

**Sec. 5.09. Travel and Per Diem of Board or Commission Members.**

(a) As authorized by § 659.032, Government Code, the per diem of state board and commission members consists of:

(1) compensatory per diem, if specifically authorized by law, at $30 per day; and

(2) at the rates provided by this Act for state employees, expense per diem, which includes:

(A) reimbursement of actual expenses for meals, at the rates provided by this Act for state employees;

(B) lodging at the rates provided by this Act for state employees;

(C) transportation at the rates provided by this Act for state employees; and

(D) incidental expenses.

(b) If a law enacted after former Article 6813f, VTCS, (September 1, 1983), authorizes per diem for members of a particular state board or commission, but does not specify the amount of the per diem, then the amount of the per diem is the amount provided by Subsection (a).

(c) A full-time employee paid from funds appropriated by this Act may not be paid both a salary and compensatory per diem for concurrent service as a state employee and as a board or commission member.

**Sec. 5.10. Travel of Advisory Committee Members.**

(a) For the purpose of this section, the term "advisory committee" has the meaning assigned by § 2110.001, Government Code.

(b) In addition to the limits placed on reimbursement of advisory committee member expenses by this section and to the extent not otherwise limited by this Act or other law, a member of a state agency advisory committee may be reimbursed, at the rates specified in this Act for a state employee, for actual expenses for meals, lodging, transportation, and incidental expenses.

(c) The funds appropriated by this Act may not be expended to reimburse a member of a state agency advisory committee for expenses associated with conducting committee business, including travel expenses, unless the expenditures for an advisory committee are within the limits provided by this section and other law and are:

(1) specifically authorized by this Act; or

(2) approved by the Governor and the Legislative Budget Board subsequent to the effective date of this Act.

(d) The limitations provided by this section do not apply to an advisory committee established by the governing board of a retirement system trust fund.

(e) The limitations provided by this section apply only to an advisory committee that is subject to Chapter 2110, Government Code.

(f) Unless otherwise specifically provided for in this Act or by the written authorization of the Legislative Budget Board and Governor, and pursuant to Government Code, § 2110.004, total amounts expended in each fiscal year of the biennium for reimbursement of expenses for an advisory committee authorized to be reimbursed elsewhere in this Act by agencies and institutions, out of funds appropriated to those entities, may not exceed one hundred and twenty-five percent (125%) of total expenditures for reimbursement of the same advisory committee by the agency or institution in fiscal year 2003.

## PART 6. GENERAL LIMITATIONS ON EXPENDITURES

**Sec. 6.01. Definitions.** In this Act "unexpended balance" or the abbreviation "UB" means the unobligated balance remaining in an appropriation, i.e., only that part of an appropriation, if any, that has not been set apart by the incurring of an obligation, commitment, or indebtedness by the state agency authorized to spend the appropriation. A reference in this Act to "unexpended balance" or "UB" is a reference to the unobligated balance of an amount appropriated by this Act for the fiscal year ending August 31, 2012, unless another meaning is clearly indicated.

**Sec. 6.02. Interpretation of Estimates.** In the event the amounts of federal funds, local funds, or funds other than appropriations from the General Revenue Fund, have been estimated in this Act in sums greater than are actually received by the respective agencies of the state, this Act may not be construed as appropriating additional funds from General Revenue to make up such differences. Wherever the language of this Act appropriates all receipts or balances from a specified source but uses an estimated amount to inform the Legislature and the public, the estimated figure is not to be construed as a limitation on the amount appropriated.

**Sec. 6.03. Excess Obligations Prohibited.**

(a) An agency specified in this Act may not incur an obligation in excess of the amounts appropriated to it for the respective objects or purposes named.

(b) As a specific exception to Subsection (a) the Comptroller of Public Accounts may determine that a proposed installment purchase arrangement is cost effective and certify this finding in response to an agency request.

(c) A determination made by the Comptroller of Public Accounts under Subsection (b) may be made for obligations incurred for the purchase or lease of automated information system equipment only if the agency has on file with the Legislative Budget Board a Biennial Operating Plan, including any amendments to the Biennial Operating Plan, and the plan has been approved by the Legislative Budget Board.

(d) If this section is violated, the State Auditor shall certify the fact of the violation and the amount of over-obligation to the Comptroller, and the Comptroller shall deduct an amount equivalent to the over-obligation from the salary or other compensation due the responsible disbursing or requisitioning officer or employee, and apply the amount to the payment of the obligation.

(e) This provision is specified pursuant to § 10, Article XVI, Texas Constitution.

**Sec. 6.04. Interpretation of Legislative Intent.** Funds appropriated by this Act shall be expended, as nearly as practicable, for the purposes for which appropriated. In the event an agency cannot determine legislative purpose from the pattern of appropriations, the agency shall seek to determine that purpose from the proceedings of the legislative committees responsible for proposing appropriations for this state.

**Sec. 6.05. Comptroller's Duty to Pay.** The Comptroller may not refuse to pass for payment a legal claim, factually justified, for which a valid appropriation has been made.

**Sec. 6.06. Last Quarter Expenditures.**

(a) A state agency or other governmental unit using funds appropriated by this Act may not expend during the last quarter of a fiscal year more than one-third of the funds appropriated for that fiscal year.

(b) Specifically exempted from Subsection (a) are:

(1) expenditures contracted for in previous quarters;

(2) funds required by statute, rule or regulation to be expended on a different time frame;

(3) seasonal employment of personnel;

(4) construction contracts;

(5) contracts dealing with purchases of food, medicines, or drugs;

(6) expenditures related to the Children with Special Health Care Needs program operated by the Department of State Health Services; and

(7) expenditures occasioned by disaster or other Act of God.

(c) The funds exempted, under Subsection (b) may not be considered in the computation of the total funds appropriated in a fiscal year for the purpose of applying Subsection (a).

**Sec. 6.07. Employee Benefit and Debt Service Items.**

(a) Funds appropriated in the various Articles of this Act for "Employees Retirement System," "Social Security State Match," "Benefit Replacement Pay," "Texas Public Finance Authority-G.O. Bond Debt Service Payments," and "Lease-Payments to the Texas Public Finance Authority" may be transferred between Articles to a like appropriation item without limitation as to the amount of such transfer.

(b) An agency to which an appropriation listed under Subsection (a) is made may pool such appropriations, made in the various Articles for a common purpose, into a single cost pool for the purpose of administering the appropriation.

**Sec. 6.08. Benefits Paid Proportional by Fund.**

(a) Unless otherwise provided, in order to maximize balances in the General Revenue Fund, payment for benefits paid from appropriated funds, including "local funds" and "education and general funds" as defined in § 51.009 (a) and (c), Education Code, shall be proportional to the source of funds except for public community or junior colleges.

(b) Unless otherwise specifically authorized by this Act, the funds appropriated by this Act out of the General Revenue Fund may not be expended for employee benefit costs, or other indirect costs, associated with the payment of salaries or wages, if the salaries or wages are paid from a source

other than the General Revenue Fund except for public community or junior colleges. For purposes of this Act, a public community or junior college may expend funds appropriated for employee benefit costs for any employee if the employee is: (1) otherwise eligible to participate in the group benefits program; and (2) an instructional or administrative employee whose salary may be fully paid from funds appropriated under the General Appropriations Act, regardless of whether the salary is actually paid from appropriated funds. Payments for employee benefit costs for salaries and wages paid from sources, including payments received pursuant to interagency agreements or as contract receipts, other than the General Revenue Fund shall be made in proportion to the source of funds from which the respective salary or wage is paid or, if the Comptroller determines that achieving proportionality at the time the payment is made would be impractical or inefficient, then the General Revenue Fund shall be reimbursed for any such payment made out of the General Revenue Fund.

(c) The Comptroller, after consulting with the Legislative Budget Board and the State Auditor's Office, shall develop and maintain rules to provide for the administration of this section.

(d) Each agency or institution of higher education (excluding a community or junior college) having General Revenue Fund appropriations and other sources of financing shall file with the Comptroller and the State Auditor a report demonstrating proportionality. The report shall be filed before November 20th following the close of the fiscal year for the salaries, wages, and benefits of the preceding year ended August 31. The report shall be in a format prescribed by the Comptroller in collaboration with the Legislative Budget Board and the State Auditor's Office. The State Auditor shall at least biennially review agency and institution (excluding a community or junior college) compliance with the requirements of this section if the agency or institution (excluding a community or junior college) receives funds appropriated under Articles II, III, or VI of this Act. The Comptroller, on receipt of notification from the State Auditor of amounts disproportionally paid from General Revenue Fund appropriations, shall reduce current year General Revenue Fund appropriations of the agency or institution until such time as such amounts are repaid from sources other than the General Revenue Fund.

**Sec. 6.09. Appropriations from Special Funds.** Notwithstanding other provisions of this Act, appropriation amounts from special funds or special accounts in the General Revenue Fund are specifically limited to amounts not to exceed the actual balances and revenues available to each such fund or account.

**Sec. 6.10. Limitation on State Employment Levels.**

(a) Without the written approval of the Governor and the Legislative Budget Board, a state agency or institution of higher education may not use funds appropriated by this Act to pay all or part of the salaries or benefits of a number of employees which would cause the number of full-time equivalent employees (FTEs) paid from funds appropriated by this Act by the state agency or institution of higher education for a fiscal quarter to exceed the figure indicated by this Act for that state agency or institution.

(b) A request by a state agency or institution of higher education to exceed or reduce the FTE limitations established by this section must be submitted by the governing board of the state agency or institution of higher education and must include at a minimum:

(1) the date on which the board approved the request;

(2) a statement justifying the need to exceed or reduce the limitation;

(3) the source of funds to be used to pay any additional salaries; and

(4) an explanation as to why the functions of any proposed additional FTEs cannot be performed within current staffing levels.

(c) For the purpose of Subsection (a), the number of FTEs employed by a state agency (not including an institution of higher education or an affiliated entity, the State Preservation Board, Parks and Wildlife Department, Texas School for the Blind and Visually Impaired, Texas School for the Deaf, and Texas Commission on Environmental Quality) for a fiscal quarter:

(1) shall be determined in accordance with the report filed pursuant to § 2052.103, Government Code;

(2) shall include only employees paid with funds appropriated through this Act;

(3) shall not include overtime hours; and

(4) shall include a position filled by temporary or contract workers for more than half of the work days of the year preceding the final day of the reporting period. Temporary or contract workers shall include workers employed under contract to fill specific positions customarily filled by state employees. The State Auditor is authorized to provide interpretations of this provision.

(d) For the purpose of Subsection (a), the number of FTEs employed by the State Preservation Board, Texas Commission on Environmental Quality, the Parks and Wildlife Department, the Texas School for the Blind and Visually Impaired, the Texas School for the Deaf, or an institution of higher education or an affiliated entity, for a fiscal year:

(1) shall be determined in accordance with the reports filed pursuant to § 2052.103, Government Code;

(2) shall be an average of the four reports filed for that fiscal year;

(3) shall include only employees paid with funds appropriated through this Act;

(4) shall not include overtime hours; and

(5) shall include a position filled by temporary or contract workers for more than half of the work days of the year preceding the final day of the reporting period. Temporary or contract workers shall include workers employed under contract to fill specific positions customarily filled by state employees. The State Auditor is authorized to provide interpretations of this provision.

(e) This section shall not apply to appropriations made by this Act to the:

(1) Office of the Governor; or

(2) Comptroller when that agency has determined by a cost/benefit analysis that an outsourcing or contracting arrangement provides savings to this State.

(f) The limitations on FTEs under this section do not apply to a state agency or institution in instances of employment, including employment of temporary or contract workers, directly associated with events declared disasters by the Governor. Each state agency or institution shall annually notify the State Auditor, Comptroller, Legislative Budget Board, and Governor of FTEs exempted under this section.

(g) (1) The limitations on FTEs under this section do not apply to a state agency or institution in an instance of employment, including employment of a temporary or contract worker, if the FTEs associated with that project are not included in the number of FTEs allowed in the agency's bill pattern and the employees are associated with:

(A) implementation of a new, unanticipated project that is 100 percent federally funded; or

(B) the unanticipated expansion of an existing project that is 100 percent federally funded.

(2) With regard to the exemption from the FTE limitations provided by this Subsection (g), a state agency or institution is exempt from the FTE limitations only for the duration of the federal funding for the employment related to the project and all salaries, benefits, and other expenses incurred related to employment must be paid from federal funds.

(3) This Subsection (g) does not exempt any employees associated with existing projects that are 100 percent federally funded and included in the number of FTEs allowed in the agency's bill pattern.

(4) Each state agency or institution shall notify the State Auditor, Comptroller, Legislative Budget Board, and Governor of FTEs exempted under this Subsection (g).

(h) If a program is transferred from a state agency or institution of higher education, then at any time during the biennium, the Legislative Budget Board and the Governor may agree to reduce the number of FTEs paid from funds appropriated by this Act by the state agency or institution of higher education for one or more fiscal quarters to a figure below that indicated by this Act for that agency or institution.

**Sec. 6.11. Purchases of Postage.**

(a) If the expenditures for postage by an agency, other than the Legislature or an institution of higher education, exceed $4,000 for a fiscal year, the agency shall purchase postage only in accordance with § 2113.103(c), Government Code.

(b) The amount received by an agency as a refund of postage used by the agency shall be deposited in the fund to the credit of the appropriation from which postage for the agency is paid and is hereby appropriated to the agency for postage use.

**Sec. 6.12. Expenditures for State-Federal Relations.**

(a) Funds appropriated by this Act may not be spent by a state agency to carry on functions for which funds have been appropriated to the Office of State-Federal Relations to perform except when an interagency contract has been executed between the Office of State-Federal Relations and the state agency.

(b) Prior to travel to the Washington, D.C. area, including any trip with a destination to the Reagan-National, Dulles, or Baltimore Washington International airports, state agency personnel shall inform the Office of State-Federal Relations regarding:

(1) the timing of the trip;

(2) the purpose of the trip; and

(3) the name of a contact person for additional information.

(c) Under Subsection (b) the term "travel" is limited to only activities:

(1) involving obtaining or spending federal funds; or

(2) impacting federal policies.

**Sec. 6.13. Performance Rewards and Penalties.**

(a) 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 each state agency and institution. In order to achieve the objectives and service standards established by this Act, agencies and institutions shall make every effort to attain the designated key performance target levels associated with each item of appropriation.

(b) To support and encourage the achievement and maintenance of these appropriated annual performance levels, continued expenditure of any appropriations in this Act shall be contingent upon compliance with the following provisions:

(1) Agencies and institutions, in coordination with the Legislative Budget Board, shall establish performance milestones for achieving targets within each annual budget and performance period; time frames for these milestones and the related performance reporting schedule shall be under guidelines developed and maintained by the Legislative Budget Board.

(2) Agencies and institutions shall provide testimony as to the reasons for any performance variances to the Senate Finance Committee and the House Appropriations Committee, as

determined to be necessary by those committees; assessments of agency and institution performance shall be provided to the committees under guidelines and procedures developed and maintained by the Legislative Budget Board.

(c) Upon a finding that an agency or institution has successfully met or exceeded performance expectations, or has failed to achieve expected performance levels, the Legislative Budget Board, and the Governor, may adopt a budget execution order, which may include but is not limited to, one or more of the following:

(1) Positive Incentives/Rewards - Increased funding, exemption from reporting requirements, increased funding transferability, formalized recognition or accolade, awards or bonuses, expanded responsibility, or expanded contracting authority; or

(2) Negative Incentives/Redirection - Evaluation of outcome variances for remedial plan, reduction of funding, elimination of funding, restriction of funding, withholding of funding, reduction of funding transferability, transfer of functional responsibility to other entity, recommendation for placement in conservatorship, direction that a management audit be conducted or direction that other remedial or corrective actions be implemented.

(3) The Legislative Budget Board may develop and maintain rules and procedures for the implementation of the above provisions.

(4) The Legislative Budget Board may request comments from the State Auditor's Office regarding performance penalties and rewards.

(d) To further foster, support, and reward outstanding performance, ongoing productivity improvements and innovative improvement programs, and to retain key high performing employees, qualified state agencies and institutions may expend amounts necessary from funds appropriated in this Act for the purposes of enhancing compensation for employees who directly contributed to such improvements. Only classified employees (including classified employees of institutions of higher education) are eligible for the form of enhanced compensation authorized by this section, and this award shall not exceed 6.8 percent of an employee's annual base pay. To be eligible for this provision, an agency or institution must:

(1) Achieve or exceed targets for 80 percent of the established key performance measures:

(A) For fiscal year 2012, eligibility shall be determined by the Legislative Budget Board based on performance reported to the Automated Budgeting and Evaluation System of Texas (ABEST) for fiscal year 2011;

(B) For fiscal year 2013, eligibility shall be determined by the Legislative Budget Board based on performance reported to ABEST for fiscal year 2012; and

(2) Have an unqualified certification for at least 70 percent of its performance measures as shown by its most recent certification review by the State Auditor's Office; and

(3) File a report with the Comptroller, Legislative Budget Board, Governor, House Appropriations Committee, and Senate Finance Committee describing the success of the innovative program and criteria used to assess the improvements; and

(4) Sixty days prior to implementation file a report with the Comptroller, Legislative Budget Board, Governor, House Appropriations Committee, and Senate Finance Committee describing in detail how the agency intends to use this flexibility to further the goals of this section.

**Sec. 6.14. Bookkeeping Entries.** Should clerical or bookkeeping errors result in any monies being expended, transferred, or deposited into incorrect funds in or with the state treasury or any monies being cleared from a trust and suspense fund to other than the proper fund, such erroneously expended, transferred, deposited, or cleared monies may be transferred to the correct funds or accounts or trust and suspense account within the state treasury on request of the administering department with the concurrence of the Comptroller, and so much as is necessary for said transfer is hereby appropriated.

**Sec. 6.15. Accounting for State Expenditures.**

(a) Notwithstanding the various patterns of appropriation established in this Act, the Comptroller shall account for the expenditure of funds appropriated by this Act in a manner that allows for the reporting of expenditures attributable to each strategy in each agency's respective Strategic Planning and Budget Structure as approved by the Governor and the Legislative Budget Board. The information shall be recorded and maintained systematically in the state accounting system in a manner that provides for the integration of the state's budget data and the state's accounting data and to facilitate the state's budget development process.

(b) This section does not require the deposit into and subsequent disbursement of funds from the state treasury that relate to Texas Public Education Grants, Skiles Act Debt Service, or "local funds" defined in § 51.009, Education Code, except for tuition and lab fees.

**Sec. 6.16. Fee Increase Notification.** None of the funds appropriated by this Act may be expended by an agency which increases the rate of a fee assessed by that agency unless the agency provides a notice to the payer of the fee that the fee rate was set by the agency or its governing board and not mandated by the Legislature.

**Sec. 6.17. Consolidated Funds.** Contingent on the enactment of legislation relating to the dedication of funds, the Comptroller, on approval of the Legislative Budget Board, may change an applicable agency's method of financing source name as provided in this Act to reflect changes made by the other legislation that affects the status of the funding source. No change in the amount of the appropriation would be affected by this change.

**Sec. 6.18. Demographic and Statistical Studies.** Before expending funds appropriated by the Act for the purpose of contracting for a consultant or other private assistance in performing a study required by the Legislature that includes statistical or demographic analysis of data, the agency conducting the study shall determine if the resources of the Texas Legislative Council or the Office of the State Demographer and the Texas State Data Center at The University of Texas at San Antonio are available to assist the agency in designing or conducting that component of the study.

**Sec. 6.19. Cost Allocations.** For the purpose of more effective and efficient identification and allocation of costs, and to effect timely payments to employees and vendors, agencies may temporarily charge salary and/or operating costs to appropriations most applicable for the expense being incurred. Upon receipt of more specific information such as personnel-time allocation information for payrolls, or allocation of office supplies or other goods and services, agencies may reimburse the original paying appropriations by transfer from the appropriation to which the expenditure should have been charged. Such transfers must be accomplished within twelve months in a manner which records appropriate expenditures to the borrowing appropriation and negative expenditures to the lending appropriation. These transfers may be in summary amounts in a manner approved by the Comptroller. Each agency must maintain adequate detailed records to support summary transfer amounts.

**Sec. 6.20. Use of Appropriations to Contract for Audits.**

(a) Notwithstanding any other law, or other sections of this Act, none of the funds appropriated in this Act shall be used by the agencies or institutions of higher education to enter into a contract with an independent audit entity for audit services, except as specified by this section.

(b) An agency or institution appropriated funds in this Act may use funds appropriated in this Act to:

(1) Enter into an interagency contract with the State Auditor's Office (SAO) for the SAO to provide audit services to the agency or institution. At the discretion of the State Auditor and the Legislative Audit Committee, the SAO may conduct the audit or the SAO may enter into a contract with an independent audit entity to conduct the audit; or

(2) Enter into a contract with an independent audit entity for the provision of audit services pursuant to § 321.020, Government Code, if:

(A) the SAO has reviewed the scope of the proposed audit and has issued a written approval for the scope of the proposed audit, and

(B) the SAO has delegated the authority to enter into the proposed audit to the agency or institution, in the event the agency or institution does not have a specific statutory delegation of authority to enter into a contract for audit services.

**Sec. 6.21. Limitations on Use of Appropriated Funds.** Funds appropriated by this Act, other than those appropriated to an institution of higher education, may be expended only for items set out in the expenditure classifications of the Comptroller's Manual of Accounts insofar that an agency expending the appropriated funds has existing statutory authority for making the expenditures and the expenditures are not otherwise limited or prohibited in this Act.

**Sec. 6.22. Definition, Appropriation, Reporting and Audit of Earned Federal Funds.**

(a) Definition. Earned Federal Funds are defined as all monies received in connection with each entitlement period of a federally funded contract, grant or program, excluding reimbursements under § 8.02(c) of this Article which are not required by the governing agreement to be distributed thereon. Typically, EFF arise from recoveries of costs previously paid from a nonfederal fund source, indirect cost allocations, interest earned on federal funds, and minor sources such as the sale of fixed assets purchased with federal funds. These funds are received in connection with a federally funded program but are not required by the governing agreement to be distributed on that program. For state accounting purposes, EFF are defined as revenues collected from federal receipts and deposited into the state General Revenue Fund as Comptroller revenue object codes 3602, 3702, 3726, 3745, 3750, 3773, 3851, 3965, 3971 and 3972.

(b) Collected Revenue. General Revenue in the amounts specified by year below is appropriated in agency bill patterns elsewhere in this Act and is contingent on collection of EFF revenues by the following agencies:

| | 2012 | 2013 |
|---|---|---|
| **Article I: General Government** | | |
| Attorney General | $7,215,000 | $7,275,000 |
| Trusteed Programs of the Governor | 1,163,903 | 926,250 |
| Library & Archives Commission | 110,630 | 110,630 |
| Veterans Commission | 1,099,521 | 1,099,521 |
| **Article II: Health and Human Services** | | |
| Department of Aging and Disability Services | $8,867,601 | $8,867,601 |
| Department of Assistive and Rehabilitative Services | 2,975,812 | 2,975,812 |
| Department of Family and Protective Services 969,132 | 969,132 | |
| Department of State Health Services | 5,550,000 | 5,550,000 |
| Health and Human Services Commission | 12,179,212 | 12,179,212 |
| **Article III: Education** | | |
| Texas Education Agency | 1,117,803 | 1,117,803 |
| Higher Education Coordinating Board | 951,647 | 951,466 |
| **Article V: Public Safety and Criminal Justice** | | |
| Adjutant General's Department | 80,000 | 80,000 |
| Department of Public Safety | 1,100,000 | 1,100,000 |
| Youth Commission | 85,000 | 85,000 |
| **Article VI: Natural Resources** | | |
| Department of Agriculture | 5,015,477 | 5,000,432 |
| Animal Health Commission | 346,837 | 312,150 |
| Commission on Environmental Quality | 4,500,000 | 500,000 |
| Parks and Wildlife Commission | 225,000 | 225,000 |
| Railroad Commission | 903,112 | 903,112 |
| Water Development Board | 532,588 | 532,587 |
| **Article VII: Business and Economic Development** | | |
| Housing and Community Affairs | 2,321,109 | 2,321,109 |
| Office of Rural Community Affairs | 245,403 | 245,403 |
| Workforce Commission | 150,000 | 150,000 |

| | | |
|---|---|---|
| **Article VIII: Regulatory** | | |
| Department of Insurance | $278,321 | $278,321 |
| **Total, General Revenue in Lieu of Earned Federal Funds** | **57,983,108** | **57,755,541** |

(c) Reporting and Appropriation. On a quarterly basis, the Comptroller shall notify the Legislative Budget Board and Governor of the EFF amounts deposited by agency. In the event that an agency specified above collects and deposits more EFF than identified above in fiscal year 2012, the agency is hereby appropriated the additional amounts subject to the following conditions:

(1) At least 30 days prior to budgeting or expending the EFF above the 2012 level above, the agency shall report the anticipated amounts and proposed use of these funds to the Legislative Budget Board.

(2) Notification shall include information regarding the need that will be served with the additional revenue.

(3) Notification shall also identify the impact on established performance targets, measures, capital budget authority, and full-time-equivalent positions.

(d) Reporting and Appropriation. Subsection (c) authority and requirements shall also apply to fiscal year 2013.

(e) No Unexpended Balance Authority from Fiscal Year 2011 for Agencies. The amounts of General Revenue above for all listed agencies exclude any unexpended balances of EFF that remain on August 31, 2011. It is assumed that any remaining balances of EFF on August 31, 2011, lapse to the General Revenue Fund.

(f) Unexpended Balance Authority Between Years of the 2012-2013 Biennium. Any EFF balances in excess of the amounts identified in Subsection (b) or any balance remaining from the amounts identified in Subsection (b) on August 31, 2012 may be carried forward into fiscal year 2013.

(g) Benefits Proportional Revenues collected as EFF as authorized and generated by each of the agencies above cover, at a minimum, the cost of the General Revenue appropriations specified above and any associated employee benefits.

(h) Federal Monies Collected for Post-retirement Health Care. Federal monies collected for post-retirement health care costs shall be deposited as unappropriated general revenue and are not eligible for appropriation by this provision.

(i) Amounts Contingent on Collection. The yearly amounts by agency identified above are contingent on collection. In the event that actual and/or projected revenue collections are insufficient to offset the appropriations identified in this provision, the Comptroller shall reduce the General Revenue appropriations provided by this Act to be within the amount of EFF collections expected to be available.

(j) Contingency Appropriation for additional Agencies. In the event that an agency not identified above enters into an agreement with a federal agency which results in the receipt of EFF which are a new source of collections not anticipated for fiscal years 2012 and 2013, the affected agency shall furnish documentation of the new revenue to the Comptroller. If the Comptroller finds the information sufficient to support the revenue stream as a new collection, a finding of fact shall be issued and the additional EFF collections are hereby appropriated subject to the notification requirements in Subsections (c) and (d).

(k) Audit. The depositing and classification practices of Earned Federal Funds by agencies referenced above shall be subject to audit by the State Auditor's Office.

## PART 7. REPORTING REQUIREMENTS

**Sec. 7.01. Budgeting and Reporting.**

(a) As a limitation and restriction upon appropriations made by this Act, agencies and institutions of higher education appropriated funds by this Act may expend funds only if there is compliance with the following provisions:

(1) On or before December 1 of each fiscal year, an itemized budget covering the operation of that fiscal year shall be filed with the Governor, the Legislative Budget Board, and the Legislative Reference Library in the format prescribed jointly by the Legislative Budget Board and the Governor.

(2) All subsequent amendments to the original budget shall be filed with the Governor and the Legislative Budget Board within 30 days of approval of such amendments unless such reporting requirement is waived.

(3) Under guidelines developed by the Legislative Budget Board, each agency shall file a report with the Legislative Budget Board, the Governor, the Legislative Reference Library, the state publications clearinghouse of the Texas State Library, State Auditor's Office, and the appropriate substantive committees of the House and Senate. The report shall analyze the agency's performance relative to the attainment of stated outcome, output and efficiency targets of each funded goal and strategy. The report shall be submitted at such intervals required by the Legislative Budget Board. The report shall contain a comparison of actual performance for the reporting period with targeted performance based on the level of funding appropriated. In developing guidelines for the submission of agency performance reports, the Legislative Budget Board (in consultation with the Governor) shall:

(A) specify the measures to be reported including the key performance measures established in this Act;

(B) approve the definitions of measures reported; and

(C) establish standards for and the reporting of variances between actual and targeted performance levels.

(4) The Legislative Budget Board (in consultation with the Governor) may adjust projected performance target levels, develop new measures, modify or omit existing measures and measure definitions, and/or transfer measures between agencies, goals or strategies to reflect appropriation changes made by riders or other legislation subsequent to passage of this Act, invocation of budget execution authority by the Governor and the Legislative Budget Board, or as unforeseen circumstances may warrant during the biennium.

(5) To ensure that the Program and Cost Accounting functions of the Uniform Statewide Accounting System (USAS) are maximized, it is the intent of the Legislature that the Legislative Budget Board and the Governor:

(A) determine the agencies, institutions, goals, strategies or other reporting units for which cost accounting data is required;

(B) approve the basis for calculating and allocating costs to selected functions, tasks or measures;

(C) determine the frequency of reporting cost accounting data needed; and

(D) provide for the integration of cost accounting data into the budget development and oversight process.

(6) The determinations to be made should be based upon due consideration of the relative benefits and cost-effectiveness of applying cost accounting requirements to a given state operation.

(b) It is further the intent of the Legislature that the Comptroller develop and provide USAS training modules and support for state agencies and institutions to activate the cost accounting requirements addressed above.

**Sec. 7.02. Annual Reports and Inventories.**

(a) None of the monies appropriated by this Act may be expended after November 20th following the close of the fiscal year unless an annual financial report has been filed by the executive head of each agency specified in this Act in accordance with § 2101.011, Government Code.

(b) The Comptroller shall withhold any appropriations for expense reimbursements for the heads of agencies or any employees of such agencies until delinquent reports have been filed with the Comptroller.

(c) "Heads of agencies" as used in this section mean the elected and appointed officials, members of commissions, boards, etc., and the chief administrative officer of such department, board, commission, bureau, office, or agency of the state for which appropriations are made in this Act.

**Sec. 7.03. Notification to Members of the Legislature.**

(a) An agency may not use funds appropriated by this Act to close an agency's field office unless the agency provides notification to affected members of the Legislature prior to the public announcement of the closing of the field office.

(b) It is the intent of the Legislature that at the time of announcing information to the news media concerning a matter of public safety, a state agency that receives funds appropriated under this Act shall make a reasonable attempt to contact each member of the Legislature whose district could be affected by the content of the press release and disclose to the member the content of the press release.

**Sec. 7.04. Contract Notification: Amounts Greater than $50,000.**

(a) In this section "contract" includes a contract, agreement, or other written expression of terms of agreement or an amendment, modification, renewal, or extension of such for the purchase or sale of goods or services that was entered into or paid for, either in whole or in part, by a state agency or institution of higher education during a fiscal year.

(b) In this section a contract does not include:

(1) a contract that has been reported to the Legislative Budget Board under §§ 2054.008, 2166.2551, 2254.006, or 2254.0301, Government Code;

(2) a purchase order;

(3) an interagency contract;

(4) an interlocal agreement;

(5) a contract with a value of less than or equal to $50,000; or

(6) a contract paid only with funds not appropriated by this Act.

(c) Before October 1 of each fiscal year, a state agency or an institution of higher education shall report to the Legislative Budget Board in the manner prescribed by Legislative Budget Board all contracts to which the agency or institution was a party during the prior fiscal year.

**Sec. 7.05. Contract Notification: Amounts Greater than $500,000.**

(a) In this section "contract" includes:

(1) a contract, agreement, purchase order, interagency contract, interlocal agreement, or other written expression of terms of agreement or an amendment, modification, renewal, or extension of such for the purchase or sale of goods or services that was entered into or paid for, either in whole or in part, by a state agency or institution of higher education during a fiscal year, which has a value of more than $500,000; or

(2) a series of contracts, agreements, purchase orders, interagency contracts, interlocal agreements, or other written expressions of terms of agreement, or amendments, modifications, renewals, or extensions of such for the purchase or sale of goods or services that was entered into or paid for, either in whole or in part, by a state agency or institution of higher education during a fiscal year which together total in value an amount greater than $500,000 and involving both:

(A) a single entity or individual; and

(B) a state agency or institution of higher education.

(b) In this section a contract does not include a contract that has been reported to the Legislative Budget Board:

(1) under §§ 2054.008, 2166.2551, 2254.006, or 2254.0301, Government Code; or

(2) Sec. 7.04 of this Article.

(c) Before October 1 of each fiscal year, a state agency or an institution of higher education shall report to the Legislative Budget Board in the manner prescribed by the Legislative Budget Board all contracts to which the agency or institution was a party during the prior fiscal year.

**Sec. 7.06. Reports and References.**

(a) All references in this Act to the "Governor," "Office of the Governor," and "Governor's Office of Budget, Planning and Policy" are changed to "the Governor's Office."

(b) A state agency or institution shall submit to the Governor's Office all reports, approval processes, notifications, filings, documentation of expenditures, plans, addendums, or updates submitted to the Legislative Budget Board, under provisions contained in this Act.

**Sec. 7.07. Reporting Fees, Fines, and Penalties.**

(a) Before November 1 of each fiscal year, each state agency and institution of higher education (including a community or junior college) shall report to the Legislative Budget Board in the manner prescribed by the Legislative Budget Board all fees, fines, and penalties assessed and all fees, fines, and penalties assessed but not collected by the agency or institution during the prior fiscal year.

(b) Each report made under this section shall detail the effort made by the reporting state agency or institution of higher education to collect fees, fines, and penalties that are more than ninety days past due.

**Sec. 7.08. Reporting of Federal Homeland Security Funding.** All state agencies and institutions of higher education shall include in their operating budget reports to the Legislative Budget Board:

(1) an estimated amount of federal homeland security funding received by the agency or institution of higher education and used for the operation and administration of state homeland security programs; and

(2) the amount of federal homeland security funding received by the agency or institution of higher education and passed through to other agencies, institutions, or local units of government.

**Sec. 7.09. Reporting of Historically Underutilized Business (HUB) Key Measures.** In accordance with Government Code §2161.127 relating to the reporting of HUB key performance measures, the Legislative Budget Board hereby reports information provided by agencies and Institutions of Higher Education in the legislative appropriations requests on the LBB website, which can be found at http://www.lbb.state.tx.us/Bill 82/Art9HUBKeyMeasures.pdf.

**Sec. 7.10 Fraud Reporting.** A state agency or institution of higher education appropriated funds by this Act, shall use appropriated funds to assist with the detection and reporting of fraud involving state funds, including funds received pursuant to the American Recovery and Reinvestment Act, as follows:

(a) By providing information on the home page of the entity's website on how to report suspected fraud, waste, and abuse involving state resources directly to the State Auditor's Office. This shall include, at a minimum, the State Auditor's fraud hotline information and a link to the State Auditor's website for fraud reporting; and

(b) By including in the agency or institution's policies information on how to report suspected fraud involving state funds to the state auditor.

## PART 8. OTHER APPROPRIATION AUTHORITY

**Sec. 8.01. Acceptance of Gifts of Money.**

(a) A gift or bequest of money to a state agency named in this Act, including the legislative branch, that has specific authority to accept gifts is appropriated to the agency designated by the grantor and for the purpose the grantor may specify, subject to Subsections (b), (c), (d), and (e).

(b) Unless exempted by specific statutory authority, a gift or bequest of money shall be:

(1) deposited into the state treasury, and

(2) expended in accordance with the provisions of this Act.

(c) A gift or bequest to a state agency may not be transferred to a private or public development fund or foundation, unless written permission for the transfer is given by the donor of the gift or representative of the estate. An account of all such letters of written permission and transfers of gifts or bequests shall be kept by the agency and shall be reported to the State Auditor.

(d) An unexpended balance, from a gift or bequest, existing at the beginning of this biennium or at the end of a fiscal year of this biennium is hereby appropriated for use during this biennium for the purpose provided by the grantor.

(e) It is the intent of the Legislature that during the years subsequent to this biennium, to the extent allowed by law, the gift or bequest be used by the beneficiary agency for the purpose provided by the grantor.

**Sec. 8.02. Federal Funds/Block Grants.**

(a) Funds received from the United States government by a state agency or institution named in this Act are hereby appropriated to the agency or institution for the purposes for which the federal grant, allocation, aid, payment, or reimbursement was made subject to the provisions of this section.

(b) Notwithstanding subsection (a) of this section, prior to the expenditure of any funds appropriated under this section in an amount in excess of $10 million greater than the amount for which an agency was appropriated federal funds for the same purpose in this Act, each agency shall report to the Legislative Budget Board, the Governor, and the Comptroller of Public Accounts, the amount of federal funds and the proposed use of the funds. If after the tenth business day after notification from the agency neither the Legislative Budget Board nor the Governor issues a written disapproval, the Comptroller of Public Accounts shall release the funds.

(c) Except for an institution of higher education, federal funds:

(1) including unexpended balances, shall be deposited to and expended from the specific appropriation item identified in this Act; and

(2) may not be expended for a strategy or function other than a strategy or function that has been reviewed by the Eighty-first Legislature and authorized by specific language in this Act or encompassed by an agency's budget structure as established by this Act.

(d) As applicable, federal reimbursements received for expenditures previously made or services performed on behalf of federal programs from state funds shall be credited by the Comptroller to the fund from which the expenditure was originally made. The credit shall be to the agency's current appropriation item or accounts from which the expenditures of like character were originally made and are hereby appropriated. Reimbursements received from employee benefits paid from General Revenue Fund appropriations of other administering agencies shall be deposited to the unappropriated General Revenue Fund.

(e) A position created for administration of federal grant programs shall be phased out upon discontinuance of the particular federal grant for which it was authorized.

(f) (1) Semi-annual reports, of federal funds received and their intended usage comparing historical, appropriated, and agency expected amounts for those funds, shall be filed by the Governor with the Legislative Budget Board and the presiding officers of both houses of the Legislature for referral to appropriate standing committees for review.

(2) Before expending or obligating funds received under a federal grant or program, an agency must file the required information regarding application for federal funds and receipt of federal funds.

(g) Agencies subject to Chapter 654, Government Code (the Position Classification Act) will make federal grant employment in accordance with the provisions of that Act in positions listed in, or otherwise authorized by, this Article.

(h) In order to maximize the amount of federal alcohol and drug abuse funds that might become available to the Department of State Health Services, state funds used by a state agency to provide alcohol and drug abuse services may be counted towards any required state matching contribution for such federal funds.

(i) In the event that federal programs that authorize federal funds included in this Act are eliminated, consolidated, or replaced with new federal programs and funding authorization or block grants, or the federal funds appropriated to agencies are reduced, any reduction or reallocation of federal funds will be distributed across affected agencies and programs to pattern the strategies and programs included in this Act to the extent possible without restricting the state's ability to receive federal funds, in accordance with a plan adopted by the designated single state agency or otherwise by each affected agency. An agency shall provide a copy of the plan to the Legislative Budget Board and the Governor.

(j) Any unexpended balances of federal funds existing at the beginning of this biennium or at the end of a fiscal year of this biennium are appropriated for use during this biennium for the original purposes of the appropriation.

**Sec. 8.03. Reimbursements and Payments.**

(a) Except as provided in Subsection (f), any reimbursements received by an agency of the state for authorized services, including contractual agreements with a non-governmental source or any unit of government, including state, federal, or local government, refund of expenditures received by an agency of the state and any payments to an agency of the state government made in settlement of a claim for damages, are hereby appropriated to the agency of the state receiving such reimbursements and payments for use during the fiscal year in which they are received. Revenues specifically established by statute on a fee or service provided basis are not appropriated by this section and are available for expenditure by the collecting agency only if appropriated elsewhere in this Act.

(b) Forfeited money, proceeds from the sale of forfeited property or similar monetary awards related to the agency's participation in the seizure of controlled substances or other contraband are hereby appropriated to the receiving state agency, unless distribution is otherwise provided by statute or specific provision of this Act.

(c) Except as provided elsewhere in this Act, net amounts of money received by an agency as a result of tax seizures or other similar recoveries authorized by statute shall be deposited in the state treasury as unappropriated revenues to the funds or accounts authorized by statute.

(d) The portion of proceeds representing recoveries of costs incurred in forfeitures under Subsection (b) or, seizures or similar recoveries under Subsection (c) are appropriated to the receiving agency. Such cost recoveries include court costs, attorney fees, rentals or storage fees, auction and sale costs, preparation costs to condition property for sale, and salaries, travel, and other overhead costs of the agency.

(e) The reimbursements, refunds, and payments received under Subsection (a) shall be credited by the Comptroller to the agency's current appropriation items or accounts from which the expenditures of like character were originally made, or in the case of damage settlements to the appropriation items or accounts from which repairs or replacements are made; provided, however, that any refund of less than $50 to an institution of higher education for postage, telephone service, returned books and materials, cylinder and container deposits, insurance premiums and like items, shall be deposited to the current fund account of the institution in the state treasury and such funds are hereby appropriated.

(f) Fifty percent of the reimbursements, refunds, and payments of state funds received under Subsection (a) as a result of a recovery audit pursuant to Chapter 2115, Government Code, shall be credited by the Comptroller to the agency's current appropriation items or accounts from which the expenditures of like character were originally made and such funds are hereby appropriated to the agency in the fiscal year in which the funds are received. The remaining 50 percent shall be deposited in the state treasury as unappropriated revenues to the originating funds or accounts.

(g) An unexpended balance received by an agency or institution from disaster related recoveries, reimbursements, refunds, or other payments that are existing at the end of a fiscal year are hereby appropriated for use during the following fiscal year.

**Sec. 8.04. Surplus Property.** Twenty-five percent of the receipts to a state agency specified in this Act received from the sale of surplus property, equipment, commodities, or salvage (including recycled products) pursuant to the provisions of Chapter 2175, Government Code, are hereby appropriated to the state agency for expenditure during the fiscal year in which the receipts are received. Receipts from such surplus equipment, commodities, or salvage (including recycled products) sales shall be expended from the appropriation item from which like property, equipment, or commodities would be purchased.

**Sec. 8.05. Refunds of Deposits.**

(a) Any money deposited into the state treasury which is subject to refund as provided by law shall be refunded from the fund into which the money was deposited, transferred, or otherwise credited, and so much as is necessary for said refunds is hereby appropriated.

(b) Unless another law, or section of this Act, provides a period within which a particular refund claim must be made, funds appropriated by this Act may not be used to pay a refund claim made under this section after four years from the latest date on which the amount collected or received by the state was due, if the amount was required to be paid on or before a particular date. If the amount was not required to be paid on or before a particular date, a refund claim may not be made after four years from the date the amount was collected or received. A person who fails to make a refund claim within the period provided by law, or this provision, may not receive payment of a refund under this section.

(c) Except as provided by Subsection (d), as a specific limitation to the amount of refunds paid from funds appropriated by this Act during the 2012-13 biennium, the Comptroller may not approve claims or issue warrants for refunds in excess of the amount of revenue estimated to be available from the tax, fee, or other revenue source during the biennium according to the Biennial Revenue Estimate of the Comptroller used for certification of this Act. Any claim or portion of a claim that is in excess of this limitation shall be presented to the next Legislature for a specific appropriation in order for payment to be made. The limit provided by this subsection does not apply to any taxes or fees paid under protest.

(d) Where the Biennial Revenue Estimate referenced in Subsection (c) provides that no revenues are estimated to be available from a tax, fee, or other revenue source, and where a special fund or dedicated account has been abolished or the law creating the special fund or dedicated account has been repealed or has expired, any balances which may have been transferred or credited to the General Revenue Fund because of such abolishment, repeal or expiration are appropriated from that fund to pay refunds that are otherwise payable under this section.

**Sec. 8.06. Vending Machines.** All receipts collected from vending machine operations pursuant to § 2203.005, Government Code, are hereby appropriated to the institution or agency for use as directed by the institution or agency authorizing the installation.

**Sec. 8.07. Pay Station Telephones.** All receipts collected from pay station telephone operations pursuant to § 2170.009, Government Code, are hereby appropriated for use by the agency as determined by the governing board or commission.

**Sec. 8.08. Appropriation of Collections for Seminars and Conferences.** All funds collected for the reimbursement of costs directly associated with the conducting of seminars, conferences, or clinics that directly relate to the legal responsibilities and duties of the agency and that are for the purposes of education, training, or informing employees or the general public are hereby appropriated for the necessary expenses incurred in conducting the seminar; provided, however, all applicable laws, and rules and regulations for the acquisition of goods and services for the state shall apply to the expenditures. Any unexpended balances remaining as of August 31, 2011, in an appropriation made by Article IX, § 8.08, of Senate Bill 1, Eighty-first Legislature, Regular Session, 2009, are hereby appropriated for the same purpose.

**Sec. 8.09. Appropriation of Bond Proceeds.** The proceeds from the issuance and sale of bonds or other obligations pursuant to the provisions of Chapter 1232, Government Code, and Chapter 1401, Government Code or other law, are appropriated to the state agency to whose account the proceeds are deposited or credited. Proceeds include interest and investment income.

**Sec. 8.10. CMIA Interest Payments.**

(a) There is hereby appropriated to the Comptroller for the biennium ending August 31, 2013, sufficient general revenue monies for the payment of interest due the federal government under the federal Cash Management Improvement Act of 1990 (31 U.S.C. § 6501 et seq.).

(b) An amount equal to the amount of interest payments made from general revenue on behalf of special funds or accounts as a result of the federal Cash Management Improvement Act of 1990 is hereby appropriated from special funds. The Comptroller shall transfer from each special fund or account to general revenue, an amount equal to the amount of interest paid on behalf of each special fund or account.

**Sec. 8.11. Appropriation of Receipts: Credit, Charge, Debit Card, or Electronic Cost Recovery Service Fees.** Any fee amount assessed by an agency for the purpose of paying the costs associated with credit, charge, or debit card services is appropriated to that agency from the fund to which the fee was deposited. Any cost recovery fees assessed by an agency and approved by the Department of Information Resources as authorized under Chapter 2054, Government Code, for the purpose of paying the costs associated with implementing and maintaining electronic services, excluding subscription fees as defined in Subchapter I, Chapter 2054, Government Code, are hereby appropriated to the assessing agency from the fund to which the fee was deposited. Any unexpended balances from credit, charge, or debit card service or cost recovery fees remaining at the end of the fiscal biennium ending August 31, 2011, are reappropriated to the assessing agency from the fund to which the fee was deposited for the same purposes for the fiscal biennium beginning September 1, 2011.

## PART 9. INFORMATION RESOURCES PROVISIONS

**Sec. 9.01. Purchases of Information Resources Technologies.**

(a) In this section:

(1) "Information resources," "Information resources technologies," and "Major information technology project" have the meanings provided by § 2054.003, Government Code.

(2) "Quality Assurance Team" and "QAT" means the quality assurance team established under § 2054.158, Government Code.

(b) A state agency may not request appropriations for information technology unless the information technology is in a plan approved by the Legislative Budget Board.

(c) Prior to amending a contract for development of a major information technology project, when the amendment constitutes a 10 percent or greater change, the agency shall notify the Governor, Lieutenant Governor, Speaker of the House, Senate Finance Committee, House Appropriations Committee, and the QAT. For contracts having a total value in excess of $1.0 million an amendment to the contract that changes the total value of the contract or any element of the contract by more than 10 percent of the total value of the contract is not valid without QAT approval.

**Sec. 9.02. Quality Assurance Review of Major Information Resources Projects.**

(a) In this section:

(1) "Major information resources project" has the meaning provided by § 2054.003, Government Code.

(2) "Quality Assurance Team" and "QAT" means the quality assurance team established under § 2054.158, Government Code.

(b) A state agency may not expend appropriated funds for a major information resources project unless the project has been reviewed and approved by the Legislative Budget Board in the agency's biennial operating plan and the QAT. The QAT shall determine approval based on an analysis of the project's risk. The QAT may request any information necessary to determine a project's potential risk. The QAT may waive the project review requirements for a project.

(c) The QAT may require independent project monitoring, project status reporting, project expenditure reporting, or any additional information necessary to assess a project's on-going potential for success. After a project has been completed, the QAT may also require an agency to submit a project post-implementation evaluation report to determine if the project met its planned objectives. The QAT may take any additional actions or request information as specified in § 2054.1181, Government Code.

(d) On request by the QAT, the State Auditor's Office shall provide audit and review of the projects and the information provided by the agencies.

(e) The QAT may request the assistance of the Comptroller in regard to the accuracy of project expenditures and compliance with this Act.

(f) The QAT shall provide an annual report to the Governor, Lieutenant Governor, Speaker of the House, the House Appropriations Committee, and Senate Finance Committee on the status of projects under its review by December 1.

(g) The State Auditor's Office may:

(1) provide an independent evaluation of the post implementation evaluation review process to ensure the validity of its results; and

(2) send the evaluation to the Legislative Audit Committee.

(h) The Legislative Budget Board may issue guidelines for software development, quality assurance, and the review of major information resources projects.

(i) Unless waived by the Legislative Budget Board the QAT shall require each affected agency to:

(1) quantitatively define the expected outcomes and outputs for each major information resource project at the outset;

(2) monitor cost; and

(3) evaluate the final results to determine whether expectations have been met.

**Sec. 9.03. Biennial Operating Plan and Information Resources Strategic Plan Approval.** It is the intent of the Legislature that agencies and institutions of higher education receiving appropriated funds for the acquisition of information technology must have a current Information Resources Strategic Plan and a Biennial Operating Plan including any amendments as approved by the Legislative Budget Board

prior to expending any funds for information technology. Information Technology items identified in the Capital Budget Rider must be included and approved in the Biennial Operating Plan or a subsequently approved amendment of the Biennial Operating Plan. The Legislative Budget Board may direct the Comptroller to deny the agency or institution of higher education access to information technology appropriations for non-compliance.

**Sec. 9.04. Information Technology Replacement.** It is the intent of the Legislature that agencies and institutions of higher education receiving appropriated funds for the acquisition of information technology perform a cost-benefit analysis of leasing versus purchasing information technology and develop and maintain a personal computer replacement schedule. Agencies and institutions of higher education should use the Department of Information Resources' (DIR) Guidelines for Lease versus Purchase of Information Technologies to evaluate costs and DIR's PC Life Cycles: Guidelines for Establishing Life Cycles for Personal Computers to prepare a replacement schedule.

**Sec. 9.05. TexasOnline Project: Occupational Licenses.** Each licensing entity not otherwise authorized to increase occupational license fees elsewhere in this Act is authorized to increase the occupational license or permit fees imposed on the licensing entity's licensees by an amount sufficient to cover the cost of the subscription fee charged by the TexasOnline Project to the licensing entity pursuant to Chapter 2054, Government Code. Each licensing entity provided by Chapter 2054, Government Code and not otherwise authorized to increase occupational license fees elsewhere in this Act is hereby appropriated the additional occupational license or permit fees in excess of the Comptroller's biennial revenue estimate 2012-2013 for the sole purpose of payment to the TexasOnline contractor subscription fees for implementing and maintaining electronic services for the licensing entities. Each agency, upon completion of necessary actions to access or increase fees, shall furnish copies of board meeting minutes, an annual schedule of the number of license issuances or renewals and associated annual fee total, and any other supporting documentation to the Comptroller. If the Comptroller finds the information sufficient to support the projection of increased revenues, a notification letter will be issued and the contingent appropriation made available for the intended purposes.

**Sec. 9.06. TexasOnline Project: Cost Recovery Fees.** Any cost recovery fees, excluding subscription fees as defined in Subchapter I, Chapter 2054, Government Code, approved by the Department of Information Resources in relation to the TexasOnline Project as authorized under Chapter 2054, Government Code, are hereby appropriated to that agency from the fund to which the fee was deposited for the purpose of paying the costs associated with implementing and maintaining electronic services. Any unexpended balances remaining at the end of the fiscal biennium ending August 31, 2011, are reappropriated for the same purposes for the fiscal biennium beginning September 1, 2011.

## PART 10. HEALTH-RELATED PROVISIONS

**Sec. 10.01. Purchasing of Pharmaceuticals.** An agency appropriated funds for the purpose of the purchase of pharmaceutical products may establish a preference for the purchase of those pharmaceutical products from a manufacturer that voluntarily participates in the Department of State Health Services' Vendor Drug Rebate Program for the Children with Special Health Care Needs Program and the Kidney Health Care Program.

**Sec. 10.02. Full Application for Health Coverage.** To the fullest extent permitted by federal law and regulations, all state agencies that have children in their custody must apply for enrollment of all children in the Medicaid or the Children's Health Insurance Program, unless the children have otherwise been provided health insurance.

**Sec.10.03. Appropriation of Disproportionate Share Hospital Payments to State-Owned Hospitals.** Disproportionate Share Hospital Program payments from the Health and Human Services Commission to state-owned hospitals are appropriated to the receiving state agency/hospital as replacement funding for funds transferred to the Health and Human Services Commission and are subject to the accounting provisions as required by the Comptroller including deposits to the fund or account from which the original source of transfers to the Health and Human Services Commission was made.

**Sec.10.04. Informational Listing - Health Care Appropriations.** The following is an informational listing of amounts appropriated specifically for health care services in this Act and does not make appropriations. For purposes of this section, health care appropriations include programs identified as health care-related in this Act, and do not include health care appropriations made to institutions of higher education with non-appropriated funds.

For purposes of this informational listing, health care appropriations include, but are not limited to, appropriations for Medicaid, inpatient and outpatient services, health care premiums, medications, laboratory services, community care services, nursing facility and hospice payments, rehabilitation services, alcohol and drug abuse treatment, mental retardation, and comprehensive therapies and related services for children with developmental delays. Certain non-health care-related costs which could not be broken out from other health care costs are also included in the listing below.

**Funds (in millions)**

| | FY2012 | FY2013 |
|---|---|---|
| **Article I** | | |
| Employees Retirement System - State Employee Group Health Insurance | $1,299.1 | $1,409.5 |
| Workers' Compensation (State Office of Risk Management agencies) | 47.9 | 48.4 |
| **Article II** | | |
| Health and Human Services Commission - Medicaid | 18,213.8 | 10,751.4 |
| Health and Human Services Commission - Children's Health Insurance Program | 997.3 | 1,005.2 |
| Department of Aging and Disability Services | 5,892.5 | 3,125.3 |
| Department of Assistive and Rehabilitative Services | 436.1 | 438.0 |
| Department of State Health Services | 1,589.1 | 1,605.8 |
| **Article III** | | |
| Health-related Higher Education Institutions | 2,185.0 | 2,261.2 |
| Higher Education Group Health Insurance | 678.9 | 715.8 |
| Higher Education Workers' Compensation Non-State Office of Risk Management | 10.9 | 10.9 |
| Teacher Retirement System - TRS Care | 267.4 | 133.7 |
| Texas Education Agency - Independent School District Employee Insurance | 454.5 | 454.5 |
| **Article V** | | |
| Texas Department of Criminal Justice | 545.0 | 545.0 |
| Texas Youth Commission | 20.3 | 20.2 |
| **Article VII** | | |
| Texas Department of Rural Affairs | 4.8 | 4.8 |
| **Total*** | **$32,642.6** | **$22,529.7** |
| **Method of Finance** | | |
| Total, General Revenue | $14,199.4 | $9,957.1 |
| Total, General Revenue-Dedicated | 356.1 | 370.6 |
| Total, Federal Funds | 15,607.5 | 9,622.1 |
| Total, Other Funds | 2,479.6 | 2,579.9 |
| **Total,* All Funds** | **$32,642.6** | **$22,529.7** |

* Totals may not add due to rounding

**Sec.10.05. Informational Listing on Use of Tobacco Settlement Receipts.**

(a) The following is an informational list of the amounts (as shown in thousands) appropriated elsewhere in this Act to agencies from tobacco settlement receipts and estimated distributions from funds and endowments created by House Bill 1676 and House Bill 1945, Seventy-sixth Legislature and Senate Bill 126, Seventy-seventh Legislature for each fiscal year of the 2012-13 biennium and does not make appropriations:

## HEALTH-RELATED PROVISIONS
(Continued)

| | | | 2012 | 2013 |
|---|---|---|---|---|
| (1) | Article I Bond Debt Service Payment | | $21,125 | $56,963 |
| (2) | Health and Human Services Commission | | | |
| | B.1.4. | Children and Medically Needy | 156,698 | 139,760 |
| | C.1.1. | Children's Health Insurance Program (CHIP) | 176,073 | 182,410 |
| | C.1.2. | Immigrant Children Health Insurance | 3,914 | 4,053 |
| | C.1.3. | School Employee Children Insurance | 7,011 | 7,260 |
| | C.1.4. | CHIP Perinatal Services | 53,838 | 55,207 |
| | C.1.5. | CHIP Vendor Drug Program | 39,448 | 40,770 |
| (3) | Department of State Health Services | | | |
| | A.1.1. | Public Health Preparedness and Coordinated Services, Estimated | 4,867 | 4,867 |
| | B.2.6. | Reduce Use of Tobacco Products | 5,472 | 5,472 |
| | B.3.1. | EMS and Trauma Care Systems, estimated | 4,741 | 4,741 |
| | C.1.1. | Texas Center for Infectious Disease, estimated | 1,196 | 1,196 |
| (4) | Texas Department of Rural Affairs | | | |
| | B.1.1. | Health Care Access Programs, estimated | 214 | 214 |
| | B.2.1. | Health Facility Capital Improvement, estimated | 2,144 | 2,144 |
| (5) | Texas Higher Education Coordinating Board | | | |
| | G.1.1. | Earnings - Minority Health, estimated | 3,149 | 1,649 |
| | G.1.2. | Earnings - Nursing, Allied Health, estimated | 4,601 | 2,701 |
| | G.2.1. | Earnings - Baylor College of Medicine, estimated | 1,175 | 1,125 |
| | G.2.2 | Tobacco - Permanent Health Fund, estimated | 1,966 | 1,916 |
| (6) | University of Texas Southwestern Medical Center at Dallas | | | |
| | E.1.1. | Tobacco Earnings - UT SWMC Dallas, estimated | 2,770 | 2,770 |
| | E.1.2. | Tobacco - Permanent Health Fund, estimated | 2,705 | 2,705 |
| (7) | University of Texas Medical Branch at Galveston | | | |
| | F.1.1. | Tobacco Earnings - UTMB Galveston, estimated | 2,278 | 1,395 |
| | F.1.2. | Tobacco - Permanent Health Fund, estimated | 3,749 | 2,153 |
| (8) | University of Texas Health Science Center at Houston | | | |
| | F.1.1. | Tobacco Earnings - UTHSC Houston, estimated | 1,385 | 1,385 |
| | F.1.2. | Tobacco - Permanent Health Fund, estimated | 2,140 | 2,140 |
| (9) | University of Texas Health Science Center at San Antonio | | | |
| | F.1.1. | Tobacco Earnings - UTHSC San Antonio, estimated | 22,080 | 11,080 |
| | F.1.2. | Tobacco - Permanent Health Fund, estimated | 2,150 | 1,950 |
| (10) | University of Texas M.D. Anderson Cancer Center | | | |
| | F.1.1. | Tobacco Earnings - UT MD Anderson, estimated | 5,728 | 5,950 |
| | F.1.2. | Tobacco - Permanent Health Fund, estimated | 2,476 | 2,541 |
| (11) | University of Texas Health Science Center at Tyler | | | |
| | F.1.1. | Tobacco Earnings - UTHSC Tyler, estimated | 1,385 | 1,385 |
| | F.1.2. | Tobacco - Permanent Health Fund, estimated | 1,404 | 1,404 |
| (12) | Texas A&M University System Health Science Center | | | |
| | F.1.1. | Tobacco Earnings - TAMU System HC, estimated | 1,125 | 1,496 |
| | F.1.2. | Tobacco - Permanent Health Fund, estimated | 1,185 | 3,977 |
| (13) | University of North Texas Health Science Center at Fort Worth | | | |
| | E.1.1. | Tobacco Earnings - UNT HSC Ft. Worth, estimated | 1,748 | 1,125 |
| | E.1.2. | Tobacco - Permanent Health Fund, estimated | 5,036 | 1,155 |
| (14) | Texas Tech University Health Sciences Center | | | |
| | E.1.1. | Tobacco Earnings - TX Tech HSC El Paso, estimated | 4,434 | 4,425 |

| | | | |
|---|---|---|---|
| | E.1.2. Tobacco Earnings - TX Tech University HSC, estimated | 1,125 | 1,125 |
| | E.1.3. Tobacco - Permanent Health Fund, estimated | 1,399 | 1,399 |
| (15) | University of Texas System | | |
| | B.1.1. Tobacco Earnings - RAHC, estimated | 1,108 | 1,108 |
| (16) | University of Texas at El Paso | | |
| | E.1.1. Tobacco Earnings - UTEP, estimated | 1,385 | 1,385 |

(b) Informational Listing - Permanent Funds and Endowments. The following is an informational list of the amounts used to capitalize Permanent Funds and Endowments created by House Bill

1676 and 1945, Seventy-sixth Legislature and by Senate Bill 126, Seventy-seventh Legislature, and does not make appropriations:

| | | |
|---|---|---|
| (1) | Permanent Health Fund for Higher Education, Fund No. 810 | $350,000,000 |
| (2) | Permanent Fund for Children and Public Health, Fund No. 5045 | 100,000,000 |
| (3) | Permanent Fund for Health and Tobacco Education and Enforcement, Fund No. 5044 | 200,000,000 |
| (4) | The University of Texas Health Science Center at San Antonio Endowment, Fund No. 811 | 200,000,000 |
| (5) | Permanent Fund for Emergency Medical Services and Trauma Care, Fund No. 5046 | 100,000,000 |
| (6) | Permanent Fund for Rural Health Facility Capital Improvement (Rural Hospital Infrastructure), Fund No. 5047 | 50,000,000 |
| (7) | The University of Texas M.D. Anderson Cancer Center Endowment, Fund No. 812 | 100,000,000 |
| (8) | Texas Tech University Health Sciences Center Endowment (El Paso), Fund No. 820 | 25,000,000 |
| (9) | The University of Texas Southwestern Medical Center at Dallas Endowment, Fund No. 813 | 50,000,000 |
| (10) | Texas Tech University Health Sciences Center Endowment (Other than El Paso), Fund No. 821 | 25,000,000 |
| (11) | The University of Texas Medical Branch at Galveston Endowment, Fund No. 814 | 25,000,000 |
| (12) | The University of Texas Health Science Center at Houston Endowment, Fund No. 815 | 25,000,000 |
| (13) | The University of Texas Health Center at Tyler Endowment, Fund No. 816 | 25,000,000 |
| (14) | Texas A&M University System Health Science Center Endowment, Fund No. 818 | 25,000,000 |
| (15) | University of North Texas Health Science Center at Fort Worth Endowment, Fund No. 819 | 25,000,000 |
| (16) | Permanent Endowment Fund for University of Texas Regional Academic Health Center, Fund No. 822 | 20,000,000 |
| (17) | The University of Texas at El Paso Endowment, Fund No. 817 | 25,000,000 |
| (18) | Baylor College of Medicine, Fund No. 823 | 25,000,000 |
| (19) | Permanent Fund for Higher Education Nursing, Allied Health and Other Health-related Programs, Fund No. 824 | 45,000,000 |
| (20) | Permanent Fund for Minority Health Research and Education, Fund No. 825 | 25,000,000 |
| (21) | Permanent Hospital Fund for Capital Improvements and the Texas Center for Infectious Disease, Fund No. 5048 | 25,000,000 |
| (22) | Permanent Endowment Fund for the Rural Communities Healthcare Investment Program, Fund No. 364 | 2,500,000 |

**Sec. 10. 06. Informational Listing-Supplemental Medicaid Payments.** The following is an informational listing of estimated federal funds appropriated to the Health and Human Services Commission but not reflected by Article II of this Act to provide Medicaid supplemental payments to providers as authorized by the federal Disproportionate Share Hospital Program and the Upper Payment Limit (UPL) provision, and does not make appropriations.

| UPL Payments | Estimated Federal Funds FY 2012 | FY 2013 |
|---|---|---|
| Large Urban Public Hospitals | $564,887,113 | $564,887,11 |
| State-owned Hospitals | 73,079,396 | 73,079,396 |
| Rural Hospitals | 65,238,333 | 65,238,333 |
| Private Hospitals | 814,693,152 | 814,693,152 |
| Hospital Physicians | 47,779,582 | 47,779,582 |
| (1) The University of Texas Health Science Center at San Antonio | 4,957,473 | 4,957,473 |
| (2) The University of Texas M.D. Anderson Cancer Center | 2,514,290 | 2,514,290 |
| (3) The University of Texas Southwestern Medical Center at Dallas | 13,349,385 | 13,349,385 |
| (4) The University of Texas Medical Branch at Galveston | 3,710,317 | 3,710,317 |
| (5) The University of Texas Health Science Center at Houston | 7,661,402 | 7,661,402 |
| (6) The University of Texas Health Science Center at Tyler | 976,073 | 976,073 |
| (7) Texas Tech University Health Sciences Center at Lubbock | 12,405,293 | 12,405,293 |
| (8) University of North Texas Health Science Center at Fort Worth | 2,205,348 | 2,205,348 |
| Total | **$1,565,677,576** | **$1,565,677,576** |

| | Estimated FY2012 | Federal Funds FY 2013 |
|---|---|---|
| **DSH Payments** | | |
| Non-State owned Hospitals | $724,852,757 | $728,303,899 |
| State-owned Hospitals | 207,851,243 | 204,400,101 |
| Total | $932,704,000 | $932,704,000 |

## PART 11. PROVISIONS RELATED TO REAL PROPERTY

**Sec. 11.01. Limitation on Use of Funds for Personal Residences.**

(a) Out of appropriations made by this Act, expenditures exceeding an aggregate amount of $25,000 for the biennium beginning on September 1, 2011, may not be made for purchasing, remodeling, or repairing of any one particular personal residence or living quarters unless the expenditures are:

(1) (A) required by court order;

(B) will result in increased safety, significant net cost savings, or prevention of substantial waste; or

(C) are specifically identified in a Capital Budget in this Act; and

(2) the Governor and Legislative Budget Board have approved the expenditure.

(b) The Texas Facilities Commission shall report all expenditures exceeding an aggregate amount of $25,000 for the biennium for purchasing, remodeling, or repairing any one particular personal residence or living quarters to the Legislative Budget Board.

**Sec. 11.02. Statewide Capital Planning.**

(a) An agency or institution of higher education appropriated funds by this Act shall supply to the Bond Review Board capital planning information relating to projects subject to this section and financing options for the 2014-15 fiscal biennium in a format and according to guidelines developed by the Bond Review Board. Such information shall include:

(1) a description of the project or acquisition;

(2) the cost of the project;

(3) the anticipated useful life of the project;

(4) the timing of the capital need;

(5) a proposed source of funds (method of financing);

(6) a proposed type of financing; and

(7) any additional related information requested by the Bond Review Board.

(b) The Bond Review Board shall compile a statewide capital expenditure plan for the 2014-15 fiscal biennium from the information submitted by agencies and institutions in accordance with the capital planning guidelines. Copies of the guidelines shall be filed with the Governor and the Legislative Budget Board no later than December 31, 2011. The Bond Review Board shall file copies of the capital expenditure plan for the period beginning September 1, 2013, with the Governor and the Legislative Budget Board no later than September 1, 2012.

(c) The statewide capital plan required by this section shall identify the state's capital needs and alternatives to finance these needs. The Bond Review Board shall review input from all state agencies and institutions regarding the agencies' and institutions' current and future capital needs as part of the strategic planning process. The Bond Review Board shall inform the Legislature on the possible budget impact of the capital plan on the state's debt capacity.

(d) This section applies to each anticipated state project requiring capital expenditures for:

(1) land acquisition;

(2) construction of building and other facilities;

(3) renovations of buildings and other facilities estimated to exceed $1 million in the aggregate for a single state agency or institution of higher education; or

(4) major information resources projects estimated to exceed $1 million.

(e) The Higher Education Coordinating Board and the Bond Review Board shall eliminate redundant reporting by consolidating this report and the Higher Education Coordinating Board's Master Plan report, to the greatest extent possible.

**Sec. 11.03. Efficient Use of State Owned and Leased Space.**

(a) In the event that an agency moves from leased space to state owned space subsequent to the passage of this Act, the Comptroller shall reduce funds appropriated to each affected agency, by an amount equal to the lease costs that would have been incurred for the remainder of the biennium had the agency remained in leased space, less the costs the agency incurs for moving and the agency's tenant finish-out expenses as defined by the Texas Facilities Commission. Required moving and tenant finish-out costs incurred by an agency moving from leased space to state owned space in fiscal year 2011 may be paid from fiscal year 2012 appropriations and costs incurred in 2012 may be paid from fiscal year 2013 appropriations as necessary to facilitate the move. The Comptroller shall transfer to the Texas Facilities Commission from the special funds or accounts, including dedicated General Revenue Fund accounts, of those agencies that move into a state facility funded from Texas Public Finance Authority revenue bond proceeds, each agency's proportional share of the lease payments made for the facility as determined by the Texas Facilities Commission. The Comptroller shall reduce the amounts

appropriated to the Texas Facilities Commission out of the General Revenue Fund for Lease Payments, in the appropriate Article of this Act, by an amount equal to the sum of the transfers from the special funds or accounts. The funds so transferred are hereby appropriated to the Texas Facilities Commission for the purposes of making lease payments to the Texas Public Finance Authority.

(b) In the event that an agency obtains a lease at a rate lower than existing lease amounts, subsequent to the passage of the Act, the Comptroller shall reduce funds appropriated to each affected agency by an amount equal to the lease costs that would have been incurred for the remainder of the 2012-13 biennium, as determined by the Comptroller. If obtaining a reduced lease rate requires the agency to move its location, the Comptroller shall reduce the agency's appropriations less costs the agency incurs for moving the agency's tenant finish-out expenses as defined by the Texas Facilities Commission. Required moving and tenant finish-out costs incurred by an agency moving from leased space in fiscal year 2012 may be paid from fiscal year 2013 appropriations as necessary to facilitate the move.

**Sec. 11.04. State Owned Housing - Recover Housing Costs.**

(a) It is the intent of the Legislature that the General Land Office (GLO) shall contract for the determination of the fair market rental value of all housing provided to state employees by agencies required to report their housing. The GLO shall provide, to each state agency providing housing to employees, information regarding the fair market rental values. The GLO shall also provide the statewide total and agency totals to the Legislative Budget Board, Governor, and Comptroller.

(b) Each agency required to report employee housing to the General Land Office shall recover, from persons first employed by the agency before September 1, 1999, at least 20 percent of the established fair market rental value of its housing. Each agency required to report employee housing to the General Land Office shall recover, from persons first employed by the agency after August 31, 1999, at least 100 percent of the established fair market rental value of its housing. The recovered funds are hereby appropriated to the agency for its use.

(c) Agencies that provide employee housing shall report to the Legislature annually all employees who receive agency housing, the fair market rental value of housing supplied by the agency, and the amount of revenue recovered to meet the mandated goals.

(d) Unless specifically authorized by this Act, a person may not receive housing below the rate established by this section. Individuals authorized by this Act for reduced rate housing are absolutely critical to safe operation of a facility.

(e) Funds may not be expended to construct additional employee housing.

(f) When existing facilities are no longer suitable for employee housing, the agency should determine the feasibility of converting the use of housing or razing the structure before making repairs or updates.

(g) A person may not receive additional compensation in lieu of state-owned housing.

(h) An agency may withhold rent payments from the salary of an agency employee. The Comptroller may adopt rules related to withholding of rent payments from salaries.

**Sec. 11.05. State Agency Emergency Leases.** It is the intent of the Legislature that all emergency leases held by state agencies be eliminated. To assure for better planning on the part of state agencies and response from the Texas Facilities Commission Leasing Division, state agencies are directed to adhere to the following provisions:

(a) A state agency that is in an emergency lease agreement on September 1, 2011 shall have its appropriation in each fiscal year in which it is in the emergency lease agreement reduced by the dollar amount charged to the agency in addition to its base level rent.

(b) At least one year before an agency's lease expires, an agency must notify the Texas Facilities Commission in writing of its intent to renew its existing lease or relocate its offices.

(c) If an agency fails to notify the Texas Facilities Commission in writing at least one year prior to a lease expiration, and is subsequently forced to initiate an emergency lease agreement, the agency shall have its appropriation in each fiscal year in which it is in an emergency lease agreement reduced by the dollar amount charged to the agency in addition to its base level rent.

(d) If an agency notifies the Texas Facilities Commission in writing one year prior to a lease expiration in accordance with Chapter 2167, Government Code, and the Texas Facilities Commission fails to renew/initiate a lease agreement for the agency by the lease expiration date, and an agency is forced to initiate an emergency lease agreement, the Texas Facilities Commission shall have its appropriation reduced in each fiscal year in which the affected agency is in an emergency lease agreement by the dollar amount charged to the agency in addition to the agency's base level rent.

(e) The Comptroller will make all necessary reductions established in this provision each month of an emergency lease agreement. Funds lapsed by agencies for violation of this provision shall be deposited into the fund in the State Treasury from which they were originally appropriated.

(f) Additionally, the Texas Facilities Commission shall provide quarterly reports to the Legislative Budget Board and the Governor detailing the number of state agencies holding emergency leases, and providing the status on the progress of terminating the emergency lease agreement.

(g) In addition to the requirements of this section, emergency leases for health and human services agencies are also governed by § 2167.004, Government Code.

(h) The Department of Agriculture is exempted from the provisions of this section.

**Sec. 11.06. Prepayment of Annual Lease Costs.**

(a) In order to effectuate greater savings out of funds appropriated to state agencies for leased office or building space, the Texas Facilities Commission is hereby authorized to enter into an agreement, on behalf of a state agency, with a landlord for prepayment of the annual lease costs in exchange for an early payment discount.

(b) A report regarding the amount of savings realized as a result of an early payment discount shall be provided to the Legislative Budget Board by the Texas Facilities Commission no later than 30 days subsequent to the date of the duly executed agreement with the landlord. After approval by the Legislative Budget Board, the Comptroller shall reduce the appropriations of the affected agency for each year of the biennium in an amount identified by the Texas Facilities Commission and submitted to the Comptroller.

**Sec. 11.07. Equipment Maintenance Cost Reductions.**

(a) It is the intent of the Legislature that all state agencies participate in a cooperative effort with the Comptroller of Public Accounts to reduce equipment maintenance costs. The Comptroller of Public Accounts may assist state agencies in reducing equipment maintenance costs by establishing consolidated volume contracts for maintenance services, by making the Comptroller of Public Accounts maintenance contracts available to other state agencies, or by assisting state agencies with restructuring or renegotiating their maintenance contracts. If the Comptroller of Public Accounts enters into a contract for consulting services related to reducing equipment maintenance costs, each state agency shall use the services provided under the contract to the greatest extent possible.

(b) By October 1 of each fiscal year the Comptroller of Public Accounts shall report to the Legislative Budget Board and the Governor's Office any savings achieved by agencies or institutions of higher education through use of Comptroller of Public Accounts procurement services and maintenance services contracts.

## PART 12. PROVISIONS RELATED TO PROPERTY

**Sec. 12.01. Aircraft.**

(a) Notwithstanding any other provision of this Act, the purchase of aircraft may not be made from appropriated funds except as authorized in this section.

(b) Agencies authorized to expend appropriated funds for the maintenance and operation of state-owned aircraft or replacements authorized by Subsection (d) are:

(1) Texas A&M University System;

(2) Texas Department of Criminal Justice;

(3) Texas Department of Transportation;

(4) Parks and Wildlife Department;

(5) Department of Public Safety of the State of Texas;

(6) University of Texas System;

(7) Texas State Technical College; and

(8) Texas Forest Service.

(c) Notwithstanding any other provision of this Act, all state-owned aircraft (including aircraft forfeited to or seized by a particular agency) are subject to the authority of the Texas Department of Transportation.

(d) Expenditure of appropriated funds for replacement of aircraft with aircraft of comparable quality may be made contingent upon approval of the Texas Department of Transportation and a finding of fact by the Governor that a report has been filed with the Governor showing that:

(1) the aircraft to be replaced has been destroyed or has deteriorated to an extent that continued operation presents a serious hazard or that the aircraft to be replaced can no longer meet the mission requirements of the principal user state agency; and

(2) other state-owned aircraft cannot be effectively utilized in lieu of a replacement aircraft.

(e) Expenditures necessary to purchase liability insurance pursuant to § 2205.045(a), Government Code, shall be made on a pro rata basis, as determined by the Texas Department of Transportation, from appropriations authorized to each agency operating a state-owned aircraft. The Comptroller shall transfer such necessary amounts from agencies operating aircraft to the Texas Department of Transportation for the purchase of liability insurance and expenditure of such funds by the Department is hereby authorized.

(f) Any reimbursements received by a state agency for authorized aircraft services rendered to another state agency are hereby appropriated to the agency receiving the reimbursements, and shall be credited to the agency's appropriation item from which the cost of aircraft operation is paid.

**Sec. 12.02. Publication or Sale of Printed, Recorded, or Electronically Produced Matter or Records.**

(a) Funds appropriated by this Act may not be used for the publication, recording, production, or distribution of any item or matter, including lists, notices, pamphlets, video tapes, audio tapes, microfiche, films or other electronically produced information or records unless such publication, recording, or production is:

(1) essential to accomplish or achieve a strategy or outcome target established by this Act; or

(2) required by law.

(b) Any funds received and collected from any charges specifically authorized by statute for the productions, publications, or records are hereby appropriated to the agency issuing the

productions, publications, or records for use during the year in which the receipts are collected. The Comptroller shall credit such receipts to the like appropriation item from which the original costs are paid.

**Sec. 12.03. Limitation on Expenditures for Purchases and Conversions of Alternative Fuel Vehicles.** A state agency, including an institution of higher education, that is required to meet the percentage requirements for vehicles capable of using alternative fuels under Chapter 2158, Government Code, may expend funds appropriated by this Act for the purpose of meeting the percentage requirements only if the agency purchases or converts a vehicle that uses the most cost-effective, fuel efficient and mechanically efficient alternative fuel source.

**Sec. 12.04. Lost Property.**

(a) A state agency or institution of higher education must annually report to the Legislative Budget Board and the Comptroller the value of property lost or missing from the possession of the agency or institution of higher education. The Legislative Budget Board and the Comptroller may prescribe forms and dates for reporting.

(b) The Comptroller shall withhold from the General Revenue Funds, General Revenue-Dedicated Funds, or Other Funds appropriated to the state agency or institution of higher education by this Act an amount equal to 50 percent of the value of the lost property originally purchased with those funds provided that the loss falls outside the standards promulgated by the American Society for Testing and Materials. If a state agency or institution of higher education subsequently recovers or accounts for lost property to the satisfaction of the Comptroller, the Comptroller shall release to the state agency or institution of higher education a proportional amount of previously withheld General Revenue Funds, General Revenue-Dedicated Funds, or Other Funds.

(c) This section applies to all state agency and institution of higher education property without regard to the source of funds or classification of funds used to acquire the property.

**Sec. 12.05. Transfer of Master Lease Purchase Program Payments.**

(a) The Texas Public Finance Authority is hereby authorized to transfer each agency's share of administrative fees and lease payments pursuant to the Master Lease Purchase Program from each agency's appropriations made elsewhere in this Act to the Texas Public Finance Authority Master Lease Purchase Program cost of issuance funds and the State Lease Fund Account, respectively. Transfers for administrative fees and lease payments may not be made earlier than 15 days prior to the date that debt service payment is required. The Texas Public Finance Authority may transfer funds necessary for Master Lease Purchase Program debt service payments from the State Lease Fund Account to the Texas Public Finance Authority Master Lease Purchase Program interest and sinking funds.

(b) The Comptroller shall assist the Texas Public Finance Authority in the transfer of lease payments. State agencies participating in the Master Lease Purchase Program shall cooperate in the timely transfer of lease payments to the Texas Public Finance Authority. The absence of specific Master Lease payment appropriations, identified in an agency's capital budget, does not release an agency from lease payment obligations.

**Sec. 12.06. Interoperability Communications Equipment: Federal Funding.**

(a) It is the intent of the Legislature that contingent upon receipt of any federal funds for interoperability communications equipment by a state agency, the state agency receiving the federal funding shall expend those funds to establish an interoperable communications system. The interoperable communications equipment shall be subject to guidelines established by the United States Department of Homeland Security, Office of Domestic Preparedness.

(b) This section applies to federal funds appropriated by this Act and received by:

(1) the Texas Parks and Wildlife Department;

(2) the Texas Department of Transportation;

(3) the Texas Youth Commission;

(4) the Texas Alcoholic Beverage Commission;

(5) the Department of Public Safety of the State of Texas;

(6) the Texas Department of Criminal Justice; and

(7) the Texas Forest Service.

(c) Except as provided by Subsection (e) of this section, none of the federal funds received by an agency named under Subsection (b) of this section to establish an interoperable communications system may be used to purchase new agency radio equipment until equipment required to achieve system interoperability has been established at the agency. The interoperable communications equipment shall be subject to guidelines established by the United States Department of Homeland Security, Office of Domestic Preparedness.

(d) Except as provided by Subsection (e) of this section, after the establishment of a interoperable communications system by all seven of the state agencies listed under Subsection (b) of this section, no federal communications interoperability grants or funds provided to the State of Texas for distribution to local, county, or municipal government agencies shall be spent by those local, county, or municipal government agencies for new radio equipment purchases unless such funds are first used for equipment to connect to an interoperable system established by the state agencies. The interoperable communications equipment shall be subject to guidelines established by the United States Department of Homeland Security, Office of Domestic Preparedness.

(e) (1) A state or local entity may use any funds not otherwise restricted to replace broken or failing communications equipment and maintain an existing communications system until an interoperable system can be created.

(2) This section is not a limitation on maintenance of an existing communications system or replacement of broken or failing communications equipment.

(f) Quarterly, each agency named under Subsection (b) of this section to establish an interoperable communications system shall report to the Legislative Budget Board and the Governor regarding the agency's progress to achieve system interoperability and meet any interoperable communications equipment guidelines established by the United States Department of Homeland Security, Office of Domestic Preparedness.

**Sec. 12.07. Interoperability Communications Equipment: All Appropriated Funding.**

(a) It is the intent of the Legislature that except as provided by Subsection (c) of this section, none of the funds appropriated to a state agency listed under Subsection (b) of this section shall be expended by the state agency for the purchase of new radio equipment until the state agency has established an interoperable communications system. The interoperable communications equipment shall be subject to guidelines established by the United States Department of Homeland Security, Office of Domestic Preparedness.

(b) This section applies to the following state agencies:

(1) the Texas Parks and Wildlife Department;

(2) the Texas Department of Transportation;

(3) the Texas Youth Commission;

(4) the Texas Alcoholic Beverage Commission;

(5) the Department of Public Safety of the State of Texas;

(6) the Texas Department of Criminal Justice; and

(7) the Texas Forest Service.

(c) (1) A state agency may use any funds not otherwise restricted to replace broken or failing communications equipment and maintain an existing communications system until an interoperable system can be created.

(2) This section is not a limitation on maintenance of an existing communications system or replacement of broken or failing communications equipment.

(d) Quarterly, each agency named under Subsection (b) of this section to establish an interoperable communications system shall report to the Legislative Budget Board and the Governor regarding the agency's progress to achieve system interoperability and meet any interoperable communications equipment guidelines established by the United States Department of Homeland Security, Office of Domestic Preparedness.

## PART 13. OTHER PROVISIONS

**Sec. 13.01. Employee Meal Authorization.** State agencies providing institution-based services, including the Texas Department of Criminal Justice, the Department of Aging and Disability Services, the Department of State Health Services, the Texas Youth Commission, the Texas School for the Blind and Visually Impaired, and the Texas School for the Deaf, may provide meals to employees working in institutional settings and may charge an amount established by the agencies to reimburse the direct and indirect costs of preparation.

**Sec. 13.02. Bank Fees and Charges.** From interest income appropriated by this Act, amounts may be used for the purpose of paying bank fees and charges as necessary.

**Sec. 13.03. Appropriation: Temporary Assistance for Needy Families (TANF) Federal Funds.**

(a) For the biennium beginning September 1, 2011, in addition to sums appropriated elsewhere by this Act, the balance of all available TANF federal funds allocated to the State is hereby appropriated for the purposes for which the TANF block grant is made. In the event of an expenditure requirement related to fiscal penalties, caseload growth, or other program needs (such as meeting work participation targets or increasing the capacity to serve TANF recipients facing time-limited benefits), the funds appropriated by this provision and/or the balance of all available TANF federal funds appropriated elsewhere by this Act may be expended and/or transferred as appropriate by the Single State Agency for TANF, subject to the written prior approval of the Governor and the Legislative Budget Board.

(b) The expenditure of TANF federal funds is hereby limited to those amounts specifically identified and appropriated by this Act, unless specific written approval is made by the Legislative Budget Board and Governor.

**Sec. 13.04. Appropriations from State Tax Revenue.** The appropriations from state tax revenue not dedicated by the Constitution for the 2012-13 biennium shall not exceed the Texas Constitution's Article VIII, § 22 limit of $78,057,764,064 established by the Legislative Budget Board pursuant to § 316.002, Government Code. The limit on appropriations that can be made for the 2012-13 biennium is subject to adjustments resulting from revenue forecast revisions or subsequent appropriations certified by the Comptroller to the 2010-11 biennial appropriations from state tax revenue not dedicated by the Constitution. The Comptroller may adjust the composition of fund and account balances without any net change in balances or change in appropriations so as to ensure compliance with the limit set forth in Article VIII, § 22 of the Texas Constitution.

**Sec. 13.05. Contingency Rider.** It is the intent of the Legislature that appropriations made in this Act be expended only for purposes and programs specifically funded in the Act, and contingency appropriations made for legislation adopted by the Eighty-second Legislature be the sole source of funding for implementation of that legislation. No state agency or institution of higher education is required to reallocate or redistribute funds appropriated in this Act to provide funding for programs or legislation adopted by the Eighty-second Legislature for which there is not specific appropriation or contingency provision identified in this Act.

**Sec. 13.06. Informational Items.** Object of expense (OOE) listings contained in this Act, and other informational listings are not appropriations, and are merely informational listings that are intended to qualify or direct the use of funds appropriated in agency strategies, or are incidental to the appropriation made in the agency strategies.

**Sec. 13.07 Appropriation of Specialty License Plate Receipts.**

(a) Except as provided by Subsection (c) of this Section, for the fiscal biennium beginning September 1, 2011, the amounts appropriated to an agency under Articles I-VIII of this Act include, regardless of whether or not the amounts may be shown under or limited by the bill pattern or riders of the agency or the special provisions applicable to the Article of this Act under which the agency's appropriation might be located, fifty percent of all revenue collected by an agency on or after September 1, 2011, that are associated with the sale of a Texas specialty license plate, as authorized by Subchapter G, Chapter 504, Transportation Code, or other applicable statute, during the 2012-13 biennium, including any new license plates that may be authorized or issued after September 1, 2011.

(b) Amounts appropriated by this section shall be used for purposes consistent with this Act and all applicable statutes.

(c) Notwithstanding the general appropriation made by Subsection (a) of this Section, there is no appropriation of any license plate receipts:

(1) to an agency under this Section 13.07 if no direct appropriation is made to the agency under this Act;

(2) for the Trusteed programs within the Office of the Governor including:

(A) Tourism Plates Account No. 5053;

(B) Texas Music Foundation Plates Account No. 5113;

(C) Daughters of the Republic of Texas Plates Account No. 5115; and

(D) Economic Development and Tourism Account No. 5110;

(3) to the Texas State Library and Archives Commission (including the Texas Reads license plate);

(4) to the Texas Department of Agriculture, from GO Texan Partner Program Plates, GR-Dedicated Account No. 5051; and

(5) to the Historical Commission.

## PART 14. AGENCY DISCRETIONARY TRANSFER PROVISIONS

**Sec. 14.01. Appropriation Transfers.**

(a) Subject to any specific restriction in another provision of this Act, an appropriation contained in this Act may be transferred from one appropriation item to another appropriation item in an amount not to exceed 20 percent of the appropriation item from which the transfer is made for the fiscal year, at the discretion of the chief administrative officer of the state agency.

(b) After obtaining the written approval of the Governor and the Legislative Budget Board, a state agency may exceed the 20 percent discretionary transfer authority provided to the chief administrative officer of the state agency under Subsection (a) of this Section.

(c) A request for approval to exceed the 20 percent discretionary transfer authority provided to the chief administrative officer of the state agency under Subsection (a) of this Section must be

submitted by the agency's governing board (if the agency has a governing board) or by the chief administrative officer (if the agency does not have a governing board) and must include at a minimum:

(1) the date on which the governing board (if applicable) approved the request;

(2) a statement justifying the need to exceed the transfer limitation;

(3) the source of funds to be used to make the transfer; and

(4) an explanation as to why such transfer cannot be deferred.

(d) As a specific exception to Subsection (a), funds appropriated for capital budget items are subject to restrictions contained elsewhere in this Act.

(e) (1) Funds appropriated by this Act in items of appropriation that are part of a Goal for "Indirect Administrative and Support Costs" or "Indirect Administration" may also be transferred from one appropriation item to another appropriation item within that same Goal without limitation as to the amount of such a transfer.

(2) Funds appropriated by this Act in items of appropriation that are part of a Goal for "Indirect Administration" or "Indirect Administrative and Support Costs" may not be increased by transfer from an appropriation item from another Goal without the prior written approval of the Governor and the Legislative Budget Board.

(f) Appropriations made by this Act to each state agency are not subject to transfer:

(1) between fiscal years ; nor

(2) between agencies except under the provisions of interagency contract, budget execution statutes, or specific rider or statutory authorization.

(g) Under this Section, appropriations may not be transferred to a new item of appropriation that is not presented in the agency's bill pattern.

**Sec. 14.02. Transfers for Contract Services.** Funds appropriated in the various Articles of this Act for "Employees Retirement System," "Social Security State Match," and "Benefit Replacement Pay" may be transferred between Articles for similar appropriation items for the purpose of paying employee benefits costs incurred by higher education institutions when those institutions have contracted to provide services to state agencies.

**Sec. 14.03. Limitation on Expenditures - Capital Budget.**

(a) Contained in appropriations made to certain agencies by this Act are amounts identified as the "Capital Budget." Except as provided under this section, none of the funds appropriated by this Act, in excess of amounts restricted to capital budget purposes, may be expended for capital budget purposes without the prior approval of the Governor and Legislative Budget Board.

(b) A request for approval to exceed the transfer limitation on capital budget expenditures under Subsection (i) must be submitted by the agency's governing board (if the agency has a governing board ) or by the chief administrative officer of the agency (if the agency has no governing board) and must include at a minimum:

(1) the date on which the governing board (if applicable) approved the request;

(2) a statement justifying the need to exceed the limitation;

(3) the source of funds to be used to make the purchases; and

(4) an explanation as to why such expenditures cannot be deferred.

(c) This restriction does not apply to:

(1) expenditures for capital outlay items or projects that are not included in the definition of "Capital Budget" under Subsection (d); or

(2) expenditures for Capital Budget purposes made by:

(A) institutions of higher education; or

(B) public community/junior colleges.

(d) "Capital Budget" includes expenditures, for assets with a biennial project cost or unit cost in excess of 100,000, within the following categories:

(1) Acquisition of Land and Other Real Property (except for right-of-way purchases made by the Texas Department of Transportation);

(2) Construction of Buildings and Facilities;

(3) Repairs or Rehabilitation of Buildings and Facilities;

(4) Construction of Roads (except for such expenditures made by the Texas Department of Transportation);

(5) Acquisition of Information Resource Technologies;

(A) In order to provide for unanticipated shortages in appropriations made by this Act for fiscal year 2012 for the payment of data center consolidation costs, amounts identified elsewhere in this Act in fiscal year 2013 for "Data Center Consolidation" may be transferred to fiscal year 2012 to pay data center consolidation costs.
Agencies transferring appropriations related to data center consolidation costs must notify the Governor and Legislative Budget Board 30 days prior to the transfer of funds.

(B) "Data Center Consolidation" for the purposes of this section is defined as state consolidated data center services in accordance with Government Code, Chapter 2054, Subchapter L.

(6) Transportation Items;

(7) Acquisition of Capital Equipment and Items; or

(8) Other Lease Payments to the Master Lease Purchase Program (for items acquired prior to September 1, 2011, only).

(e) Any expenditure directly related to acquisition of an asset, or to placing an asset in service, may be paid from the appropriation made to the "Capital Budget."

(f) In implementing this section, the Comptroller should refer to the detailed instructions for preparing and submitting requests for legislative appropriations for the biennium beginning September 1, 2011, and the definitions therein, and to the official request for legislative appropriations submitted by the affected agency.

(g) Appropriations restricted to capital budget purposes and not identified in a "Capital Budget" as being for lease payments to the master lease purchase program (MLPP) or for other lease-purchase payments may be utilized to make lease payments under MLPP or for other lease or installment payments only if the agency to which the appropriation is made provides a report to the Comptroller specifying the sum of the lease payments to be made during the biennium for the Capital Budget item being acquired. The Comptroller shall reduce the appropriation made by this Act for the Capital Budget item in an amount equal to the difference between the appropriated amount and the sum of the lease payments for the biennium and deposit that amount into the unappropriated balance of the original funding source. In the event that the Comptroller cannot determine the amount appropriated for a specific Capital Budget item, the amount shall be determined by the Legislative Budget Board.

(h) Funds restricted to "Acquisition of Information Resource Technologies" may also be used to purchase or contract for computer time, facility resources, maintenance, and training.

(i) (1) An agency may transfer appropriations:

(A) from a non-capital budget item to a capital budget item;

(B) from a capital budget item to another capital budget item; or

(C) from a capital budget item to an additional capital budget item not presented in the agency's bill pattern.

(2) Without the approval of the Governor and the Legislative Budget Board:

(A) the amounts transferred during a fiscal year as provided by Subdivision (1) of this Subsection (i) may not exceed 25 percent of either:

(i) the amount of the capital budget item, as presented in the agency's bill pattern from which funds are being transferred; or

(ii) the amount of the capital budget item, if presented in the agency's bill pattern, to which funds are being transferred;

(B) appropriations may not be transferred directly from a non-capital budget item to an additional capital budget item not presented in the agency's bill pattern;

(C) appropriations may not be transferred to an additional capital budget item that is not presented in the agency's bill pattern if that additional capital budget item was presented to a committee, subcommittee, or working group of the Eighty-second Legislature but was not adopted by the Eighty-second Legislature; and

(D) an agency that does not have a capital budget provision following its items of appropriation in this Act may not use funds appropriated by this Act for capital budget purposes.

(3) An agency may not transfer appropriations from a capital budget item to a non-capital budget item without the prior written approval of the Governor and the Legislative Budget Board.

(j) Any unexpended balances remaining in appropriations made by this Act for capital budget purposes for fiscal year2012 are hereby appropriated for fiscal year 2013 for the same purpose.

(k) (1) Notwithstanding limitations on capital expenditures provided elsewhere, appropriations made by this Act that may be used for the payment of utility bills are hereby authorized to be used to pay for energy and water conservation-related projects, including lease payments under the state's Master Lease Purchase Program, entered into in accordance with energy and water conservation statutes.

(2) Capital expenditures for items that could be financed through the utility savings made possible by a comprehensive energy and water conservation contract authorized by § 2166.406, Government Code, are prohibited unless part of a comprehensive energy and/or water conservation contract authorized under § 2166.406, Government Code.

(3) Before authorizing expenditures for capital items that consume energy or water or that are related to the energy and/or water consumption of an agency's facilities, the Comptroller must verify that the items could not be part of a cost-effective contract for energy and water conservation measures authorized by § 2166.406, Government Code.

(l) The Legislative Budget Board may direct the Comptroller of Public Accounts to reduce funds appropriated by this Act to a state agency for capital budget purposes.

**Sec. 14.04. Disaster Related Transfer Authority.**

(a) In the event of a disaster proclamation by the Governor under the Texas Disaster Act of 1975, Chapter 418, Government Code, transfers of appropriations made in this Act, if necessary to respond to the disaster and if made according to the terms of this Section 14.04, are permitted. This section is intended to serve as a means for quickly, effectively, and efficiently transferring appropriations in the event of a disaster. This Section 14.04 provides an exception to any other provision of this Act which might otherwise limit transfers of appropriations such as by imposing a limit on the amount of a transfer or which might otherwise limit transfers of appropriations by causing a delay in making a transfer because of the need to take actions such as preparing reports or obtaining approvals prior to transferring appropriations necessary for responding to a disaster. No part of this Section 14.04 shall be read to limit, modify, or abridge the authority of the Governor to proclaim martial law or exercise any other powers vested in the Governor under the constitution or laws of this state.

(b) Health and Human Services Agencies: For a health and human services agency listed in Chapter 531, Government Code, that directly responds to the disaster, the Commissioner of Health and Human Services is authorized to transfer funds from another health and human services agency listed in Chapter 531, Government Code to the responding agency, and may transfer funds between the strategies of each agency for the purpose of funding the disaster response subject to the prior notification of the Legislative Budget Board and Governor as provided by Subsection (g).

(c) Other Agencies: An agency other than a health and human services agency listed in Chapter 531, Government Code that directly responds to a disaster may transfer appropriations within the agency, without regard to any limits on transfer of appropriations between strategies, subject to the prior notification of the Legislative Budget Board and Governor as provided by Subsection (g).

(d) Transfers Between Agencies: In the event that a transfer involving at least one agency not listed in Chapter 531, government Code is necessary in order to respond to a disaster, the agencies involved in the transfer shall request approval from the Legislative Budget Board and the Governor for the emergency transfer of funds, pursuant to Article XVI, Section 69, Texas Constitution. Any request under this Subsection (d) should include the same information required in the recommended plan of transfer below, and a copy shall be provided to the Comptroller.

(e) Appropriation Transfers between Fiscal Years: Agencies responding to a disaster are authorized to transfer funds appropriated in fiscal year 2013 to fiscal year 2012, subject to the prior notification of the Legislative Budget Board and Governor as provided by Subsection (g).

(f) Unexpended Balances: Any unobligated balances from transfers made under Subsection (e) as of August 31, 2012, are appropriated to the agency for the same purpose for the fiscal year beginning September 1, 2012.

(g) Notification of Recommended Plan of Transfer.

(1) Recommended Plan of Transfer: A recommended plan of transfer submitted by an agency to the Governor and Legislative Budget Board under this Section 14.04 must include the following information:

(A) a copy of the appropriate disaster proclamation made under Chapter 418, Government Code;

(B) the amounts to be transferred (listed by method of finance);

(C) the agency or agencies affected;

(D) the programs affected by the transfer; and

(E) any other information requested by the Legislative Budget Board.

(2) Notification: An agency must notify the Legislative Budget Board, the Comptroller, the Governor, and any other agency involved in the transfer prior to the date of recommended transfers. The Comptroller shall transfer the funds as recommended.

**Sec. 14.05 Unexpended Balance Authority Between Fiscal Years within the Same Biennium.** An agency may transfer any unexpended and unobligated balances remaining as of August 31, 2012 for the same purposes for the fiscal year beginning September 1, 2012, if the agency has been granted, either:

(1) specific authority in another provision of this Act; or

(2) prior written approval of the Legislative Budget Board.

## PART 15. AGENCY NON-DISCRETIONARY TRANSFER PROVISIONS

**Sec. 15.01. Reimbursements for Unemployment Benefits.**

(a) For the purposes of this section, "agency" includes a state agency as defined under § 2151.002, Government Code, which includes an institution of higher education (except a public junior college) as defined under § 61.003, Education Code.

(b) At the close of each calendar quarter, the Texas Workforce Commission shall prepare a statement reflecting the amount of unemployment benefits paid to all former state employees based on wages earned from state employment and present it to the Comptroller. The Comptroller shall pay by warrant or transfer out of funds appropriated from the Unemployment Compensation Special Administration Account No. 165 such amount to the Unemployment Compensation Benefit Account No. 937 to reimburse it for such payments.

(c) The Unemployment Compensation Special Administration Account No. 165 shall be reimbursed, as Interagency Transfers to the Unemployment Compensation Special Administration Account No. 165, for one-half of the unemployment benefits paid, from appropriations made in this Act to the agency that previously employed each respective former state employee whose payroll warrants were originally issued in whole or part from the General Revenue Fund or dedicated General Revenue Fund accounts, Federal Funds, or Other Funds, such as Fund No. 006.

(d) From information related to unemployment benefits paid on behalf of previously employed former state employees provided by the Texas Workforce Commission, the Comptroller shall determine the proportionate amount of the reimbursement or payment due from the General Revenue Fund, any General Revenue-Dedicated accounts, Federal Funds or Other Fund appropriations made elsewhere in this Act to agencies. The Comptroller shall transfer such amounts to the Unemployment Compensation Special Administration Account No. 165. The amounts reimbursed pursuant to this subsection are hereby appropriated to the Unemployment Compensation Special Administration Account No. 165 for the purpose of reimbursing the Unemployment Compensation Benefit Account No. 937, as Interagency Transfers to the Unemployment Compensation Special Administration Account No. 165. The reimbursement requirements established by this subsection may be waived, either in whole or in part, by the Legislative Budget Board.

(e) In addition to other reimbursement provided by this section, the Unemployment Compensation Special Administration Account No. 165 shall be reimbursed, for one-half of the unemployment benefits paid, from amounts appropriated to the Reimbursements to the Unemployment Compensation Benefit Account item in this Act out of dedicated General Revenue Fund accounts or Other Funds and shall be fully reimbursed from funds held in local bank accounts, for all former state employees whose payroll warrants were originally issued in whole or part from dedicated General Revenue Fund accounts, Other Funds or local bank accounts, respectively. From information provided by the Texas Workforce Commission, the Comptroller shall determine the proportionate amount of the reimbursement or payment due from funds other than General Revenue and transfer such funds to the Unemployment Compensation Special Administration Account No. 165. The amounts reimbursed from local funds pursuant to this subsection are hereby appropriated to the Unemployment Compensation Special Administration Account No. 165 for the purpose of reimbursing the Unemployment

Compensation Benefit Account No. 937. Such transfers and payments as are authorized under law shall be made not later than the 30th day after the date of receipt of the statement of payments due.

(f) The Comptroller may prescribe accounting procedures and regulations to implement this section.

(g) The Comptroller, upon certification of amounts due from the Texas Workforce Commission, including the sources of such amounts due, may transfer funds from such agencies or other units of state government as the Texas Workforce Commission certifies remain due more than 30 days from receipt of the statement of payments due. The Texas Workforce Commission shall also determine the amounts due from funds held outside the state treasury and notify the State Auditor and Comptroller of such amounts.

**Sec. 15.02. Payments to the State Office of Risk Management (SORM).**

(a) In this section:

(1) "Agency" includes a state agency as defined under § 2151.002, Government Code, which includes an institution of higher education (except a public junior college) as defined under § 61.003, Education Code, and may also include any other unit of state government as defined by the rules of SORM, which participates in cost allocation plan provided under this section;

(2) "Assessment" means the amount of the workers' compensation assessment placed on an agency by SORM and the agencies' proportion of SORM's costs to administer workers' compensation payments and other statutory obligations contained in A.1.1, Risk Management Program and A.2.1, Pay Workers' Compensation, as provided by this section and other relevant law; and

(3) "SORM" means the State Office of Risk Management.

(b) At the beginning of each fiscal year, SORM shall prepare a statement reflecting the assessments due from all agencies and present it to the Comptroller.

(c) (1) Notwithstanding other provisions in this Act, agencies shall transfer to SORM seventy-five percent (75%) of their assessed allocation which includes amounts for workers' compensation coverage for their employees from funding in the same proportion as their expected payroll funding, including General Revenue Funds, dedicated General Revenue Fund accounts, Other Funds or local bank accounts and the agencies' proportion of SORM's costs to administer workers' compensation payments and other statutory obligations contained in A.1.1, Risk Management Program and A.2.1, Pay Workers' Compensation.

(2) Not later than May 1 of each fiscal year, SORM shall determine, based on actual costs since the beginning of the fiscal year and other estimated costs, the remaining assessment due from each agency. SORM shall prepare a statement reflecting the remaining assessments due from each agency and present the statement to the Comptroller. Each agency shall transfer to SORM the remaining assessed allocation which includes amounts for workers' compensation coverage for their employees from funding in the same proportion as their expected payroll funding, including General Revenue Funds, dedicated General Revenue Fund accounts, Other Funds or local bank accounts and the agencies' proportion of SORM's costs to administer workers' compensation payments and other statutory obligations contained in A.1.1, Risk Management Program and A.2.1, Pay Workers' Compensation.

(d) Transfers and payments as are authorized under law shall be made not more than 30 days from receipt of the statement of payments due.

(e) The Comptroller may prescribe accounting procedures and regulations to implement this section.

(f) Upon certification by SORM of amounts due, the Comptroller may transfer funds from an agency if the assessment amount due remains unpaid after more than 30 days from receipt of the statement of payments due.

(g) All funds recovered by SORM from third parties by way of subrogation are appropriated to SORM to be used for the payment of workers' compensation benefits to state employees and shall be retained in the bill pattern of the Workers' Compensation Payments in Strategy A.1.1, Workers' Compensation Payments, in whole for that purpose.

(h) Amounts not to exceed 2 percent in total of workers' compensation annual expenditures may be awarded to agencies by SORM for the purposes of risk management and loss prevention. In the event that Strategy A.1.1, Workers' Compensation Payments, in the bill pattern of the Workers' Compensation Payments, funded by the annual assessments to agencies, exceeds 110 percent of the expected annual payments, the portion of the excess over 110 percent funded from all funding sources shall be returned to agencies. The excess returned to the agencies by SORM is appropriated to the agencies for expenditures consistent with the original funding source. An all funds excess of 10 percent or less will be used to lower the cumulative assessments to agencies the following year.

(i) In the event the total assessments in any year prove insufficient to fund expenditures, SORM may, with the approval of the Legislative Budget Board, temporarily utilize additional general revenue in an amount not to exceed 20 percent of the cumulative assessments for that fiscal year. Any additional general revenue funds will be utilized only for the purpose of temporary cash flow and must be repaid upon receipt of the following year's assessments in accordance with procedures established by the Comptroller. All transfers from and repayments to the General Revenue Fund shall be reported by SORM to the Legislative Budget Board.

(j) The reimbursement requirements established by this section may be waived or delayed, either in whole or in part, by the Legislative Budget Board.

(k) SORM shall require agencies to provide to SORM and agencies shall submit to SORM information regarding the specific funding sources from which agencies pay their assessed allocation amounts for workers' compensation coverage for their employees.

**Sec. 15.03. Contingency Appropriation Reduction.**

(a) After considering all other contingency riders in this Act and all legislation passed by the Eighty-second Legislature that affects revenue, if the appropriations made by Articles I through X of this Act exceed the estimated available revenue, all appropriations made under this Act out of the General Revenue Fund and General Revenue-Dedicated accounts are hereby automatically reduced on a pro-rata basis by the amount necessary, if any, to ensure that the total amount appropriated does not exceed the estimated revenue, pursuant to Article 3, Section 49a, Texas Constitution; provided, however, that appropriations described under Subsection (c) of this section shall not be reduced.

(b) The Comptroller shall report the amount of the automatic reductions, if any, to the Governor and Legislative Budget Board.

(c) Appropriations described under this Subsection (c) that may not be reduced by an action taken pursuant to this section are as follows:

(1) Appropriations identified in Sec. 6.07 of this Article IX (Employee Benefit and Debt Service Items);

(2) Appropriations made to the Texas Education Agency for the Foundation School Program in Strategies A.1.1, FSP-Equalized Operations, and A.1.2, FSP-Equalized Facilities;

(3) Appropriations made in Article IV of this Act;

(4) Appropriations made to the Teacher Retirement System;

(5) Appropriations made to the Optional Retirement Program;

(6) Appropriations made to the Higher Education Fund;

(7) Appropriations made for Debt Service Payments for Non-Self Supporting G.O. Water Bonds;

(8) Appropriations made for Compensation to Victims of Crime; and

(9) Appropriations designated as "estimated."

**Sec. 15.04. Appropriation Transfers: Billings for Statewide Allocated Costs.** As provided by Chapter 2106, Government Code, relating to billings to state agencies for the costs of support services allocated to agencies under the statewide cost allocation plan, the Comptroller shall transfer appropriations made to state agencies and institutions of higher education by this Act to the General Revenue Fund, under Articles I-VIII of this Act, in amounts which total an estimated $40 million for the biennium.

At least thirty days prior to making transfers of agency appropriations to the General Revenue Fund pursuant to this provision, the Comptroller shall develop and prepare a plan of reductions and notify the Legislative Budget Board and Governor of the amounts proposed for reduction by each agency.

## PART 16. LEGAL REPRESENTATION AND JUDGMENTS PROVISIONS

**Sec. 16.01. Court Representation and Outside Legal Counsel.**

(a) (1) Except as otherwise provided by the Constitution or general or special statutes, the Attorney General shall have the primary duty of representing the State in the trial of civil cases. The provisions of this section apply to the representation of a state governmental entity by outside legal counsel in all legal matters.

(2) Funds appropriated by this Act may not be used by a state governmental entity for retaining outside legal counsel before the state governmental entity requests the Attorney General to perform such services.

(3) If the Attorney General determines that outside legal counsel is in the best interest of the State, the Attorney General shall so certify to the Comptroller and to the requesting a state governmental entity which may then utilize appropriated funds to retain outside legal counsel.

(4) Funds appropriated by this Act may not be used to contract with an outside legal counsel who represents clients before the state governmental entity or who has, during a six month period preceding the initiative of the contract and a six month period following the termination of the contract, represented clients before the state governmental entity.

(5) A state governmental entity may not initiate the process of selecting outside legal counsel prior to receiving the approval of the Attorney General to retain outside legal counsel.

(b) Funds appropriated by this Act may not be expended by a state governmental entity to initiate a civil suit or defend itself against a legal action without the consent of the Attorney General. Absent this consent, the state governmental entity shall be represented in that particular action by the Attorney General.

(c) On receipt of a request by a state governmental entity to retain outside legal counsel, the Attorney General shall make a determination on the request as expeditiously as possible, but in no event later than 10 working days after receiving such request.

(d) Funds appropriated by this Act may not be used to pay compensation to outside legal counsel for representing a state governmental entity in the trial of a civil suit if the Attorney General, district attorney, criminal district attorney, county attorney, or other lawyer is required by constitutional or statutory provision to represent a state governmental entity except in those cases where the Attorney General consents to such representation or the district attorney, criminal district attorney, county attorney, or other lawyer has requested that the attorneys employed by the particular state governmental entity assist with the trial of the particular civil suit.

(e) (1) This section does not restrict a state governmental entity in the investigation and assembling of evidence in connection with a pending or prospective civil suit.

(2) This section does not prohibit a state governmental entity or its employees from investigating, filing, or presenting to any person a claim, owing to the State.

(f) This section does not restrict the Attorney General from employing special assistants to assist in the trial of civil suits to be paid from the appropriations therefore made to the Attorney General.

(g) If a state governmental entity requests the Attorney General to take legal action in court against another state governmental entity, the Attorney General shall give special consideration to permitting one of the state governmental entities to employ, from the permitted state governmental entity's funds, outside legal counsel to represent that state governmental entity in that action, in order to avoid a conflict of interest by the Attorney General in the representation of both state governmental entities.

(h) If the Attorney General initiates legal action against another state governmental entity on behalf of the Attorney General rather than another state governmental entity, the Legislature determines that a conflict of interest exists and the state governmental entity against which the Attorney General takes action may expend appropriated funds for outside legal counsel to represent that state governmental entity without the prior approval or consent of the Attorney General.

(i) Subsections (a) - (h) do not apply to funds appropriated to:

(1) the Office of the Governor;

(2) Comptroller;

(3) Department of Agriculture;

(4) General Land Office and Veteran's Land Board; or

(5) the Railroad Commission of Texas.

(j) Funds appropriated by this Act may not be expended to pay the legal fees or expenses of outside legal counsel that represents the State or any of its state governmental entities in a contested matter if the outside legal counsel is representing a plaintiff in a proceeding seeking monetary damages from the State or any of its state governmental entities.

(k) (1) Funds appropriated by this Act may not be expended by a state governmental entity for payment of legal fees or expenses under a contingent fee contract for legal services without the prior approval of the Legislative Budget Board.

(2) For purposes of this section, "state governmental entity" means a board, commission, department, office, or other agency in the executive branch of state government created under the constitution or a statute, including an institution of higher education.

(3) This section applies to all contingent fee contracts for legal services entered into by a state governmental entity, including legal services related to a *parens patriae* action or proceeding brought by a state governmental entity in the name of the state, except that this section does not apply to a contingent fee contract:

(A) for legal services performed for a state governmental entity in relation to the entity's actions as a receiver, special deputy receiver, liquidator, or liquidating agent in connection with the administration of the assets of an insolvent entity, including actions under Chapter 21A, Insurance Code, or Chapters 36, 66, 96, or 126, Finance Code; or

(B) under which recoveries from more than one entity are contemplated and the expected amount of each recovery and the actual amount of each recovery do not exceed $100,000.

(l) Any litigation that results in settlement, court order or other arrangement providing revenues or financial benefits to the State of Texas shall be structured to require the entire amount due to be paid to the treasury.

(m) (1) None of the money paid to a state governmental entity (as a result of a settlement of litigation, or other arrangement providing revenues or financial benefits as a result of litigation) may be expended by any state government entity unless the Legislative Budget Board is notified in writing by the Attorney General regarding the terms of the settlement or other arrangement and by the state governmental entity receiving the money regarding the plans for the use of the money. The written notice must be delivered to the Legislative Budget Board as soon as practicable, but no later than the 20th day of the month following approval of the settlement or arrangement by a court.

(2) This subsection does not apply to a settlement of litigation, court order resulting from litigation, or other arrangement providing revenues or financial benefits as a result of litigation:

(A) for a state governmental entity in relation to the entity's actions as a receiver, special deputy receiver, liquidator, or liquidating agent in connection with the administration of the assets of an insolvent entity, including actions under Chapter 21A, Insurance Code, or Chapters 36, 66, 96, or 126, Finance Code; or

(B) under which recovery to the state governmental entity does not exceed $500,000.

**Sec. 16.02. Judgments and Settlements.**

(a) The funds appropriated by this Act, including appropriations made in Article X of the Act, may not be expended for payment of a judgment or settlement prosecuted by or defended by the Attorney General and obtained against the State or a state agency, except:

(1) pursuant to this section; or

(2) where it is specifically provided in an item of appropriation that the funds thereby appropriated or expenditures therein authorized may be used for the payment of such judgments or settlements.

(b) The authorization provided by this subsection does not apply in those cases where the judgment order of the trial court was entered, or a settlement agreement was executed, prior to September 1, 1995. State agencies appropriated funds by this Act may expend funds appropriated elsewhere in this Act for the purposes of paying settlements and judgments against the state for causes brought in a federal court or a court in this state under specific statutory authority. Payments made pursuant to this subsection are subject to the following processes and limitations:

(1) such funds are to be paid out by the Comptroller on vouchers drawn by the agency settling the lawsuit or paying the judgment, subject to the approval of the Governor and of the Attorney General according to Subsection (d);

(2) for purposes of this subsection, "judgment" means a judgment order rendered in a federal court or a court in this state for which an appeal or rehearing, or application therefore, is not pending and for which the time limitations for appeal or rehearing have expired;

(3) the payment of a settlement or judgment may not exceed $250,000;

(4) the payment of the settlement or judgment would not cause the total amount of payments made by the payer agency for that fiscal year to exceed 10 percent of the total amount of funds available for expenditure by that agency for that fiscal year; and

(5) the payment of a settlement or judgment may be made only with a complete release from any and all related claims and causes against the State, and in the case of a judgment, the payment may be made only in full satisfaction of that judgment.

(c) (1) A state agency shall report a claim for property damage to the Attorney General not later than the second working day after the date the agency receives the claim.

(2) A state agency shall prepare a voucher for payment of a claim not later than the 10th working day after the date an agreement to settle the claim has been reached.

(d) Payment of all judgments and settlements prosecuted by or defended by the Attorney General is subject to approval of the Attorney General as to form, content, and amount, and certification by the Attorney General that payment of the judgment or settlement is a legally enforceable obligation of the State. This subsection applies equally to funds appropriated for expenditure through the state treasury, as well as funds appropriated for expenditure from funds held in local banks.

(e) The Attorney General shall report to the Legislative Budget Board and the Governor not less than monthly, a listing of all settlements and judgments of more than $5,000 submitted to the Comptroller for payment. The document for publication shall contain at least the following information unless all or part of the information is exempt by court order or Chapter 552, Government Code, (the Open Records Act):

(1) a summary of the cause of action;

(2) a summary of the terms of the settlement;

(3) the style of the case;

(4) the name and business address of each attorney representing the opposing litigants at the time of the settlement;

(5) the amount of the judgment or settlement;

(6) the fund or account from which payment was or should be made;

(7) the statutory citation for the appropriation or other authority to be made;

(8) specific statutes granting waiver of sovereign immunity or legislative resolution granting litigant permission to sue;

(9) the date of judgment or settlement; and

(10) other information as the Legislative Budget Board may request and in the form requested by the Legislative Budget Board.

(f) The State Auditor may verify compliance with this section for all funds appropriated in this Act, including funds that are retained and expended from accounts held outside the state treasury and that are not subject to reimbursement through funds held in the state treasury. On verification that an agency has not obtained the Attorney General's approval prior to payment of a judgment or settlement, the State Auditor may certify such fact to the Comptroller. The Comptroller may withhold all appropriations for administrative expenses for the involved agency, until the Legislative Audit Committee notifies the Comptroller that the agency's non-compliance has been reviewed and necessary recommendations or changes have been made.

**Sec. 16.03. Expenditures for Representatives of Grievants Prohibited.**

(a) The funds appropriated by this Act may not be used to pay expenses for salary, travel, or per diem of a public employee who represents grievants in the presentation of grievances concerning wages, hours of work, or conditions of work.

(b) Notwithstanding Subsection (a), a state employee may take annual leave, compensatory leave, or leave without pay, subject to the procedures established by the state employee's agency of employment, to engage in this activity.

## PART 17. DATA CENTER SERVICES REDUCTIONS

**Sec. 17.01. Reductions Related to Data Center Services.** Amounts appropriated elsewhere in this Act in affected state agency bill patterns for the 2012-13 biennium for the purpose of making payments for data center services provided by the Department of Information Resources are hereby reduced as follows:

**(a) Reductions for Cost of Living Adjustments related to Certain Data Center Services**

| Agency Name | General Revenue | General Revenue-Dedicated | Federal Funds | Other Funds | Biennial Total |
|---|---|---|---|---|---|
| **Article I** | | | | | |
| Office of the Attorney General | ($1,905,538) | ($103,587) | ($2,911,502) | ($228,443) | ($5,149,070) |
| Texas Facilities Commission | ($38,099) | $0 | $0 | ($21,268) | ($59,367) |
| Department of Information Resources | $0 | $0 | $0 | ($313,459) | ($313,459) |
| Library and Archives Commission | ($115,949) | $0 | ($12,380) | $0 | ($128,329) |
| Secretary of State | ($440,375) | $0 | $0 | ($45,797) | ($486,172) |
| Veterans Commission | ($5,639) | $0 | $0 | $0 | ($5,639) |
| **Article II** | | | | | |
| Department of Aging and Disability Services | ($329,012) | $0 | ($462,831) | ($22,140) | ($813,983) |
| Department of Assistive and Rehabilitative Services | ($91,853) | $0 | ($562,426) | ($1,814) | ($656,093) |
| Department of Family and Protective Services | ($350,551) | $0 | ($349,221) | $0 | ($699,772) |
| Department of State Health Services | ($1,751,024) | ($111,759) | ($314,490) | ($14,976) | ($2,192,249) |
| Health and Human Services Commission | ($2,418,451) | $0 | ($3,249,943) | ($1,789,691) | ($7,458,085) |
| **Article III** | | | | | |
| Texas Education Agency | ($1,038,356) | $0 | ($589,447) | ($156,314) | ($1,784,117) |
| Higher Education Coordinating Board | ($144,544) | $0 | $0 | ($151,265) | ($295,809) |
| **Article V** | | | | | |
| Texas Alcoholic Beverage Commission | ($126,320) | $0 | $0 | $0 | ($126,320) |
| Texas Department of Criminal Justice | ($3,717,523) | $0 | $0 | $0 | ($3,717,523) |
| Texas Youth Commission | ($418,144) | $0 | $0 | $0 | ($418,144) |
| **Article VI** | | | | | |
| Department of Agriculture | ($126,235) | $0 | $0 | $0 | ($126,235) |
| Texas Commission on Environmental Quality | ($662,801) | ($1,424,932) | $0 | $0 | ($2,087,733) |
| Parks and Wildlife Department | ($380,534) | ($534,538) | $0 | $0 | ($915,072) |
| Railroad Commission | ($391,075) | ($87,742) | $0 | $0 | ($478,817) |
| Water Development Board | ($485,363) | $0 | $0 | $0 | ($485,363) |
| **Article VII** | | | | | |
| Department of Motor Vehicles | $0 | $0 | $0 | ($927,025) | ($927,025) |
| Texas Department of | | | | | |

## DATA CENTER SERVICES REDUCTIONS
(Continued)

| | | | | | |
|---|---|---|---|---|---|
| Transportation | $0 | $0 | $0 | ($3,362,503) | ($3,362,503) |
| Texas Workforce Commission | ($33,629) | ($32,395) | ($4,615,933) | $0 | ($4,681,957) |
| **Article VIII** | | | | | |
| Health Professionals Council | ($13,054) | $0 | $0 | $0 | ($13,054) |
| Texas Department of Insurance | ($273,417) | ($482,789) | $0 | $0 | ($756,206) |
| Department of Licensing and Regulation | ($106,794) | $0 | $0 | $0 | ($106,794) |
| Public Utility Commission | ($66,631) | $0 | $0 | $0 | ($66,631) |
| **Subtotal, Reductions for Cost of Living Adjustments related to Certain Data Center Services** | ($15,430,911) | ($2,777,742) | ($13,068,173) | ($7,034,695) | ($38,311,521) |

**(b) Reductions for Administrative Rate Charged for Administration of Data Center Services Contract**

| Agency Name | General Revenue | General Revenue-Dedicated | Federal Funds | Other Funds | Total for the Biennium |
|---|---|---|---|---|---|
| **Article I** | | | | | |
| Office of the Attorney General | ($231,160) | ($12,566) | ($353,193) | ($27,712) | ($624,631) |
| Texas Facilities Commission | ($4,100) | $0 | $0 | ($2,289) | ($6,389) |
| Department of Information Resources | $0 | $0 | $0 | ($39,025) | ($39,025) |
| Library and Archives Commission | ($12,743) | $0 | ($1,361) | $0 | ($14,104) |
| Secretary of State | ($48,866) | $0 | $0 | ($5,081) | ($53,947) |
| Veterans Commission | ($404) | $0 | $0 | $0 | ($404) |
| **Article II** | | | | | |
| Department of Aging and Disability Services | ($26,661) | $0 | ($37,504) | ($1,794) | ($65,959) |
| Department of Assistive and Rehabilitative Services | ($10,668) | $0 | ($65,323) | ($211) | ($76,202) |
| Department of Family and Protective Services | ($40,606) | $0 | ($40,451) | $0 | ($81,057) |
| Department of State Health Services | ($214,688) | ($13,702) | ($38,559) | ($1,836) | ($268,785) |
| Health and Human Services Commission | ($308,416) | $0 | ($414,453) | ($228,232) | ($951,101) |
| **Article III** | | | | | |
| Texas Education Agency | ($125,072) | $0 | ($71,000) | ($18,828) | ($214,900) |
| Higher Education Coordinating Board | ($14,178) | $0 | $0 | ($14,838) | ($29,016) |
| **Article V** | | | | | |
| Texas Alcoholic Beverage Commission | ($13,792) | $0 | $0 | $0 | ($13,792) |
| Texas Department of Criminal Justice | ($460,656) | $0 | $0 | $0 | ($460,656) |
| Texas Youth Commission | ($46,875) | $0 | $0 | $0 | ($46,875) |

## DATA CENTER SERVICES REDUCTIONS
(Continued)

| | | | | | |
|---|---|---|---|---|---|
| **Article VI** | | | | | |
| Department of Agriculture | ($12,772) | $0 | $0 | $0 | ($12,772) |
| Texas Commission on Environmental Quality | ($78,544) | ($168,860) | $0 | $0 | ($247,404) |
| Parks and Wildlife Department | ($42,663) | ($59,929) | $0 | $0 | ($102,592) |
| Railroad Commission | ($47,448) | ($10,645) | $0 | $0 | ($58,093) |
| Water Development Board | ($52,934) | $0 | $0 | $0 | ($52,934) |
| **Article VII** | | | | | |
| Department of Motor Vehicles | $0 | $0 | $0 | ($114,974) | ($114,974) |
| Texas Department of Transportation | $0 | $0 | $0 | ($417,687) | ($417,687) |
| Texas Workforce Commission | ($4,121) | ($3,970) | ($565,714) | $0 | ($573,805) |
| **Article VIII** | | | | | |
| Health Professionals Council | ($1,627) | $0 | $0 | $0 | ($1,627) |
| Texas Department of Insurance | ($29,483) | ($52,061) | $0 | $0 | ($81,544) |
| Department of Licensing and Regulation | ($12,058) | $0 | $0 | $0 | ($12,058) |
| Public Utility Commission | ($6,446) | $0 | $0 | $0 | ($6,446) |
| **Subtotal, Reductions for Administrative Rate Charged for Administration of Data Center Services Contract** | ($1,846,981) | ($321,733) | ($1,587,558) | ($872,507) | ($4,628,779) |
| **Grand Total** | ($17,277,892) | ($3,099,475) | ($14,655,731) | ($7,907,202) | ($42,940,300) |

## PART 18. CONTINGENCY AND OTHER PROVISIONS

**Sec. 18.01. Appropriations of Proposition 4 General Obligation Bond Proceeds.**

a. In addition to amounts appropriated elsewhere in this Act, there is hereby appropriated $132,350,000 for the 2012-13 biennium to the agencies listed below in this section out of general obligation bond proceeds.

Capital Budgets for each respective agency shall be amended accordingly. All projects funded with general obligation bond proceeds made herein are subject to approval by the Legislative Budget Board prior to the issuance of the bond proceeds by the Texas Public Finance Authority.

Any unexpended and unobligated balances in general obligation bonds proceeds remaining as of August 31, 2012 are hereby appropriated to each respective agency for the fiscal year beginning September 1, 2012 for the same purpose.

In addition to amounts appropriated elsewhere in this Act to the Texas Public Finance Authority, there is hereby appropriated $10,500,000 for the 2012-13 biennium out of the General Revenue Fund to make debt service payments for the bond proceeds appropriated herein.

Any unexpended and unobligated balances in general revenue remaining as of August 31, 2012 are hereby appropriated to the Texas Public Finance Authority for the fiscal year beginning September 1, 2012 for the same purpose.

| Proposition 4<br>by Article by Agency by Project | 2012-13 Biennial Total<br>Bond Proceeds | <br>Debt Service |
|---|---|---|
| ARTICLE I | | |
| Facilities Commission | | |
| Health and Safety Deferred Maintenance Projects | $ 60,000,000 | $ 6,000,000 |
| Historical Commission | | |
| Courthouse Grants | $ 20,000,000 | $ 1,500,000 |
| ARTICLE II | | |
| Department of State Health Services | | |
| Critical Repairs to Moreton Building | $ 20,000,000 | $ 1,500,000 |
| ARTICLE VI | | |
| Parks and Wildlife Department | | |
| Repair and Replacement of Statewide Facilities | $ 32,350,000 | $ 1,500,000 |
| Total, by Article | 132,350,000 | 10,500,000 |

b. The following is an informational listing of funds appropriated elsewhere in this Act, for the 2012-13 biennium to the agencies listed below for projects out of new issuances of Proposition 4 general obligation bond proceeds. All projects funded with bond proceeds listed below are subject to approval by the Legislative Budget Board prior to the issuance of the bond proceeds by the Texas Public Finance Authority.

| Proposition 4<br>Article by Agency by Project | 2012-13 Biennial Total<br>Bond Proceeds | <br>Debt Service |
|---|---|---|
| ARTICLE V | | |
| Texas Department of Criminal Justice | $ 50,000,000 | $ 2,835,000 |

**Sec. 18.02. Interagency Contract to Coordinate Use of PARIS Data to Assist Veterans and Achieve Savings for State.** Out of the funds appropriated elsewhere in this Act, the Health and Human Services Commission, the Department of Aging and Disability Services, the Texas Veterans Commission, and the Veterans Land Board shall enter into an interagency contract to establish an ongoing staff workgroup between the agencies to coordinate the use and to investigate and analyze the data received from the federal Public Assistance Reporting Information System (PARIS) and develop new strategies to use PARIS data that could generate savings for the state. Each agency (the Health and Human Services Commission, the Department of Aging and Disability Services, the Texas Veterans Commission, and the Veterans Land Board) shall utilize their expertise to work with other workgroup members to improve communication and services to veterans. The workgroup shall also submit a report to the Legislative Budget Board and the Governor describing the state's use of the PARIS data and include any savings or cost avoidance amounts resulting from PARIS information from the previous biennium, as well as recommendations regarding its future use. The report is due October 15, 2012.

**Sec. 18.03. Pension Plan Changes Study.** Out of funds appropriated elsewhere in this Act, the Employees Retirement System and the Teacher Retirement System shall each individually report on the actuarial and fiscal impacts from potential changes to the state, university and school district pension plans as of August 31, 2011, including but not limited to: retirement eligibility; final average salary; benefit multiplier; and the creation of a hybrid plan that includes defined benefit and defined contribution features such as a two-part plan or a cash balance plan. The report shall be submitted to the Legislative Budget Board and the Governor no later than September 1, 2012. A pension plan study is required of the Employees Retirement System and the Teacher Retirement System only if the if the legislature does not otherwise implement actuarially significant changes that increase the total plan contribution rate for the pension plans; make plan design changes to the current defined benefit plan structure for the pension plans; or establish a new plan structure for the pension plan in the form of a hybrid pension plan. The Legislative Budget Board will confirm for each agency by September 1, 2011 whether or not these conditions have been met, and if a pension plan study is required.

**Sec. 18.04. Report on Efforts to Draw Down Discretionary Federal Funds for Transportation.** The Texas Department of Transportation, Texas Department of Public Safety, and Texas Department of Motor Vehicles shall jointly submit a report to the Office of the Governor and the Legislative Budget Board on efforts to identify, coordinate, and implement methods to maximize discretionary sources of federal funding no later than December 1 of each even numbered year.

**Sec. 18.05. Contingency for Development of a System to Measure Commercial Vehicle Traffic.** Contingent upon the Texas Transportation Institute receiving grant funds for the development of a system to measure commercial vehicle traffic at Texas' ports of entry, the Texas Department of Transportation, Texas Department of Public Safety, and Texas Transportation Institute shall provide staff and resources necessary to develop a unified system for measuring commercial vehicle traffic.

**Sec. 18.06. Contingency Provision: Sexual Assault Prevention and Intervention.** Contingent upon a finding of fact by the Comptroller of Public Accounts that the Adult Entertainment Fee authorized by Business and Commerce Code, Section 102.054, generates sufficient amounts in excess of the 2011 Biennial Revenue estimate to cover the cost of appropriations made below, the following agencies are appropriated the following sums from General Revenue Dedicated Account No. 5010.

| | | 2012 | 2013 |
|---|---|---|---|
| **University of Texas at Austin, Bureau of Business Research and IDVSA*** | | | |
| (1) | Study on Perpetrators of Sexual Assault | $250,000 | U.B. |
| (2) | Study on Sexually Oriented Businesses | $250,000 | U.B. |
| (3) | Measuring Sexual Assault Prevalence | $250,000 | U.B. |
| (4) | Strategic Assessment of Agency Action | $250,000 | U.B. |
| **Office of the Attorney General** | | | |
| (1) | Targeted Prevention Campaigns | $3,000,000 | U.B. |
| (2) | Rape Crisis Centers (Statewide) | $10,000,000 | U.B. |
| (3) | Texas Association Against Sexual Assault | $500,000 | U.B. |
| (4) | Program Grants to Statewide Associations | $400,000 | U.B. |
| (5) | Sexual Trafficking | $1,000,000 | U.B. |
| (6) | Sexual Assault Advisory Council | $100,000 | U.B. |
| (7) | Support for SANEs | $1,400,000 | U.B. |
| (8) | Analysis of sexual assault evidence (rape kits) | $4,000,000 | U.B. |
| **Trusteed Programs, Office of the Governor** | | | |
| Prosecution Grants | | $1,000,000 | U.B. |
| **Texas Supreme Court** | | | |
| Legal Aid program (exclusively for SA victims) | | $4,000,000 | U.B. |

**Department of Family and Protective Services**

| | | |
|---|---|---|
| Sexually abused children | $35,000,000 | U.B. |

No appropriations of revenue generated from the Adult Entertainment Fee shall be made until a court, in a final judgment upheld on appeal or no longer subject to appeal, finds Section 102.054, Business & Commerce Code, to be constitutional.

The Sexual Assault Advisory Council shall convene at the behest of the Attorney General to, 1) report on the results of appropriations made by this provision, and 2) recommend a course of action for the 83rd Legislature to mitigate the prevalence and costs of sexual assault in Texas.

If generated revenue in the Sexual Assault Program Account 5010 are insufficient to support appropriations made in this provision and at such time as the Comptroller of Public Accounts deems appropriate, revenue in excess of the 2011 Biennial Revenue Estimate in account 5010 may be allocated to the appropriations made above on a prorated basis.
* Institute on Domestic Violence and Sexual Assault (IDVSA)

**Sec. 18.07. Contingency Appropriation for Senate Bill 9.**

a. In addition to amounts appropriated elsewhere in this Act, to the Department of Public Safety (DPS) and contingent upon enactment of Senate Bill 9 by the Eighty-Second Legislature, or similar legislation relating to drivers' license processing, the Department of Public Safety is appropriated the following General Revenue-Dedicated (Driver's License System Improvement Account) amounts:

    (1) $27,181,124 in fiscal year 2012 and $35,818,876 in fiscal year 2013 and the number of full time equivalents in the bill pattern in the Department of Public Safety is increased by 112 FTEs in fiscal year 2012 and 361 FTEs in fiscal year 2013 for the purpose of providing for Driver License, Contact Center, and Indirect Support Staff ; funding to augment staff during summer months; establishing six new mega centers and providing furniture/equipment for those mega centers; providing for acquisitions of new technology to reduce customer wait times; and providing equipment to open additional mobile offices; and

    (2) $550,000 in fiscal year 2012 and $550,000 in fiscal year 2013 for the purpose of expanded electronic fingerprint authority and capability.

b. Contingent on the Eighty-second Legislature not enacting SB9 or similar legislation relating to drivers' license processing, $27,731,124 in fiscal year 2012 and $36,368,876 in fiscal year 2013 are appropriated out of the State Highway Fund No. 006 to the Department of Public Safety for the same purposes stated in subsections (a)(1) and (a)(2). Also contingent on the Eighty-second Legislature not enacting SB9 or similar legislation relating to drivers' license processing, the number of full time equivalents in the bill pattern in the Department of Public Safety is increased by 112 FTEs in fiscal year 2012 and 361 FTEs in fiscal year 2013.

c. In addition to capital budget authority provided elsewhere in this Act, the Department of Public Safety is provided $1,413,252 in capital budget authority in fiscal year 2012 for Drivers' License Improvement Plan. Any capital budget authority remaining under this section as of August 31, 2012 are hereby transferred for the fiscal year beginning September 1, 2012 for the same purposes.

d. Any unexpended balances from appropriations listed above in subsections (a) or (b) that are remaining as of August 31, 2012 are hereby appropriated for the fiscal year beginning September 1, 2012 for the same purposes.

e. Out of funds appropriated in this section and Strategy D.2.2, Driving and Motor Vehicle Safety, in the bill pattern of the Department of Public Safety, the DPS shall ensure that at least ten driver license offices statewide employ, at a minimum, two staff members specially trained in reading and processing temporary visitor documents necessary for obtaining a temporary state driver license. At least one such office shall be located in each of Houston, Dallas/Ft. Worth Metroplex, San Antonio, El Paso, Laredo, McAllen, Brownsville and three other locations around the state. These employees shall provide assistance as necessary to other driver license offices in reading and processing temporary visitor documents.

f. Out of funds appropriated in this section and Strategy D.2.2, Driving and Motor Vehicle Safety, in the bill pattern of the Department of Public Safety, the DPS shall operate at least one mobile drivers license processing and application facility in each DPS region of the state.

**Sec. 18.08. Contingency for SB 1811 Foundation School Program Deferral.** Contingent on enactment of SB 1811 or similar legislation providing the legal basis for deferring the August 2013 Foundation School Program payment to school districts, appropriations made elsewhere in this Act from the Foundation School Fund 193 to the Texas Education Agency for the Foundation School Program are hereby reduced by $2,300,000,000 in fiscal year 2013. It is the intent of the legislature that this payment be made in September 2013 pursuant to the provisions of the bill. The sum-certain appropriation for the Foundation School Program as identified in Article III, Rider 3 of the Texas Education Agency's bill pattern shall be decreased commensurately.

**Sec. 18.09. Payroll Contribution for Group Health Insurance.**

a. Notwithstanding any other provision of this Act, out of appropriations made elsewhere in this Act to state agencies and institutions of higher education for the state fiscal biennium beginning September 1, 2011, each agency and institution of higher education shall contribute, in an amount equal to 1.0 percent of the total base wages and salaries for each benefits eligible employee of a state agency or institution of higher education during the state fiscal biennium beginning September 1, 2011 to the Employees Retirement System's Group Benefits Program.

b. For purposes of this section "institution of higher education" does not include components within the University of Texas and Texas A&M Systems.

c. State agencies and institutions of higher education shall contribute pursuant to this section to the Employees Retirement System to increase state funding for group health coverage by the value of the 1.0 percent contribution, estimated to be $160,000,000 for the 2012-13 biennium.

d. The calculation of base salary for purposes of the reductions made under this section excludes longevity pay, hazardous duty pay, benefit replacement pay, overtime pay, and other payments that are not part of the base salary of the employee.

e. Transfers made under this section shall be consistent with provisions requiring salaries and benefits to be proportional to the source of funds.

f. The Texas Higher Education Coordinating Board shall administer the requirements of this section for public community/junior colleges.

g. The Comptroller of Public Accounts shall promulgate rules and regulations as necessary to administer this section.

**Sec. 18.10. Transfer Authority for General Obligation Bond Debt Service.** Appropriations made elsewhere in this Act to the Texas Public Finance Authority (TPFA) for General Obligation Bond Debt Service, may be transferred from fiscal year 2013 to fiscal year 2012 for the same purpose. TPFA must notify the Legislative Budget Board and the Comptroller 30 days prior to the transfer of funds.

**Sec. 18.11. Contingency Appropriation for Oil and Gas-Related Activities.** In addition to amounts appropriated elsewhere in this Act, the Railroad Commission is appropriated out of the General Revenue Fund $5,000,000 in fiscal year 2012 and $5,000,000 in fiscal year 2013. The agency is authorized to expend funds out of this appropriation for oil-and gas-related activities in the following strategies in the following amounts:

| | 2012 | 2013 |
|---|---|---|
| Strategy A.1.1, Energy Resource Development | $ 591,924 | $ 587,978 |
| Strategy C.1.1, Oil and Gas Monitoring and Inspections | $2,204,796 | $2,167,866 |
| Strategy C.2.1, Oil and Gas Remediation | $2,081,408 | $2,120,022 |
| Strategy C.2.2, Oil and Gas Well Plugging | $ 92,212 | $ 93,923 |
| Strategy D.1.2, Public Information | $ 29,661 | $ 30,211 |

Additionally, the number of full time-equivalents in the bill pattern of the Railroad Commission is increased by 41.0 in each year of the fiscal biennium and $1,964,600 in additional capital budget authority for transportation items is granted to the Railroad Commission.

**Sec. 18.12. Additional Funding for Medicaid.**

a. In addition to amounts appropriated elsewhere in this Act, the Health and Human Services Commission (HHSC) is appropriated $387,096,467 in general revenue and $520,941,222 in federal funds in fiscal year 2013, and the Department of Aging and Disability Services (DADS) is appropriated $112,903,533 in general revenue and $151,941,724 in federal funds in fiscal year 2013, for a total increase of $1,172,882,946 in All Funds to the specified Article II agencies for the provision of Medicaid services.

b. Of the expected $500,000,000 general revenue appropriated to HHSC and DADS in Subsection (a), $262,000,000 of general revenue appropriated to HHSC and DADS in Subsection (a) is contingent on the Comptroller of Public Accounts certifying additional general revenue above the sum of the January 2011 Biennial Revenue Estimate and any additional general revenue certified as of the date of the enactment of this Act.

c. (1) Additionally, of the expected $500,000,000 general revenue appropriated to HHSC and DADS in Subsection (a), the remaining $238,000,000, which was not addressed under Subsection (b), is appropriated contingent on the Comptroller of Public Accounts certifying increased insurance premium tax collections associated with Medicaid managed care expansion. In the event that on July 31, 2012, Comptroller's estimate of biennial revenue collections are less than the projected $238,000,000, the Comptroller of Public Accounts shall proportionally reduce the appropriation authority provided above to be within the amount of revenue expected to be available. HHSC shall furnish information to the comptroller, as requested, regarding the status of the managed care expansion effort, the pace of expansion, the number of individuals affected to date and the number expected to be affected by August 31, 2013, and any other items deemed of significance in relation to the above-mentioned certification.

(2) If the Comptroller of Public Accounts does not certify the entire $238,000,000 amount listed in Subsection (c)(1) prior to July 31, 2012, then an amount equal to $238,000,000 of the general revenue appropriated to HHSC and DADS in Subsection (a) minus the amount of increased insurance premium tax collections associated with Medicaid managed care expansion certified under Subsection (c)(1) is contingent on the Comptroller of Public Accounts certifying additional general revenue above the sum of the January 2011 Biennial Revenue Estimate and any additional general revenue certified as of the date of the enactment of this Act.

**Sec. 18.13. Reduction for Employee Benefits.** Amounts appropriated elsewhere in this Act to provide for Social Security benefits for the 2012-13 biennium are hereby reduced to reflect the elimination of payroll growth for general state employees and employees of institutions of higher education. Amounts appropriated to pay Social Security insurance shall be reduced by $18,887,237 in General Revenue Funds, by $3,293,784 in General Revenue-Dedicated Funds, by $947,151 in Federal Funds, and by $1,237,730 in Other Funds, for a total of $24,365,902 in All Funds for the 2012-13 biennium.

**Sec. 18.14. Department of Information Resources: Enterprise Resource Planning.**

a. In addition to amounts appropriated elsewhere in this Act, the Department of Information Resources (DIR) is appropriated $6,737,961 in fiscal year 2012 and $6,597,952 in fiscal year 2013 from the General Revenue Fund to support an interagency contract with the Comptroller of Public Accounts (CPA) to manage the implementation and maintenance of an Enterprise Resource Planning (ERP) project with DIR.

b. In accordance with the CPA's duties pursuant to Government Code § 2101.036 to adopt standards for implementation and modification of state agency ERP systems, the CPA shall provide oversight for the project in order to implement a financial system that will be available for all state agencies. Funds appropriated under subsection (a) may be used as needed for other agencies implementing the financial system.

c. Any unexpended balances remaining as of August 31, 2012 are hereby appropriated for the fiscal year beginning September 1, 2012 for the same purpose.

**Sec. 18.15. Payments to the Department of Information Resources.** Before December 1 of each fiscal year, the Department of Information Resources (DIR) shall prepare a report which reflects the amount of unexpended and unobligated balances carried forward in the DIR Clearing Fund, Telecommunications Revolving, and Statewide Technology accounts, respectively from the previous fiscal year and submit the report to the Governor, Legislative Budget Board, and the Comptroller.

For purposes of this provision, "agency" includes a state agency, institution of higher education, or local governmental entity that uses DIR information technology commodity contracts, telecommunications or data center services, or is appropriated funds in this Act.

a. For purposes of this subsection and Rider 3, DIR Clearing Fund in DIR's bill pattern in Article I of this Act, "total revenue" means the total amount of administrative fees collected from users of DIR's information technology commodity contracts authorized by Government Code, Chapter 2157. In the event that unexpended and unobligated balances in the DIR Clearing Fund at the end of any fiscal year exceed 10 percent of total revenue as defined in this section, the portion of the excess over 10 percent from all funding sources shall be returned to agencies, no later than May 1 of each fiscal year. The excess returned to the agencies by DIR is appropriated to the agencies for expenditures consistent with the original funding source.

b. For purposes of this subsection and Rider 8, Telecommunications Revolving Account in DIR's bill pattern in Article I of this Act, "two month operating reserve" means the direct and indirect administrative costs for two months related to providing Telecommunications Services under Government Code Chapter 2170. In the event that unexpended balances in the Telecommunications Revolving Account at the end of any fiscal year exceed a two month operating reserve as defined in this section, the portion of the excess over the two month operating reserve funded from all funding sources shall be returned to agencies, no later than May 1 of each fiscal year. The excess returned to the agencies by DIR is appropriated to the agencies for expenditures consistent with the original funding source.

c. For purposes of this subsection and Rider 9, Statewide Technology Account, "two month operating reserve" means the annual projected average direct and indirect administrative costs for two months related to providing Data Center Services under Government Code Chapter 2054, Subchapter L. In the event that unexpended balances in the Statewide Technology Account at the end of any fiscal year exceed a two month operating reserve as defined in this section, the portion of the excess over the two month operating reserve funded from all funding sources shall be returned to agencies, no later than May 1 of each fiscal year. The excess returned to the agencies by DIR is appropriated to the agencies for expenditures consistent with the original funding source.

d. The Comptroller may prescribe accounting procedures and regulations to implement this section.

e. The reimbursement requirements established by this section may be waived or delayed, either in whole or in part, by the Legislative Budget Board.

f. DIR shall coordinate with the Legislative Budget Board on development of a methodology to implement this provision.

g. DIR shall require participating agencies to provide to DIR, and those agencies shall submit to DIR, information regarding the specific funding sources from which agencies pay administrative costs charged for the use of DIR's information technology commodity cooperative contracts, telecommunications, and/or data center services respectively and as applicable.

**Sec. 18.16. Executive Leadership Salaries.**

a. Out of amounts appropriated under this Act and notwithstanding any other provision of this Act, the Texas Transportation Commission shall conduct a nation-wide, comprehensive search for an Executive Director. The Commission shall set the amount of compensation for the Executive Director and not more than five additional senior leadership positions within the Group 8 salary classification, as provided in Article IX, Section 3.05(b)(2) of this Act. If the results of a study conducted by a consultant employed by the Commission indicate that the median compensation for a position in the private sector that is comparable to the Executive Director or one of the senior leadership positions is greater than the upper level of the Group 8 salary classification and on the basis of that study the Commission decides that it is in the best interest of the state and the agency

to exceed the limits of the Group 8 salary classification for that position, the Chair of the Commission shall submit for approval the amount of the compensation for that position to the Governor and the Legislative Budget Board. The amount submitted under this subsection may not exceed the median private sector amount for that position provided in the consultant's study. The amount of the compensation for a position submitted for approval under this subsection must be approved by the Governor and the Legislative Budget Board before the amount of compensation may be paid. The requested compensation amount shall be considered to be approved unless the Governor or the Legislative Budget Board issues a written disapproval within 30 days of the date on which the Chair of the Commission submitted the request.

b. The Executive Director position is an exempt position in addition to those listed above. The classification schedule under Section 2.01, Article IX, of this Act, does not apply to the five additional senior executive positions to which subsection (a) applies.

c. The commission shall pay the compensation amounts approved under subsection (a) out of the amounts appropriated under this Act for salaries and wages.

**Sec. 18.17. Appropriation of Liquidity Fees.** In addition to amounts appropriated elsewhere in this Act, the Comptroller of Public Accounts is hereby appropriated in Strategy B.4.1, Treasury Operations, amounts collected pursuant to Government Code § 404.027 (estimated to be $250,000 for the 2012-13 biennium) for the purpose of employing financial market experts, including financial advisors, swap advisors, bond counsel, and other similar market experts, as necessary, on issues impacting the financial condition of the state.

**Sec. 18.18. Contingency for SB 1928.** Contingent on enactment of Senate Bill 1928, or similar legislation relating to an African American Texans memorial monument on the Capitol grounds, by the Eighty-second Legislature, Regular Session, 2011, appropriations of unexpended and unobligated balances made elsewhere in this Act to the Texas Historical Commission for the Juneteenth memorial monument (estimated to be $112,938 in General Revenue) are hereby transferred and appropriated to the State Preservation Board for the 2012-13 biennium for the purpose of establishing an African American Texans memorial monument on the State Capitol grounds. In addition, and contingent upon enactment of legislation described herein, any unexpended balances resulting from the availability of funds out of liquidated encumbrances of the Historical Commission for the Juneteenth Memorial Monument as of August 31, 2011 (estimated to be $334,000 in General Revenue) are hereby transferred and appropriated for the 2012-13 biennium to the State Preservation Board for the African American Texans memorial monument.

**Sec. 18.19. Use of Trauma Fund Receipts.** In an effort to maximize the availability of federal funds under the Title XIX Medical Assistance Program for the purpose of providing reimbursement for uncompensated trauma care at designated facilities, the Department of State Health Services (DSHS) and the Health and Human Services Commission (HHSC) may enter into an interagency contract to allow for the transfer of funds from Account No. 5111, Trauma Facility and EMS, from DSHS to HHSC for this purpose. This interagency contract would allow for the transfer of the Account No. 5111 funds to the extent that the use of these funds in this manner would not reduce reimbursements that otherwise would have been provided for uncompensated trauma care to designated facilities.

**Sec. 18.20. Appropriation of Receipts Out of the General Revenue-Dedicated Game, Fish, and Water Safety Account No. 9.** Appropriations made elsewhere in this Act to the Texas Parks and Wildlife Department (TPWD) from the General Revenue-Dedicated Game, Fish and Water Safety Account No. 9 are hereby decreased in the following amounts:

| | FY 2012 | FY 2013 | Biennium |
|---|---|---|---|
| A.1.1, Wildlife Conservation | $ 733,334 | $ 733,334 | $ 1,466,668 |
| A.1.3, Hunting and Wildlife Recreation | $ 100,000 | $ 100,000 | $ 200,000 |
| A.2.1, Inland Fisheries Management | $ 683,333 | $ 683,333 | $ 1,366,666 |
| A.2.3, Coastal Fisheries Management | $ 683,333 | $ 683,333 | $ 1,366,666 |
| C.2.3, Promote TPWD Efforts | $ 100,000 | $ 100,000 | $ 200,000 |
| E.1.1, Central Administration | $ 527,833 | $ 527,832 | $ 1,055,665 |
| E.1.2, Information Resources | $ 200,000 | $ 200,000 | $ 400,000 |
| Method of Finance, Game Fish and Water Safety Account No. 9 | $ 3,027,833 | $ 3,027,832 | $ 6,055,665 |

Additionally, appropriations to TPWD from the General Revenue-Dedicated Game, Fish and Water Safety Account No. 9 are hereby increased in the following amounts:

| | FY 2012 | FY 2013 | Biennium |
|---|---|---|---|
| C.1.1, Enforcement Programs | $ 2,461,335 | $ 2,461,334 | $ 4,922,669 |
| C.1.2, Texas Game Warden Training Center | $ 627,900 | $ - | $ 627,900 |
| A.2.3, Coastal Fisheries Management | $ 252,548 | $ 252,548 | $ 505,096 |
| Method of Finance, Game Fish and Water Safety Account No. 9 | $ 3,341,783 | $ 2,713,882 | $ 6,055,665 |

FTEs funded with these amounts include 20.2 each fiscal year in Strategy C.1.1, Enforcement Programs, 5.5 in fiscal year 2012 in Strategy C.1.2, Texas Game Warden Training Center, and 2.5 each fiscal year in Strategy C.1.3, Law Enforcement Support.

Amounts in Rider 27, Appropriation of Receipts out of the General Revenue-Dedicated Accounts that are contingent on certification by a Comptroller finding of fact that receipts into the General Revenue-Dedicated Game, Fish and Water Safety Account No. 9 are in excess of the amounts reflected in the Comptroller's Biennial Revenue Estimate appropriated elsewhere in this Act to TPWD are increased by $527,833 in fiscal year 2012 and $527,832 in fiscal year 2013, or $1,055,665 for the biennium, for a total of $6,055,665 for the biennium.

**Sec. 18.21. General Revenue Reduction for Medicaid.**

a. From amounts appropriated elsewhere in this Act, appropriations for Strategy B.1.4., Children and Medically Needy in the bill pattern of the Health and Human Services Commission are hereby decreased by $200,000,000 from general revenue in fiscal year 2013.

b. Contingent on the Comptroller of Public Accounts certifying additional general revenue above the sum of the January 2011 Biennial Revenue Estimate and any additional general revenue certified as of the date of the enactment of this Act, the Health and Human Services Commission is appropriated an amount not to exceed the amount by which it was reduced in subsection (a) from general revenue for the same purposes for the 2012-13 fiscal biennium.

**Sec. 18.22. Additional Funding for Junior Colleges.** In addition to funds appropriated elsewhere in this Act, public community/junior colleges are hereby appropriated General Revenue in the amount of $17,321,780 in fiscal year 2012 and $17,321,780 in fiscal year 2013. The calculation by the Higher Education Coordination Board of these additional formula funds shall be distributed among the 50 districts based on the same formula metrics used to allocate the Instruction and Administration formula in the 2012-13 biennium.

**Sec. 18.23. Foundation School Program Adjustments.** Appropriations from the Foundation School Fund No. 193 in Article III, Texas Education Agency's bill pattern, Strategy A.1.1, FSP - Equalized Operations, are hereby reduced by $438,900,000 in fiscal year 2012 and $361,100,000 in fiscal year 2013. These adjustments reflect a lower estimate of the state cost of the Foundation School Program in the 2012-13 biennium due to updated pupil projections and projections of district property values. Property values, and the estimates of local tax collections on which they are based, shall be decreased by 0.97 percent for tax year 2011, then increased by 0.52 percent for tax year 2012.

The sum-certain appropriation for the Foundation School Program as identified in Article III, Rider 3 of the Texas Education Agency's bill pattern, shall be decreased commensurately to reflect these adjustments.

**Sec. 18.24. National Museum of the Pacific War.** In addition to amounts appropriated elsewhere in this Act, there is hereby appropriated $200,000 in each fiscal year of the 2012-13 biennium out of the General Revenue Fund to the Texas Historical Commission in Strategy A.1.6, Historic Sites, for the National Museum of the Pacific War.

**Sec. 18.25. Reduction to State Appropriations.** General Revenue and General Revenue-Dedicated appropriations made elsewhere in this Act to state agencies and institutions of higher education, save for appropriations for the Foundation School Program, the state Medicaid program, estimated appropriations, and debt service, are hereby reduced by $250,000,000 in fiscal year 2013 proportional to each affected entity's level of General Revenue and General Revenue-Dedicated appropriation herein.

a. The Legislative Budget Board and the Comptroller of Public Accounts shall make a calculation of that total amount of reduction for each entity. This calculation shall include an allocation of the total reduction between General Revenue and General Revenue-Dedicated, accounting for funds which are not subject to certification.

b. State agencies and institutions of higher education are directed to manage fiscal and human resources to protect the core services of the agency or institution while operating under the limitations of this and other provisions of this Act.

Should the Comptroller of Public Accounts certify any general revenue receipts in excess of the amount of probable general revenue receipts for the biennium ending August 31, 2013 (stated in the Comptroller's Biennial Revenue Estimate for 2012-2013 and any additional general revenue certified as of the date of the enactment of this Act) and as further adjusted for estimates of revenue associated with legislation enacted by the 82nd Legislature, appropriations to the state agencies and institutions of higher education reduced in this section are hereby increased by a like amount not to exceed $250,000,000 in proportion to the reduction identified above.

**Sec. 18.26. Facility Closure.** It is the intent of the legislature that the Texas Youth Commission collaborate with the Texas Workforce Commission and the Governor's Office to find employment opportunities for employees of the Texas Youth Commission who will be terminated as a result of facility closures during the 2012-13 biennium.

**Sec. 18.27. Teacher Retirement System and Employees Retirement System: Pilot Program to Test Alternative Payment Systems.** Out of funds appropriated elsewhere in this Act to the Teacher Retirement System (TRS) and the Employees Retirement System (ERS), TRS and ERS are each authorized to establish a pilot program under which physicians and health care providers who provide health care services to employees and retirees and their dependents participating in the group benefits programs administered by TRS and ERS are compensated under a payment system designed to test alternatives to traditional fee-for-service payments. To the extent practicable, the program must be based on nationally recognized quality of care standards and evidence-based best practices, and must include policies designed to promote provider collaboration and other policies and practices as necessary to ensure high-quality and effective health care services.

**Sec. 18.28. Tax Amnesty.** It is the intent of the Legislature that the Comptroller of Public Accounts establish, for a limited duration, a tax amnesty program under the authority of Tax Code Section 111.103, designed to encourage a voluntary reporting by delinquent taxpayers who do not hold a permit, or are otherwise not registered for a tax or fee administered by the Comptroller, or those permitted taxpayers that may have underreported or owe additional taxes or fees. Such a program should provide for the waiver of penalty or interest, or both, but shall not apply to an established tax liability or taxpayers currently under audit review. The amnesty would include tax due from purchases as defined under current state tax statutes. It is the intent of the legislature that this effort increase General Revenue Funds by at least $75,000,000 over the Comptroller's January 2011 Biennial Revenue Estimate and any additional general revenue certified as of the date of the enactment of this Act.

**Sec. 18.29. Salary Executive Director of the Texas Department of Licensing and Regulation.** Notwithstanding any other provision of this Act regarding the salary of the executive director of the Texas Department of Licensing and Regulations (TDLR), the TDLR may pay the executive director of the TDLR an annual salary not to exceed $150,000.

**Sec. 18.30. Department of Transportation: Enterprise Resource Planning System.** It is the intent of the Legislature that any funds expended for the Enterprise Resource Planning System under the authority provided in Rider 40, Unexpended Balances Appropriation: Management Information System and Enterprise Resource Planning System, in the bill pattern for the Department of Transportation elsewhere in this Act shall be prioritized to meet the requirements of the department's financial systems without a loss of the systems' current functionality and efficiencies, as determined by the department.

**Sec. 18.31. Contingency for Senate Bill 665 or Senate Bill 825 or Governor Designation.** Contingent on enactment of Senate Bill 665, Senate Bill 825, or similar legislation relating to designating a state agency other than the Secretary of State as the state's colonia initiatives coordinator, by the Eighty-second Legislature, Regular Session, 2011, or contingent on the Governor designating a state agency other than the Secretary of State as the state's colonia initiatives coordinator, amounts appropriated elsewhere in this Act to the Secretary of State in Strategy C.1.2, Colonia Initiatives and associated Full-Time-Equivalent positions each fiscal year, shall be transferred to the designated state agency.

**Sec. 18.32. Contingency for HB 2728.** Contingent on enactment of HB 2728, or similar legislation relating to the operation and regulation of charitable bingo, by the Eighty-second Legislature, Regular Session, the Texas Lottery Commission is appropriated $41,151 in General Revenue Funds for fiscal year 2012 and $37,687 in General Revenue for fiscal year 2013 to implement the provisions of the legislation. The "Number of Full-Time Equivalents (FTE)" in the agency bill pattern is increased by 1.0 FTEs in fiscal year 2012 and 1.0 FTEs in fiscal year 2013. These amounts are contingent upon the Lottery Commission assessing or increasing revenues sufficient to generate, during the 2012-13 biennium, $96,516 in excess of $5,988,000 (Object Code 3152), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2012 and 2013. The Lottery Commission, upon completion of necessary actions to assess or increase generate such additional revenues, shall furnish copies of the Lottery Commission's minutes and other information supporting the estimated revenues to be generated for the 2012-13 biennium under the revised fee revenue structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes. For informational purposes, the amount of increased revenue identified above reflects amounts sufficient to cover direct appropriations of $78,838 and other direct and indirect costs (estimated to be $17,678 for the 2012-13 biennium).

**Sec. 18.33. Contingency for HJR 109 or SJR 5.** Appropriations from the Foundation School Fund (Fund 193) made in Article III, Texas Education Agency Strategy A.1.1, FSP - Operations, for the Foundation School Program, are hereby reduced by 150,000,000 in each fiscal year of the 2012-13 biennium. The Texas Education Agency is hereby appropriated from the Available School Fund (General Revenue) to the Foundation School Program in Strategy A.1.1, FSP - Operations an amount estimated to be $150,000,000 in each fiscal year of the 2012-13 biennium, contingent upon all of the following:

a. passage and enactment of HJR 109, SJR 5 or similar legislation relating to proposing a constitutional amendment to clarify references to the Permanent School Fund and to allow the General Land Office or other entity to distribute revenue derived from Permanent School Fund land or other properties to the Available School Fund;

b. voter approval of the associated constitutional amendment; and

c. the distribution of funds from the General Land Office to the Available School Fund pursuant to the provisions of the legislation.

**Sec. 18.34. Contingency for HB 51.** Contingent upon enactment of HB 51, or similar legislation relating to energy efficiency standards for certain buildings and high-performance design, construction and renovation standards for certain buildings and facilities of institutions of higher education, by the Eighty-second Legislature, Regular Session, 2011, in addition to amounts appropriated elsewhere in this Act, the Fiscal Programs - Comptroller of Public Accounts is appropriated $100,000 in each fiscal year of the 2012-13 biennium from the General Revenue Fund in Strategy B.1.1, Energy Office, to implement the provisions of the legislation.

**Sec. 18.35. Contingency Appropriation for House Bill 175.** Contingent on enactment of HB 175, relating to the on-premises consumption of certain alcoholic beverages; providing a penalty, by the Eighty-second Legislature, Regular Session, the Texas Alcoholic Beverage Commission is appropriated fee revenue not to exceed $10,143 in General Revenue Funds in fiscal year 2012 and $10,143 in General Revenue Funds in fiscal year 2013 to implement the provisions of the legislation. In no event shall the amount expended by this provision exceed the amount of additional fee revenue generated pursuant to HB 175.

**Sec. 18.36. Contingency for HB 189: Audit, Inspection, and Licensing for Ignition Interlock Devices.** Contingent on enactment of HB 189, or similar legislation relating to the audit, inspection, and licensing for ignition interlock devices, by the Eighty-second Legislature, Regular Session, the Department of Public Safety is appropriated fee revenue not to exceed $1,290,441 in fiscal year 2012 and $1,172,580 in fiscal year 2013 to implement the provisions of the legislation. In no event shall the amount expended by this provision exceed the amount of additional fee revenue generated pursuant to House Bill 189. The "Number of Full-Time-Equivalent Positions" indicated in the Department of Public Safety's bill pattern is increased by 17.0 in fiscal year 2012 and 17.0 in fiscal year 2013.

**Sec. 18.37. Contingency for HB 268.** Contingent on enactment of HB 268, or similar legislation relating to the exemption from sales and use taxes, including the motor vehicle sales and use tax, for timber and certain items used in or on a farm, ranch, timber operation, or agricultural aircraft operation, by the Eighty-second Legislature, Regular Session, 2011, in addition to amounts appropriated elsewhere in this Act, the Comptroller of Public Accounts is appropriated $837,756 for fiscal year 2012 and $119,756 for fiscal year 2013 from the General Revenue Fund in Strategy C.1.1, Revenue and Tax Processing, and the "Number of Full-Time Equivalents (FTE)" is increased by 2.0 FTEs in each fiscal year of the 2012-13 biennium to implement the provisions of the legislation.

**Sec. 18.38. Contingency for HB 272 or SB 1432.**

a. Contingent on enactment of HB 272 or SB 1432, or similar legislation relating to the operation of the Texas Windstorm Insurance Association and to the resolution of certain disputes concerning claims made to that association, by the Eighty-second Legislature, Regular Session, 2011, the Texas Department of Insurance is appropriated $131,370 in fiscal year 2012 and $121,767 in fiscal year 2013 from General Revenue Insurance Companies Maintenance Tax and Insurance Department Fees to implement the provisions of the legislation. The "Number of Full-Time Equivalents (FTE)" in the agency's bill pattern is increased by 2.0 FTEs in fiscal year 2012 and 2.0 FTEs in fiscal year 2013.

b. Contingent on enactment of HB 272 or SB 1432, or similar legislation relating to the operation of the Texas Windstorm Insurance Association and to the resolution of certain disputes concerning claims made to that association, by the Eighty-second Legislature, Regular Session, 2011, the Texas Public Finance Authority (TPFA) is appropriated $750,000 in fiscal year 2012 out of Appropriated Receipts from the Texas Windstorm Insurance Association to implement the provisions of the legislation. Any unexpended balances in Appropriated Receipts made in this subsection and remaining as of August 31, 2012, are appropriated to TPFA for the same purposes for the fiscal year beginning September 1, 2012.

**Sec. 18.39. Contingency for HB 500.** Contingent on enactment of HB 500, or similar legislation, relating to state-adopted assessment instruments administered to public school students, by the Eighty-second Legislature, Regular Session, the Texas Education Agency appropriation is hereby reduced by $1,290,000 in fiscal year 2012 and $2,400,000 in fiscal year 2013 in General Revenue in Strategy B.1.1, Assessment and Accountability System, to implement the provisions of the legislation, and the appropriation to Strategy B.3.2, Agency Operations, is hereby increased by $90,000 in General Revenue in fiscal year 2012 and by $290,000 in fiscal year 2013. In addition, the "Number of Full-Time Equivalents (FTE)" indicated in the agency's bill pattern is hereby increased by 1.0 FTEs in fiscal year 2012 and by 1.0 FTEs in fiscal year 2013.

**Sec. 18.40. Contingency for HB 571.** Contingent on enactment of HB 571, or similar legislation relating to the regulation of certain aggregate production by the Texas Commission on Environmental Quality (TCEQ), by the Eighty-second Legislature, Regular Session, there is hereby appropriated to the TCEQ out of the Water Resource Management Account No. 153 an amount not to exceed $308,349 in fiscal year 2012 and an amount not to exceed $227,019 in fiscal year 2013. In addition, the "Number of Full-Time Equivalents" indicated herein for the TCEQ is hereby increased by 4.0 in each fiscal year of the 2012-13 biennium.

This appropriation is contingent upon fee revenues from registration fees authorized by the bill and deposited to the credit of the Water Resource Management Account No. 153 sufficient to generate, during the 2012-13 biennium, revenue to cover the appropriation for the regulation of aggregate production as well as "other direct and indirect costs" for the program appropriated elsewhere in this Act. "Other direct and indirect costs" are estimated to be $64,000 in fiscal year 2012 and $64,000 in fiscal year 2013. 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.

The TCEQ, upon completion of necessary actions to assess the aggregate operations registration fee, shall furnish copies of the minutes and other information supporting the estimated revenues to be generated for the 2012-13 biennium to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues in excess of those estimated in the Comptroller's Biennial Revenue Estimate for 2012-13, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purpose.

**Sec. 18.41. Contingency for HB 1000.** Contingent upon the enactment of HB 1000, or similar legislation relating to the allocation of National Research University Fund proceeds, by the Eighty-second Legislature, Regular Session, the proceeds of the National Research University Fund available for allocation are hereby appropriated in Other Funds for each year of the biennium ending August 31, 2013 for the purpose of implementing that Act.

An estimated $12.4 million would be distributed to qualified universities over the biennium. The total amount appropriated from the fund for any fiscal year cannot exceed an amount equal to 4.5 percent of the average net market value of the investment assets of the fund for the 12 consecutive state fiscal quarters ending with the last quarter of the preceding state fiscal year as determined by the Comptroller of Public Accounts.

In determining if an institution is eligible to receive a distribution from the National Research University Fund, the Higher Education Coordinating Board would use the following parameters; is the institution designated as an emerging research university; has the university expended at least $45 million in restricted research funds; does the university have at least $400 million in endowment funds; has the university awarded at least 200 doctor of philosophy degrees; is the university a member of the Association of Research Libraries; does the university have a high quality faculty and is it committed to high quality graduate education.

**Sec. 18.42. Contingency for HB 1146.** Contingent on enactment of HB 1146, or similar legislation relating to the registration and regulation of appraisal management companies, by the Eighty-second Legislature, Regular Session, the Texas Real Estate Commission is hereby appropriated $385,050 in General Revenue Funds for fiscal year 2012 and $307,099 in General Revenue Funds for fiscal year 2013 to implement the provisions of the legislation. This appropriation is also contingent on the Texas Real Estate Commission assessing or increasing fees sufficient to generate, in addition to revenue requirements elsewhere in this Act, during the 2012-13 biennium, $848,005 in excess of $18,539,000 (Object Code 3175), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2012 and 2013. Also, the "Number of Full-Time Equivalents (FTE)" indicated in the Texas Real Estate Commission's bill pattern shall be increased by 5.0 FTEs in fiscal year 2012 and 5.0 FTEs in fiscal year 2013 contingent upon the agency meeting the above revenue target. The Texas Real Estate Commission, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Texas Real Estate Commission's minutes and other information supporting the estimated revenues to be generated for the 2012-13 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes. For informational purposes, the amount of increased revenue identified above reflects amounts sufficient to cover direct appropriations of $692,149 and other direct and indirect costs (estimated to be $155,856 for the 2012-13 biennium).

**Sec. 18.43. Contingency for HB 1451.** Contingent on enactment of HB 1451, or similar legislation relating to the regulation of dog and cat breeders and dealers, by the Eighty-second Legislature, Regular Session, the Department of Licensing and Regulation is appropriated $493,136 in General Revenue Funds for fiscal year 2012 and $493,136 in General Revenue Funds for fiscal year 2013 to implement the provisions of the legislation. This appropriation is also contingent on the Department of Licensing and Regulation assessing or increasing fees sufficient to generate, in addition to revenue requirements elsewhere in this Act, during the 2012-13 biennium, $1,130,484 in excess of $75,826,310 (Object Codes 3035, 3146, 3147, 3160, 3161, 3164, 3175, 3366, 3727) contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2012 and 2013. Also, the "Number of Full-Time Equivalents (FTE)" indicated in agency's bill pattern shall be increased by 6.0 FTEs in fiscal year 2012 and 6.0 FTEs in fiscal year 2013, contingent upon the agency meeting the above revenue target. The Department of Licensing and Regulation, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Department of Licensing and Regulation's minutes and other information supporting the estimated revenues to be generated for the 2012-13 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes. For informational purposes, the amount of increased revenue identified above reflects amounts sufficient to cover direct appropriations of $986,272 and other direct and indirect costs (estimated to be $144,212 for the 2012-13 biennium).

**Sec. 18.44. Contingency Appropriation for HB 1772/SB 1430.** Contingent on enactment of HB 1772/SB 1430, or similar legislation relating to the regulation of certain benefit plans, by the Eighty-second Legislature, Regular Session, the Texas Department of Insurance is appropriated $59,916 in

fiscal year 2012 and $54,914 in fiscal year 2013 from General Revenue-Dedicated Texas Department of Insurance Operating Account Fund No. 036 and $109,195 in fiscal year 2012 and $100,081 in fiscal year 2013 from General Revenue Insurance Companies Maintenance Tax and Insurance Department Fees to implement the provisions of the legislation. The "Number of Full-Time Equivalents (FTE)" in the agency's bill pattern is increased by 3.0 FTEs in fiscal year 2012 and 3.0 FTEs in fiscal year 2013.

**Sec. 18.45. Contingency Appropriation for HB 1853/SB 1748.** Contingent on enactment of HB 1853/SB 1748, or similar legislation relating to the licensing and regulation of certain employees of fire protection sprinkler system contractors, by the Eighty-second Legislature, Regular Session, the Texas Department of Insurance is appropriated $141,977 in fiscal year 2012 and $134,914 in fiscal year 2013 from General Revenue-Dedicated Texas Department of Insurance Operating Account Fund No. 036 to implement the provisions of the legislation. The "Number of Full-Time Equivalents (FTE)" in the agency bill pattern is increased by 2.5 FTEs in fiscal year 2012 and 3.0 FTEs in fiscal year 2013.

**Sec. 18.46. Contingency Appropriation for House Bill 1936.** Contingent on enactment of HB 1936, or similar legislation relating to importation and shipment of alcoholic beverages for personal consumption by the Eighty-second Legislature, Regular Session, the Texas Alcoholic Beverage Commission is appropriated fee revenue not to exceed $12,750 in General Revenue Funds in fiscal year 2012 and $12,750 in General Revenue Funds in fiscal year 2013 to implement the provisions of the legislation. In no event shall the amount expended by this provision exceed the amount of additional fee revenue generated pursuant to House Bill 1936.

**Sec. 18.47. Contingency for HB 1951/SB 644.** Contingent on enactment of HB 1951/SB 644, or similar legislation relating to the continuation and operation of the Texas Department of Insurance (TDI) and the operation of certain insurance programs, by the Eighty-second Legislature, Regular Session, all fees collected by the State Fire Marshal's Office at TDI for inspections of privately owned buildings, shall be appropriated to TDI to cover the costs of administering the provisions of the legislation.

**Sec. 18.48. Contingency for HB 2098.** Contingent on enactment of HB 2098, or similar legislation relating to the authority of physicians and physician assistants to form certain entities, by the Eighty-second Legislature, Regular Session, the Texas Medical Board is appropriated $14,000 in General Revenue Funds for fiscal year 2012 and $14,000 in General Revenue Funds for fiscal year 2013 to implement the provisions of the legislation. This appropriation is also contingent on the Texas Medical Board assessing or increasing fees sufficient to generate, in addition to revenue requirements elsewhere in this Act, during the 2012-13 biennium, $35,800 in excess of $39,888,000 (Object Code 3560 and 3562), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2012 and 2013. Also, the "Number of Full-Time Equivalents (FTE)" indicated in the Texas Medical Board's bill pattern shall be increased by 0.5 FTEs in fiscal year 2012 and 0.5 FTEs in fiscal year 2013 contingent upon the agency meeting the above revenue target. The Texas Medical Board, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Texas Medical Boards' minutes and other information supporting the estimated revenues to be generated for the 2012-13 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes. For informational purposes, the amount of increased revenue identified above reflects amounts sufficient to cover direct appropriations of $28,000 and other direct and indirect costs (estimated to be $7,800 for 2012-13).

**Sec. 18.49. Contingency for HB 2271/SB 659.** Contingent on enactment of HB 2271/SB 659, or similar legislation relating to the continuation and functions of the Texas Racing Commission, the abolishment of the Equine Research Account Advisory Committee, and the authority of Texas AgriLife Research, by the Eighty-second Legislature, Regular Session, the Texas Racing Commission is appropriated $294,589 in General Revenue - Dedicated Texas Racing Commission Account No. 597 for fiscal year 2012 and $287,561 in General Revenue - Dedicated Texas Racing Commission Account No. 597 for fiscal year 2013 to implement the provisions of the legislation. This appropriation is also contingent on the Texas Racing Commission assessing or increasing fees sufficient to generate, in addition to revenue requirements elsewhere in this Act, during the 2012-13 biennium, $623,174 in excess of $17,058,000 (Object Codes 3188, 3189, 3190, 3193, 3194, and 3197), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2012 and 2013. Also, the "Number of Full-time Equivalents (FTEs)" indicated in agency's bill pattern shall be increased by 1.0 FTE in fiscal year 2012 and 1.0 FTE in fiscal year 2013 contingent upon the agency meeting the above revenue target. The Texas Racing Commission, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Texas Racing Commission's minutes and other

information supporting the estimated revenues to be generated for the 2012-13 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes. For informational purposes, the amount of increased revenue identified above reflects amounts sufficient to cover direct appropriations of $582,150 and other direct and indirect costs (estimated to be $41,024 for the 2012-13 biennium).

**Sec. 18.50. Contingency for SB 1213/HB 2277.** Contingent on enactment of SB 1213/HB 2277, or similar legislation relating to consumer protections in the purchase of life settlement contracts, by the Eighty-second Legislature, Regular Session, the Texas Department of Insurance is appropriated $43,678 in fiscal year 2012 from General Revenue-Dedicated Texas Department of Insurance Operating Account Fund No. 036 and $160,154 in fiscal year 2012 and $186,181 in fiscal year 2013 from General Revenue Insurance Companies Maintenance Tax and Insurance Department Fees to implement the provisions of the legislation. The "Number of Full-Time Equivalents (FTE)" in the agency bill pattern is increased by 3.0 FTEs in fiscal year 2012 and 3.0 FTEs in fiscal year 2013.

**Sec. 18.51. Contingency for HB 2365.** Contingent on enactment of HB 2365, or similar legislation relating to certain responsibilities of education research centers and to a joint advisory board for education research centers, by the Eighty-second Legislature, Regular Session, the Texas Education Agency (TEA) is hereby appropriated $347,901 in fiscal year 2012 and $319,901 in fiscal year 2013 from the General Revenue Fund, to implement the provisions of the legislation. These appropriations are contingent upon the TEA assessing fees sufficient to generate, during the 2012-13 biennium, revenue to cover the appropriations for implementation of the legislation as well as associated "other direct and indirect costs" appropriated elswhere in this Act. In the event that actual and/or projected revenue collections are insufficient to offset the costs identified by this provision, the Comptroller of Public Accounts may reduce the appropriation authority provided herein to be within the amount of revenue expected to be available.

**Sec. 18.52. Contingency for HB 2408/SB 1457.** Contingent on enactment of HB 2408/SB 1457, or similar legislation relating to the regulation of the title insurance industry, by the Eighty-second Legislature, Regular Session, the Texas Department of Insurance is appropriated $535,708 in fiscal year 2012 and $561,063 in fiscal year 2013 from General Revenue Insurance Companies Maintenance Tax and Insurance Department Fees to implement the provisions of the legislation. The "Number of Full-Time Equivalents (FTE)" in the agency bill pattern is increased by 8.5 FTEs in fiscal year 2012 and 8.5 FTEs in fiscal year 2013.

**Sec. 18.53. Contingency for HB 2499: Transfer of Certain Functions to the Comptroller of Public Accounts from the Department of Information Resources.**

a. Contingent on the enactment of HB 2499, or similar legislation, by the Eighty-Second Legislature, Regular Session, 2011, relating to the transfer of procurement functions under § 2157.068, Government Code, or other law relating to information and communications technology cooperative contracts, all amounts appropriated to the Department of Information Resources, including amounts appropriated in riders, related to the direct and indirect costs of administration of duties identified herein are hereby transferred and appropriated to the Comptroller of Public Accounts for the same purposes, as follows:

| Method of Finance | FY 2012 | FY 2013 |
|---|---|---|
| Clearing Fund- Appropriated Receipts | $6,366,024 | $5,962,541 |
| Clearing Fund- Interagency Contracts | $2,728,297 | $2,555,375 |
| All Funds | $9,094,321 | $8,517,916 |

In addition, 34.0 full-time-equivalent positions shall be transferred to the Comptroller of Public Accounts each fiscal year of the 2012-13 biennium. All property, contracts, and funds shall transfer as set out in HB 2499, or similar legislation, at the direction of the comptroller.

b. Contingent on the enactment of HB 2499, or similar legislation, by the Eighty-Second Legislature, Regular Session, 2011, relating to the transfer of procurement functions under Section 2157.068, Government code, in addition to amounts appropriated elsewhere in this Act, the Department of Information Resources (DIR) is appropriated $4,830,827 in fiscal year 2012 and $4,298,577 in fiscal year 2013 out of General Revenue to the following strategies: A.1.1, Statewide Planning; A.1.2, Rule and Guideline Development; A.1.3, Statewide Security; B.1.1,

Contract Administration of IT Commodities & Services; B.2.3, Shared Services and/or Technology Centers; D.1.1, Central Administration; D.1.2, Information Resources; and D.1.3,

Other Support Services, to support DIR agency operations and implement the provision of HB 2499 and any additional responsibilities required by the Eighty-second Legislature, Regular Session, 2011.

Any unexpended and unobligated balances remaining as of August 31, 2012 out of appropriations made herein are hereby appropriated for the same purposes to DIR for the fiscal year beginning September 1, 2012.

**Sec. 18.54. Contingency for HB 2678 or SB 1114.** Contingent on enactment of HB 2678 or SB 1114, or similar legislation relating to driver training and education, by the Eighty-second Legislature, Regular Session, any fees collected pursuant to the provisions of the legislation are hereby appropriated to the Texas Education Agency (TEA) to implement the provisions of the legislation. These appropriations are contingent upon the TEA assessing fees sufficient to generate, during the 2012-13 biennium, revenue to cover the appropriations for implementation of the legislation as well as associated "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 Comptroller of Public Accounts may reduce the appropriation authority provided herein to be within the amount of revenue expected to be available.

**Sec. 18.55. Additional Appropriations Priorities Contingent on Availability of Revenue.**

a. Contingent on the Comptroller certifying that sufficient revenue is available the following appropriations are made for the purposes specified:

(1) First, it is the it is the intent of the Legislature that the Comptroller shall, use any additional revenue above the sum of the January 2011 Biennial Revenue Estimate and any additional general revenue certified as of the date of the enactment of this Act, to fund the Medicaid programs to the extent that the comptroller is able to certify the first $262,000,000 of the $500,000,000 appropriated under Article IX, Sec. 18.12, Additional Funding for Medicaid;

(2) Second, after fully funding the appropriation item as directed under Subdivision (1) of this Subsection (a), it is the intent of the Legislature that the Comptroller shall, to the extent that revenue is available above the sum of the January 2011 Biennial Revenue Estimate and any additional general revenue certified as of the date of the enactment of this Act, fund the Medicaid programs to the extent that the comptroller is unable to certify the $238,000,000 increased insurance premium tax collections associated with Medicaid managed care expansion under Article IX, Sec. 18.12, Additional Funding for Medicaid;

(3) Third, after fully funding the appropriation items as directed under Subdivision (1) of this Subsection (a) and next under Subdivision (2) of this Subsection (a), it is the intent of the Legislature that the Comptroller shall, to the extent that revenue is available above the sum of the January 2011 Biennial Revenue Estimate and any additional general revenue certified as of the date of the enactment of this Act, restore appropriation reductions made under Sec. 18.21, General Revenue Reduction for Medicaid; and

(4) Fourth, after fully funding the appropriation items as directed under Subdivision (1) of this Subsection (a) and next under Subdivision (2) of this Subsection (a) and next under Subdivision (3) of this Subsection (a), it is the intent of the Legislature that the Comptroller shall, to extent that funds are available above the sum of the January 2011 Biennial Revenue Estimate and any additional general revenue certified as of the date of the enactment of this Act, restore the $250,000,000 appropriation reductions made under this Act, Article IX, Section 18.25, Reduction to State Appropriations, under which the Comptroller is directed to reduce certain appropriations made under this Act from General Revenue and General Revenue-Dedicated accounts.

After fully funding the appropriation priority items in the order as directed under Subsection (a) of this Section if there is any additional revenue above the sum of the January 2011 Biennial Revenue Estimate and any additional general revenue certified as of the date of the enactment of this Act, then it is the intent of the legislature that the comptroller divide the additional revenue proportionally among the various appropriations made contingent on additional revenue under this Act, appropriations that might be made under House Bill 4 and which are made contingent on

any additional revenue above the sum of the January 2011 Biennial Revenue Estimate and any subsequently certified additional general revenue, and any similar contingent appropriations made by other Acts of the 82nd Legislature, Regular Session, 2011.

**Sec. 18.56. Contingency for HB 2694.**

a. **Transfer of Groundwater Protection Recommendations:** Contingent on enactment of HB 2694, or similar legislation providing for the continuation of the Texas Commission on Environmental Quality (TCEQ) and the transfer of the authority for making groundwater protection recommendations from the TCEQ to the Railroad Commission, by the Eighty-second Legislature, Regular Session, appropriations to the TCEQ out of the Water Resource Management Account No. 153 are hereby reduced by $784,740 in each fiscal year of the 2012-13 biennium and appropriations to the Railroad Commission are hereby increased by $784,740 in each fiscal year of the 2012-13 biennium. The additional appropriation to the Railroad Commission shall be limited to fee revenues from expedited surface casing fees deposited to the General Revenue Fund that legislation would authorize the Railroad Commission to collect. In addition, the "Number of Full-Time Equivalents" (FTEs) contained herein for the TCEQ is hereby decreased by 9.0 in each fiscal year of the 2012-13 biennium, and the "Number of Full-Time Equivalents" (FTEs) contained herein for the Railroad Commission is hereby increased by 9.0 in each fiscal year of the 2012-13 biennium. The Legislative Budget Board is authorized to resolve any dispute concerning the transfer described in this rider.

b. **Creation of Low-Level Radioactive Waste Disposal Compact Commission Account.** Contingent on enactment of House Bill 2694, or similar legislation providing for the continuation of the Texas Commission on Environmental Quality (TCEQ) and creating the Low-Level Radioactive Waste Disposal Compact Commission Account, by the Eighty-second Legislature, Regular Session, and notwithstanding appropriations contained herein, appropriations to the Texas Commission on Environmental Quality out of the Low-Level Waste Account No. 88 are hereby reduced in 2013 by $583,289, and the TCEQ is hereby appropriated $583,289 out of the Low-Level Radioactive Waste Disposal Compact Commission Account in fiscal year 2013 to be allocated for use by the Low-Level Radioactive Waste Disposal Compact Commission for operating costs relating to regulatory activities, policy implementation, staffing, travel, and other general operating expenses.

**Sec. 18.57. Contingency for SB 1811 or SB 1582 or HB 2949.** Contingent on enactment of SB 1811 or SB 1582 or HB 2949, or similar legislation relating to state fiscal matters and collection improvement audits, by the Eighty-second Legislature, Regular Session, the Office of Court Administration is appropriated $550,448 in fiscal year 2012 and $529,824 in fiscal year 2013 from General Revenue Funds to implement the provisions of the legislation. In addition, the "Number of Full-Time Equivalents (FTE)" indicated in the Office of Court Administration's bill pattern is increased by 8.0 FTEs in fiscal year 2012 and 8.0 FTEs in fiscal year 2013.

**Sec. 18.58. Contingency for HB 3134.** Contingent on enactment of HB 3134, or similar legislation relating to the plugging of inactive oil and gas wells, by the Eighty-second Legislature, Regular Session, and in addition to amounts appropriated herein, there is hereby appropriated out of the Oil Field Cleanup Account No. 145, or out of an account that would replace it, to the Railroad Commission, or its successor agency, an amount not to exceed $354,799 in each fiscal year of the 2012-13 biennium to handle additional contested case hearings expected as a result of the enactment of the legislation. In addition, the "Number of Full-Time-Equivalents (FTE)" for the Railroad Commission (or its successor agency) is hereby increased by 6.0 in each fiscal year of the 2012-13 biennium.

This appropriation is contingent upon revenues from fees that would be assessed by the Railroad Commission (or its successor agency) on operators requesting hearings, as authorized by the bill, deposited to the credit of the Oil Field Cleanup Account No. 145, or to an account that would replace it, sufficient to generate, during the 2012-13 biennium, revenue to cover the appropriation for the regulation of aggregate production as well as "other direct and indirect costs" for the program appropriated elsewhere in this Act. "Other direct and indirect costs" are estimated to be $89,453 in fiscal year 2012 and $89,453 in fiscal year 2013. 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.

The Railroad Commission or its successor agency, upon completion of necessary actions to assess the aggregate operations registration fee, shall furnish copies of the minutes and other information supporting the estimated revenues to be generated for the 2012-13 biennium to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues in excess of those estimated in the Biennial Revenue Estimate for 2012-13, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purpose.

**Sec. 18.59. Contingency for HB 3746 or SB 1843.** Contingent on enactment of HB 3746 or SB 1843, or similar legislation by the Eighty-second Legislature, Regular Session, 2011, relating to investigations of certain offenses involving the Internet-based sexual exploitation of a minor, the Office of the Attorney General may use an amount not to exceed $1,500,000 per fiscal year out of amounts appropriated elsewhere in this Act to implement provisions of the legislation.

**Sec. 18.60. Contingency for HB 3754.**

a. Contingent on enactment of HB 3754, or similar legislation relating to powers and duties of the Office of Public Utility Counsel, by the Eighty-second Legislature, Regular Session, and subject to the approval of the Legislative Budget Board, the Texas Commission on Environmental Quality shall, in the time and manner prescribed by the legislation, transfer to the Office of Public Utility Counsel all funds and full-time equivalent (FTE) positions appropriated to the Texas Commission on Environmental Quality for fiscal years 2012 and 2013 that are directly associated with the programs and responsibilities required to be transferred under the provisions of the legislation. The transfer is estimated to be 1.0 FTE and $80,847 each year from the Texas Commission on Environmental Quality to the Office of Public Utility Counsel. The Legislative Budget Board is authorized to resolve any disputes concerning the transfers identified in this rider.

b. The transfer in subsection (a) above is contingent on HB 2694, or similar legislation enabling the Office of Public Utility Counsel to spend funds out of the Water Resource Management Account No.153. If no such legislation passes, then the Texas Commission on Environmental Quality's appropriations from the Water Resource Management Account No. 153 are reduced by the estimated transfer amount in part (a) above Office of Public Utility Counsel's General Revenue appropriations are increased by the estimated transfer amount in part (a) above.

**Sec. 18.61. Contingency for SB 8.** Contingent on enactment of SB 8, or similar legislation relating to creation of health care collaboratives, by the Eighty-second Legislature, Regular Session, 2011, out of the fees and assessments collected by the Department of Insurance, the Department is appropriated:

a. $171,094 for fiscal year 2012 and $480,864 for fiscal year 2013 from General Revenue - Insurance Companies Maintenance Tax and Insurance Department Fees, and

b. $256,640 for fiscal year 2012 and $721,296 for fiscal year 2013 from General Revenue - Dedicated Fund 36, the Texas Department of Insurance operating account to implement the provisions of the legislation.

The number of "Full-Time Equivalents (FTE)" is increased by 6.0 FTEs in fiscal year 2012 and 13.0 FTEs in fiscal year 2013.

**Sec. 18.62. TERP-Related Bills: Contingency for SB 20, SB 385, and SB 527.** Contingent on enactment of SB 20, SB 385, SB 527, or similar legislation by the Eighty-second Legislature, Regular Session, that creates additional programs within the Texas Emissions Reduction Plan (TERP) and changes the allocation of funding out of the TERP Account No. 5071, and notwithstanding allocations of funding out of the TERP Account No. 5071 contained herein, the Texas Commission on Environmental Quality is hereby authorized to allocate funding out of the TERP Account No. 5071 in a way that meets the objectives of the agency with respect to compliance with the Federal Clean Air Act to the extent that such allocations do not conflict with statutory provisions regarding TERP funding.

**Sec. 18.63. Contingency for SB 81: Licensing of Certain Food Handlers.** Contingent upon the enactment of SB 81, or similar legislation relating to the licensing of certain food handlers, by the Eighty-second Legislature, Regular Session, Strategy D.1.1, Food (Meat) and Drug Safety, of the Department of State Health Services (DSHS), is hereby appropriated an amount not to exceed $535,500

in fiscal year 2013 out of the Food and Drug Fee Account No. 5024 to implement the provisions of the legislation. This appropriation is contingent upon DSHS assessing fees to generate revenue sufficient to cover this appropriation.

**Sec. 18.64. Contingency for SB 127.** Contingent on enactment of SB 127, or similar legislation relating to the establishment, operation, and funding of charter schools, by the Eighty-second Legislature, Regular Session, any fees collected pursuant to the provisions of the legislation are hereby appropriated to the Texas Education Agency (TEA) to implement the provisions of the legislation. These appropriations are contingent upon the TEA assessing fees sufficient to generate, during the 2012-13 biennium, revenue to cover the appropriations for implementation of the legislation as well as associated "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 Comptroller of Public Accounts may reduce the appropriation authority provided herein to be within the amount of revenue expected to be available.

**Sec. 18.65. Contingency for SB 223.** Contingent on enactment of SB 223, or similar legislation relating to certain facilities and care providers, including providers under the state Medicaid program, by the Eighty-second Legislature, Regular Session, the Department of Aging and Disability Services is hereby appropriated in Strategy B.1.1, Facility and Community-Based Regulation, $142,378 in General Revenue Funds and $183,143 in All Funds for fiscal year 2012, and $141,010 in General Revenue Funds and $181,319 in All Funds for fiscal year 2013. In addition, the "Number of Full-Time Equivalents (FTE)" indicated in the Department of Aging and Disability Services' bill pattern is hereby increased by 2.0 FTEs in fiscal year 2012 and by 2.0 FTEs in fiscal year 2013.

**Sec. 18.66. Contingency for SB 329.** Contingent on enactment of SB 329, or similar legislation relating to the sale, recovery, and recycling of certain television equipment, by the Eighty-second Legislature, Regular Session, and in addition to amounts appropriated herein, the Texas Commission on Environmental Quality is hereby appropriated an amount not to exceed $150,000 in each fiscal year of the 2012-13 biennium from revenues deposited to the Television Recycling Account created by the bill. The funds shall be used to maintain a public Internet website and toll-free telephone number providing consumers with information about covered television equipment recycling opportunities in the state, as specified by the legislation.

**Sec. 18.67. Contingency for SB 356.** Contingent on enactment of SB 356, or similar legislation relating to awards for certain members of the state military forces inducted into federal service in support of Operations Iraqi Freedom, New Dawn, and Enduring Freedom, the Adjutant General's Department is appropriated $42,000 in General Revenue Fund in fiscal year 2012 and $7,000 in General Revenue Funds in fiscal year 2013.

**Sec. 18.68. Contingency for SB 497.** Contingent on enactment of SB 497, or similar legislation relating to the construction or expansion of a wind-powered electric generation facility located near a federally owned or operated radar installation or military installation, by the Eighty-second Legislature, Regular Session, all fees collected from persons who provide written notice of a construction or expansion project to the commission under the provisions of the legislation shall be appropriated to the Public Utility Commission of Texas to cover the costs of administering the provisions of the legislation.

**Sec. 18.69. Contingency for SB 501/HB 945.** Contingent on enactment of SB 501/HB 945, or similar legislation relating to the disproportionality of certain groups in the juvenile justice, child welfare, health, and mental health systems and the disproportionality of the delivery of certain services in the education system, by the Eighty-second Legislature, Regular Session, out of the funds appropriated elsewhere in this Act, the Health and Human Services Commission shall provide reimbursement of travel expenses incurred by members of the Interagency Council for Addressing Disproportionality while conducting business of the committee in accordance with Government Code, Chapter 660, and provisions of this Act related to the per diem of board or commission members.

**Sec. 18.70. Contingency for SB 597.** Contingent on enactment of SB 597, or similar legislation relating to the guarantee of open-enrollment charter school bonds by the Permanent School Fund, by the Eighty-second Legislature, Regular Session, the Texas Education Agency (TEA) is hereby appropriated from the General Revenue Fund $550,000 in each fiscal year of the 2012-13 biennium. These appropriations are contingent upon the TEA assessing fees sufficient to generate, during the 2012-13 biennium, revenue to cover the appropriations for implementation of the legislation as well as associated "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 Comptroller of Public Accounts may reduce the appropriation authority provided herein to be within the amount of revenue expected to be available.

**Sec. 18.71. Contingency for SB 655: Railroad Commission Sunset Legislation.** Contingent on enactment of SB 655, or similar legislation relating to the continuation, functions, and name of the Railroad Commission of Texas, by the Eighty-second Legislature, Regular Session:

a. **Oil and Gas Related Fees.** In addition to amounts appropriated above, the Texas Oil and Gas Commission (formerly Railroad Commission), and contingent on legislation creating an account to cover costs of the agency's oil- and gas-related activities, by the Eighty-second Legislature, Regular Session, appropriations out of the General Revenue Fund are hereby reduced by $16,766,209 in fiscal year 2012 and by $16,716,472 in fiscal year 2013, and, to replace these appropriations, there is hereby appropriated $16,766,209 in fiscal year 2012 and $16,716,472 in fiscal year 2013 out of the Oil and Gas Regulation and Cleanup (OGRC) Fund created by the bill. The following amounts of General Revenue funding would be replaced with funding out of the OGRC Fund in the following strategies:

| | 2012 | 2013 |
|---|---|---|
| Strategy A.1.1, Energy Resource Development | $ 4,099,221 | $ 4,070,349 |
| Strategy C.1.1, Oil and Gas Monitoring and Inspections | $10,314,041 | $10,350,753 |
| Strategy C.2.1, Oil and Gas Remediation | $ 496,396 | $ 461,550 |
| Strategy C.2.2, Oil and Gas Well Plugging | $ 935,444 | $ 919,808 |
| Strategy D.1.2, Public Information and Services | $ 921,107 | $ 914,012 |
| TOTAL | $16,766,209 | $16,716,472 |

In addition, appropriations out of the Oil Field Cleanup Account No. 145 are hereby reduced by $20,581,780 in fiscal year 2012 and by $20,581,779 in fiscal year 2013, and, to replace these appropriations, there is hereby appropriated $20,581,780 in fiscal year 2012 and $20,581,779 in fiscal year 2013 out of the OGRC Fund created by the bill. The following amounts out of the General Revenue-Dedicated Oil Field Cleanup Account No. 145 would be replaced with funding out of the OGRC Fund in the following strategies:

| | | |
|---|---|---|
| Strategy A.1.1, Energy Resource Development | $ 1,114,744 | $ 1,114,744 |
| Strategy C.1.1, Oil and Gas Monitoring and Inspections | $ 851,800 | $ 851,800 |
| Strategy C.2.1, Oil and Gas Remediation | $ 3,786,565 | $ 3,786,565 |
| Strategy C.2.2, Oil and Gas Well Plugging | $14,690,620 | $14,690,620 |
| Strategy D.1.2, Public Information and Services | $ 138,051 | $ 138,050 |
| TOTAL | $20,581,780 | $20,581,779 |

b. **Alternative Fuels Research and Development Account No. 101.** Contingent upon enactment of legislation eliminating the Alternative Fuels Research and Education program, by the Eighty-second Legislature, Regular Session, appropriations to the Texas Oil and Gas Commission (formerly Railroad Commission) out of the Alternative Fuels Research and Development Account No. 101 are hereby decreased by $931,377 in each fiscal year of the 2012-13 biennium. Accordingly, appropriations to Strategy A.2.1, Gas Utility Compliance, are hereby reduced by $57,000 in each fiscal year of the 2012-13 biennium; appropriations to Strategy A.3.1, Promote Alternative Energy, are hereby reduced by $400,758 in each fiscal year of the 2012-13 biennium; and appropriations in Strategy A.3.2, Distribute LP-Gas Rebates are hereby reduced by $473,619 in each fiscal year of the 2012-13 biennium. In addition, the Number of Full-Time Equivalents (FTE) is hereby reduced by 5.2 in each fiscal year of the 2012-13 biennium.

c. **Elimination of the Requirement of an Administrative Chief.** Contingent upon enactment of legislation eliminating the requirement of an administrative chief at the Texas Oil and Gas Commission (formerly Railroad Commission), by the Eighty-second Legislature, Regular Session, appropriations to the Texas Oil and Gas Commission out of the General Revenue Fund are hereby reduced by $126,938 in each fiscal year of the 2012-13 biennium and the Number of Full-Time Equivalents (FTE) is hereby reduced by 1.0 in each fiscal year of the 2012-13 biennium.

d. **Expansion of Pipeline Safety Fee Use to Include Gas Utility Regulation.** Contingent upon enactment of SB 655/SB 1811, or similar legislation allowing for the use of pipeline safety fees for gas utility regulatory functions, by the Eighty-second Legislature, Regular Session, and in addition to amounts appropriated herein, the Texas Oil and Gas Commission (formerly Railroad Commission) is hereby appropriated in each fiscal year of the 2012-13 biennium an amount not to

exceed $233,000 in Strategy C.2.1, Gas Utility Compliance. This appropriation is contingent upon the Oil and Gas Commission increasing Pipeline Safety Fees and shall be limited to revenues deposited to the credit of Revenue Object Code 3553 in excess of the Comptroller's Biennial Revenue Estimate for 2012-13.

The Texas Oil and Gas Commission (formerly Railroad Commission), upon completion of necessary actions to assess or increase the Pipeline Safety Fee, shall furnish copies of the minutes and other information supporting the estimated revenues to be generated for the 2012-13 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues in excess of those estimated in the Biennial Revenue Estimate for 2012-13, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purpose.

e. **Regulation of Saltwater Pipelines.** Contingent on enactment of legislation requiring the Texas Oil and Gas Commission (formerly Railroad Commission) to regulate saltwater pipelines by the Eighty-second Legislature, Regular Session, and in addition to amounts appropriated above, the Oil and Gas Commission is hereby appropriated $1,486,286 in fiscal year 2012 and $1,157,871 in fiscal year 2013 out of the Oil and Gas Regulation and Cleanup Fund, and the "Number of Full-Time Equivalents (FTE)" indicated herein for the Oil and Gas Commission is hereby increased by 16.0 FTEs in each fiscal year. This appropriation shall be limited to revenues to the Oil and Gas Regulation and Cleanup Fund in excess of the Comptroller's Biennial Revenue Estimate for 2012-13.

This appropriation is contingent upon fee revenues from registration fees authorized by the bill and deposited to the credit of the Oil and Gas Regulation and Cleanup fund sufficient to generate, during the 2012-13 biennium, revenue to cover the appropriation for the regulation of aggregate production as well as "other direct and indirect costs" for the program appropriated elsewhere in this Act. "Other direct and indirect costs" are estimated to be $224,000 in fiscal year 2012 and $224,000 in fiscal year 2013. 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.

The Texas Oil and Gas Commission, upon completion of necessary actions to assess or increase fees and surcharges deposited to the credit of the Oil and Gas Regulation and Cleanup Fund, shall furnish copies of the minutes and other information supporting the estimated revenues to be generated for the 2012-13 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues in excess of those estimated in the Biennial Revenue Estimate for 2012-13, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purpose.

f. **Contested Case Hearings in the Barnett Shale Area.** Contingent on enactment of legislation requiring the Texas Oil and Gas Commission (formerly Railroad Commission) to hold hearings on applications for wells in the Barnett Shale area, by the Eighty-second Legislature, Regular Session, and in addition to amounts appropriated above, the Oil and Gas Commission is hereby appropriated $438,768 in each fiscal year of the 2012-13 biennium out of the Oil and Gas Regulation and Cleanup Fund, and the "Number of Full-Time Equivalents (FTE)" indicated herein for the Oil and Gas Commission is hereby increased by 5.0 FTEs per fiscal year. This appropriation shall be limited to revenues to the Oil and Gas Regulation and Cleanup Fund in excess of the Comptroller's Biennial Revenue Estimate for 2012-13.

This appropriation is contingent upon fee revenues from registration fees authorized by the bill and deposited to the credit of the Oil and Gas Regulation and Cleanup fund sufficient to generate, during the 2012-13 biennium, revenue to cover the appropriation for the regulation of aggregate production as well as "other direct and indirect costs" for the program appropriated elsewhere in this Act. "Other direct and indirect costs" are estimated to be $70,000 in fiscal year 2012 and $70,000 in fiscal year 2013. 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.

The Texas Oil and Gas Commission, upon completion of necessary actions to assess or increase fees and surcharges deposited to the credit of the Oil and Gas Regulation and Cleanup Fund, shall

furnish copies of the minutes and other information supporting the estimated revenues to be generated for the 2012-13 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues in excess of those estimated in the Biennial Revenue Estimate for 2012-13, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purpose.

**Sec. 18.72. Contingency Appropriation for SB 661/HB 3754/HB 2694.**

a. Contingent on enactment of SB 661, or similar legislation relating to the continuation and functions, as applicable, of the Electric Reliability Council of Texas, the Office of Public Utility Counsel, and the Public Utility Commission of Texas and to the transfer of certain functions from the Texas Commission on Environmental Quality to the Public Utility Commission of Texas, by the Eighty-second Legislature, Regular Session, and subject to the approval of the Legislative Budget Board, the Texas Commission on Environmental Quality shall, in the time and manner prescribed by the legislation, transfer to the Public Utility Commission and the Office of Public Utility Counsel all funds and full-time equivalent (FTE) positions appropriated to the Texas Commission on Environmental Quality for fiscal years 2012 and 2013 that are directly associated with the programs and responsibilities required to be transferred under the provisions of the legislation. The transfer is estimated to be $1,468,435 each year and 20.0 FTEs from the Texas Commission on Environmental Quality to the Public Utility Commission and 1.0 FTE and $80,847 each year from the Texas Commission on Environmental Quality to the Office of Public Utility Counsel. There is also estimated to be a transfer of $260,000 each year from the Texas Commission on Environmental Quality to the Public Utility Commission to cover the cost of the contract with the State Office of Administrative Hearings for water utility case hearings. The Legislative Budget Board is authorized to resolve any disputes concerning the transfers identified in this rider.

b. Contingent on enactment of HB 3754, or similar legislation relating to powers and duties of the Office of Public Utility Counsel, by the Eighty-second Legislature, Regular Session, the transfer to the Office of Public Utility Counsel in subsection (a) above is reduced by $80,847 in fiscal year 2012 and $80,847 in fiscal year 2013 from General Revenue. The "Number of Full-Time Equivalents (FTE)" increased in subsection (a) above is decreased by 1.0 FTEs in fiscal year 2012 and 1.0 FTEs in fiscal year 2013.

c. The transfer in part (a) above is contingent on HB 2694, or similar legislation enabling the Public Utility Commission and the Office of Public Utility Counsel to spend funds out of the Water Resource Management Account No.153. If no such legislation is enacted, then the Texas Commission on Environmental Quality's appropriations from the Water Resource Management Account No. 153 are reduced by the estimated transfer amount in part (a) above and the Public Utility Commission and Office of Public Utility Counsel's General Revenue appropriations are increased by the estimated transfer amount in part (a) above.

**Sec. 18.73. Contingency for SB 662/HB 2272.** Contingent on enactment of SB 662/HB 2272, or similar legislation relating to the continuation and functions of the State Board of Examiners for Speech-Language Pathology and Audiology, by the Eighty-second Legislature, Regular Session, the Texas Department of Public Safety is hereby appropriated in Strategy D.1.3, Crime Records Services, $154,054 from State Highway Fund No. 006 for fiscal year 2012, and $131,797 from State Highway Fund No. 006 for fiscal year 2013 to implement the provisions of the legislation. In addition, the "Number of Full-Time Equivalents (FTE)" indicated in the agency's bill pattern is hereby increased by 1.8 FTEs in fiscal year 2012 and by 1.8 FTEs in fiscal year 2013.

**Sec. 18.74. Contingency for SB 932/HB 2148.** Contingent on enactment of SB 932, HB 2148, or similar legislation relating to oyster beds and shells and an oyster shell recovery and replacement program, by the Eighty-second Legislature, Regular Session, and contingent on additional revenues collected derived from these new activities, the Texas Parks and Wildlife Department is appropriated an amount not to exceed $50,000 per fiscal year from the General Revenue-Dedicated Game, Fish and Water Safety Account No. 9 to implement the provisions of the legislation.

**Sec. 18.75. Contingency for SB 1035.** Contingent on enactment of SB 1035, or similar legislation relating to motor vehicle title services and title service runners and the provision of penalties assessed by the Department of Motor Vehicles, by the Eighty-second Legislature, Regular Session, 2011, the Department of Motor Vehicles is appropriated $173,879 in fiscal year 2012 from State Highway Fund No. 006 and $173,879 in fiscal year 2013 from State Highway Fund No. 006 to implement the

provisions of the legislation. This appropriation is also contingent on the Department of Motor Vehicles assessing fees pursuant to the provisions of the legislation in amounts sufficient to generate $442,288 in revenue to State Highway Fund No. 006. Also, the "Number of Full-time Equivalents (FTEs)" indicated in agency's bill pattern shall be increased by 5.0 FTEs in fiscal year 2012 and 5.0 FTEs in fiscal year 2013 contingent upon the agency meeting the above revenue target. The Department of Motor Vehicles, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Department of Motor Vehicles' minutes and other information supporting the estimated revenues to be generated for the 2012-13 biennium under the proposed fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes. For informational purposes, the amount of increased revenue identified above reflects amounts sufficient to cover direct appropriations of $347,658 and other direct and indirect costs (estimated to be $94,630 for the 2012-13 biennium).

**Sec. 18.76. Contingency for SB 1081.** Contingent on enactment of SB 1081, or similar legislation relating to the dispensing of pharmaceuticals with an aesthetic purpose by physicians and therapeutic optometrists, by the Eighty-second Legislature, Regular Session, the Optometry Board is appropriated $25,000 in General Revenue Funds for fiscal year 2012 and $14,000 in General Revenue Funds for fiscal year 2013 to implement the provisions of the legislation. This appropriation is also contingent on the Optometry Board assessing or increasing fees sufficient to generate, in addition to revenue requirements elsewhere in this Act, during the 2012-13 biennium, $46,244 in excess of $1,489,000 (Object Code 3562 and 3570), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2012 and 2013. Also, the "Number of Full-Time Equivalents (FTE)" indicated in the Optometry Board's bill pattern shall be increased by 0.5 FTEs in fiscal year 2012 and 0.5 FTEs in fiscal year 2013 contingent upon the agency meeting the above revenue target. The Optometry Board, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Optometry Board's minutes and other information supporting the estimated revenues to be generated for the 2012-13 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes. For informational purposes, the amount of increased revenue identified above reflects amounts sufficient to cover direct appropriations of $39,000 and other direct and indirect costs (estimated to be $7,244 for the 2012-13 biennium).

**Sec. 18.77. Contingency for SB 1086.** Contingent on enactment of SB 1086, or similar legislation relating to the operation by the Department of Agriculture of programs for rural economic development and the marketing and promotion of agricultural and other products grown, processed, or produced in this state, by the Eighty Second Legislature, Regular Session, the Department of Agriculture is hereby appropriated all revenue collected in each fiscal year of the 2012-13 biennium related to implementing the provisions of the legislation.

**Sec. 18.78. Contingency for SB 1291.** Contingent on enactment of SB 1291, or similar legislation relating to the budget of certain divisions of the Texas Department of Insurance, by the Eighty-second Legislature, Regular Session, appropriations to the Texas Department of Insurance shall be reduced in the amounts of $7,421,489 in fiscal year 2013 from General Revenue-Dedicated Texas Department of Insurance Operating Fund Account No. 036, and the "Number of Full-Time Equivalents (FTE)" in the agency's bill pattern is decreased by 85.8 FTEs in fiscal year 2013 to implement the provisions of the legislation.

Also contingent on enactment of SB 1291, or similar legislation relating to the budget of certain divisions of the Texas Department of Insurance, by the Eighty-second Legislature, Regular Session, out of available fund balances in General Revenue-Dedicated Texas Department of Insurance Operating Fund Account No. 036, the Texas Department of Insurance shall transfer $7,421,489 in fiscal year 2013 to the Financial Department Fund held in the Texas Safekeeping Trust Company to implement the provisions of the legislation.

**Sec. 18.79. Contingency for SB 1420: Comptroller.** Contingent upon the enactment of SB 1420, or similar legislation relating to the continuation and functions of the Texas Department of Transportation, by the Eighty-second Legislature, Regular Session, 2011, and also contingent upon such enacted legislation establishing additional duties and responsibilities for the Comptroller of Public Accounts, the Comptroller of Public Accounts is hereby appropriated $1,000,000 in General Revenue Funds for fiscal year 2012 and $1,000,000 in General Revenue Funds for fiscal year 2013 to implement the provisions of the legislation.

**Sec. 18.80. Contingency for SB 1811 or SB 1580.** Contingent upon the enactment of SB 1580 or similar legislation allowing for the increase of certain licensing and public health service fees assessed by the Department of State Health Services (DSHS), by the Eighty-second Legislature, Regular Session, any additional revenues generated as a result of the fee increases certified by the Comptroller to be in excess of Comptroller of Public Accounts' January 2011 Biennial Revenue Estimate are appropriated to DSHS for the 2012-13 biennium for use in Strategy A.4.1, Laboratory Services, and Goal D, Consumer Protection Services.

**Sec. 18.81. Contingency for SB 1605.** Contingent on enactment of SB 1605, or similar legislation by the Eighty-second Legislature, Regular Session, that establishes the Texas Low-Level Radioactive Waste Disposal Compact Commission (LLRWDCC) and prohibits appropriations to the LLRWDCC from being made as part of the appropriations to the Texas Commission on Environmental Quality (TCEQ), any appropriation made herein to the TCEQ for purposes of providing funding for the operations of the LLRWDCC is hereby transferred to the LLRWDCC. The Legislative Budget Board is authorized to resolve any disputes concerning the transfers identified in this rider.

**Sec. 18.82. Contingency for SB 1649.** Contingent upon enactment of SB 1649, or similar legislation by the Eighty-second Legislature, Regular Session, 2011, relating to a grant program for prosecution of certain crimes, included in amounts appropriated elsewhere in this Act in the bill pattern of the Trusteed Programs within the Office of the Governor is $2,000,000 each fiscal year of the 2012-13 biennium out of the General Revenue Fund in Strategy A.1.11, Homeland Security, to implement provisions of the legislation.

**Sec. 18.83. Contingency for SB 1699: Use of Image Verification System.** Contingent on enactment of SB 1699, or similar legislation relating to the use of an image verification system to determine fugitive status, by the Eighty-second Legislature, Regular Session, the Department of Public Safety is appropriated $1,809,727 in fiscal year 2012 and $929,398 in fiscal year 2013 from State Highway Fund 6 to implement the provisions of the legislation. The "Number of Full-Time-Equivalent Positions" indicated in the Department of Public Safety's bill pattern is increased by 15.0 in fiscal year 2012 and 15.0 in fiscal year 2013. In addition to capital budget authority provided elsewhere in this Act, the Department of Public Safety is provided $790,600 in capital budget authority in fiscal year 2012 to implement provisions of the legislation.

**Sec. 18.84. Contingency for SB 1811, HB 3790, or SB 1720.** Contingent on enactment of SB 1811, HB 3790, or SB 1720, or similar legislation relating to transferring voter registration payments from the Fiscal Programs - Comptroller of Public Accounts to the Secretary of State, by the Eighty-second Legislature, Regular Session, 2011, amounts appropriated elsewhere in this Act to the Fiscal Programs - Comptroller of Public Accounts in Strategy A.1.1, Voter Registration, shall be transferred to the Secretary of State.

**Sec. 18.85. Contingency for SB 1905.** Contingent on enactment of SB 1905 or similar legislation relating to the provision of emergency services in certain rural counties using admission fees charged at state parks, by the Eighty-second Legislature, Regular Session, and contingent on additional revenues collected as a result of bill provisions, the Texas Parks and Wildlife Department is appropriated for the 2012-13 biennium an amount estimated to be $129,534 per fiscal year from the General Revenue-Dedicated State Parks Account No. 64 to implement the provisions of the legislation.

**Sec. 18.86. Contingency for HB 3595/HB 773.** Contingent upon the enactment of HB 3595 or HB 773, or similar legislation relating to creating an energy efficiency council to coordinate administration of energy efficiency programs, by the Eighty-second Legislature, Regular Session, 2011, in addition to amounts appropriated elsewhere in this Act, the Fiscal Programs - Comptroller of Public Accounts is appropriated $103,000 in each fiscal year of the 2012-13 biennium from the General Revenue Fund in Strategy B.1.1, Energy Office, and the "Number of Full-Time-Equivalents (FTE)" is increased by 1.0 in each fiscal year of the 2012-13 biennium to implement the provisions of the legislation.

**Sec. 18.87. Contingency for SB 552 or HB 3595.** Contingent upon the enactment of SB 552 or HB 3595, or similar legislation relating to the creation of the Energy Efficiency Coordination Council and to statewide energy efficiency, by the Eighty-second Legislature, Regular Session, 2011, in addition to amounts appropriated elsewhere in this Act, the Fiscal Programs - Comptroller of Public Accounts is appropriated $932,000 in fiscal year 2012 and $432,000 in fiscal year 2013 from the General Revenue Fund in Strategy B.1.1, Energy Office, and the "Number of Full-Time-Equivalents (FTE)" is increased by 2.0 in each fiscal year of the 2012-13 biennium to implement the provisions of the legislation.

**Sec. 18.88. Contingency for HB 11/SB 576.** Contingent on enactment of HB 11/SB 576, or similar legislation relating to reports filed with the comptroller regarding certain alcoholic beverage sales, by the Eighty-second Legislature, Regular Session, the Comptroller of Public Accounts is hereby appropriated $504,000 in General Revenue Funds for fiscal year 2012 and $64,000 in General Revenue Funds for fiscal year 2013 to implement the provisions of the legislation. In addition, the "Number of Full-Time-Equivalents (FTE)" indicated in the agency's bill pattern is hereby increased by 1.0 FTE in fiscal year 2012 and 1.0 FTE in fiscal year 2013.

**Sec. 18.89. Contingency for HB 198.** Contingent on enactment of HB 198, or similar legislation relating to the use of private procurement specialists for certain state agency contracts, by the Eighty-second Legislature, Regular Session, the Comptroller of Public Accounts is hereby appropriated $584,000 in General Revenue Funds for fiscal year 2012 and $584,000 in General Revenue Funds for fiscal year 2013 to implement the provisions of the legislation. In addition, the "Number of Full-Time-Equivalents (FTE)" indicated in the agency's bill pattern is hereby increased by 1.0 FTE in fiscal year 2012 and 1.0 FTE in fiscal year 2013.

**Sec. 18.90. Contingency for HB 590.** Contingent on enactment of HB 590, or similar legislation relating to amended sales tax reports and the reallocation of sales tax revenue, by the Eighty-second Legislature, Regular Session, the Comptroller of Public Accounts is hereby appropriated $337,000 in General Revenue Funds for fiscal year 2012 and $337,000 in General Revenue Funds for fiscal year 2013 to implement the provisions of the legislation. In addition, the "Number of Full-Time-Equivalents (FTE)" indicated in the agency's bill pattern is hereby increased by 5.0 FTEs in fiscal year 2012 and 5.0 FTEs in fiscal year 2013.

**Sec. 18.91. Contingency for SB 726.** Contingent on enactment of SB 726, or similar legislation relating to the establishment of the judicial access and improvement account to provide funding for basic civil legal services, indigent defense, and judicial technical support through certain county service fees and court costs imposed to fund the account, by the Eighty-second Legislature, Regular Session, the Comptroller of Public Accounts is hereby appropriated $330,000 in General Revenue Funds for fiscal year 2012 and $112,000 in General Revenue Funds for fiscal year 2013 to implement the provisions of the legislation.

**Sec. 18.92. Contingency for SB 1420.**

a. Contingent on the enactment of SB 1420, or similar legislation relating to the transfer of powers, duties, functions, programs, and activities of the Department of Transportation relating to oversize and overweight vehicles to the Department of Motor Vehicles, by the Eighty-second Legislature, Regular Session, 2011, and subject to approval by the Legislative Budget Board, the Department of Transportation shall, in the time and manner prescribed by the legislation, transfer to the Department of Motor Vehicles all funds and full-time-equivalent (FTE) positions appropriated to the Department of Transportation for fiscal years 2012 and 2013 that are directly associated with the programs and responsibilities required to be transferred under the provisions of the legislation (estimated to be $7,010,653 from State Highway Fund No. 006 and 116.0 FTEs in fiscal year 2012 and $7,010,653 from State Highway Fund No. 006 and 116.0 FTEs in fiscal year 2013). The Legislative Budget Board is authorized to resolve any disputes concerning the transfers identified in this rider.

b. Contingent on the enactment of SB 1420, or similar legislation abolishing the Texas Highway Beautification Fund Account in the General Revenue Fund, by the Eighty-second Legislature, Regular Session, 2011,

   (1) appropriations made to the Department of Transportation in this Act from the GR Dedicated - Texas Highway Beautification Account No. 071 are reduced by $888,824 in fiscal year 2012 and $900,510 in fiscal year 2013 and appropriations made to the Department of Transportation from State Highway Fund No. 006 are increased by $888,824 in fiscal year 2012 and $900,510 in fiscal year 2013; and

   (2) Rider 46, Contingent Revenue: Highway Beautification, in the bill pattern for the Department of Transportation in Article VII of this Act, has no effect.

**Sec. 18.93. Contingency for HB 300.** Contingent on enactment of HB 300, or similar legislation relating to the privacy of protected health information, by the Eighty-second Legislature, Regular Session, out of funds appropriated elsewhere in this Act, the Health and Human Services Commission

shall provide reimbursement of expenses incurred by members of the task force on health information technology while conducting business of the task force in accordance with Government Code, Chapter 2110, and provisions of this Act related to the per diem of board or commission members.

**Sec. 18.94. Contingency for HB 753.** Contingent on enactment of HB 753, or similar legislation relating to the recruitment and retention of certain caseworkers employed by the Department of Family and Protective Services, by the Eighty-second Legislature, Regular Session, out of funds appropriated elsewhere in this Act, the Department of Family and Protective Services shall provide reimbursement of expenses incurred by members of the Child Welfare Assessment Task Force while conducting business of the task force in accordance with Government Code, Chapter 2110, and provisions of this Act related to the per diem of board or commission members.

**Sec. 18.95. Contingency for HB 2312.** Contingent on enactment of HB 2312, or similar legislation relating to the creation of a sickle cell disease program, by the Eighty-second Legislature, Regular Session, out of the funds appropriated elsewhere in this Act, the Department of State Health Services shall provide reimbursement of expenses incurred by members of the sickle cell trait or sickle cell disease advisory committee while conducting business of the committee in accordance with provisions of this Act related to the per diem of board or commission members.

**Sec. 18.96. Contingency for HB 3145/SB 1447.** Contingent on enactment of HB 3145/SB 1447 or similar legislation relating to the regulation of chemical dependency counselors, by the Eighty-second Legislature, Regular Session, the Department of State Health Services is hereby appropriated in Strategy D.1.4, Health Care Professionals, revenue not to exceed $23,000 in each fiscal year of the 2012-13 biennium from revenues deposited to the Chemical Dependency Counselor Account created by the legislation, to implement the provisions of the legislation. In no event shall the amount expended by this provision exceed the amount of additional revenue generated pursuant to HB 3145/SB 1447.

**Sec. 18.97. Contingency for HB 3724.** Contingent on enactment of HB 3724, or similar legislation relating to the Chronic Kidney Disease Task Force, by the Eighty-second Legislature, Regular Session, out of the funds appropriated elsewhere in this Act, the Department of State Health Services shall provide reimbursement of expenses incurred by members of the Chronic Kidney Disease Task Force while conducting business of the task force in accordance with Government Code, Chapter 2110, and provisions of this Act related to the per diem of board or commission members.

**Sec. 18.98. Contingency for SB 622.** Contingent on enactment of SB 622, or similar legislation relating the privacy of protected health information, by the Eighty-second Legislature, Regular Session, out of funds appropriated elsewhere in this Act, the Health and Human Services Commission shall provide reimbursement of expenses incurred by members of the task force on health information technology while conducting business of the task force in accordance with Government Code, Chapter 2110, and provisions of this Act related to the per diem of board or commission members.

**Sec. 18.99. Contingency for SB 1154.** Contingent on enactment of SB 1154, or similar legislation relating to a task force for the development of a strategy to reduce child abuse and neglect and improve child welfare, by the Eighty-second Legislature, Regular Session, out of the funds appropriated above, the Department of Family and Protective Services, the Department of State Health Services, the Texas Department of Criminal Justice, the Texas Youth Commission, the Texas Juvenile Probation Commission, the University of Texas System, and the Texas A&M University System shall provide reimbursement of travel expenses incurred by members of task force to reduce child abuse and neglect and improve child welfare while conducting business of the committee in accordance with Government Code, Chapter 660, and provisions of this Act related to the per diem of board or commission members.

**Sec. 18.100. Contingency for SB 1799 and SJR 50.** Contingent on enactment of Senate Bill 1799 and Senate Joint Resolution 50, or similar legislation relating to the Higher Education Coordinating Board issuing bonds, the Student Loan Program Rider 5 following the bill pattern for the Higher Education Coordinating Board is amended to included references to Article III, §50-7 of the Texas Constitution and Education Code §52.91.

**Sec. 18.101. Contingency for SB 4.** Contingent on enactment of SB 4, or similar legislation relating to certification, continuing education, and appraisal of public school teachers, by the Eighty-second Legislature, Regular Session, and notwithstanding other limitations in this Act related to agency transfers from program to administrative strategies, from General Revenue amounts allocated in Article III through the Texas Education Agency Rider 53, District Awards for Teacher Excellence, subsection 1 relating to funds for educator quality, the Commissioner shall transfer an amount not to exceed

$668,639 to Strategies B.3.2 through B.3.6. in fiscal year 2013 for purposes of implementing the provisions of the legislation. The allocation of funding among Strategies B.3.2. through B.3.6. shall be determined by the Commissioner.

Contingent on enactment of SB 4, or similar legislation relating to certification, continuing education, and appraisal of public school teachers, by the Eighty-second Legislature, Regular Session, the Texas Education Agency's cap on full-time-equivalent positions is hereby increased by 2.0 in fiscal year 2013.

**Sec. 18.102. Contingency for HB 3459.** Contingent on enactment of HB 3459, or similar legislation relating to the containment of costs incurred in the correctional health care system, by the Eighty-second Legislature, Regular Session, the Department of Criminal Justice is appropriated an amount not to exceed $7,705,800 in fiscal year 2012 and $5,779,350 in fiscal year 2013 from inmate trust funds at a rate not to exceed $100 per inmate per year for the purpose of providing correctional managed health care to inmates. Any unexpended and unobligated balances in the appropriations made herein as of August 31, 2012 and August 31, 2013 are lapsed to the General Revenue Fund.

**Sec. 18.103. Contingency for SB 662/HB 2272.** Notwithstanding other provisions of this Act, appropriations, related full-time equivalents, and applicable bill pattern and Article IX riders for fiscal years 2012 and 2013 for the State Board of Examiners for Speech-Language Pathology and Audiology are contingent upon enactment of SB 662/HB 2272, Eighty-second Legislature, Regular Session, or similar legislation that provides for the continuation of the State Board of Examiners for Speech-Language Pathology and Audiology or transfer or administrative attachment of the State Board of Examiners for Speech-Language Pathology and Audiology to the Department of State Health Services.

**Sec. 18.104. Contingency for SB 663/HB 2273.** Notwithstanding other provisions of this Act, appropriations, related full-time equivalents, and applicable bill pattern and Article IX riders for fiscal years 2012 and 2013 for the State Committee of Examiners in the Fitting and Dispensing of Hearing Instruments are contingent upon enactment of SB 663/HB 2273, Eighty-second Legislature, Regular Session, or similar legislation that provides for the continuation of the State Committee of Examiners in the Fitting and Dispensing of Hearing Instruments or transfer or administrative attachment of the State Committee of Examiners in the Fitting and Dispensing of Hearing Instruments to the Department of State Health Services.

**Sec. 18.105. Unexpended Balances Between Biennia and Revenue and Interest Earnings.** Any unexpended balances as of August 31, 2011, in the appropriations made by the Legislature to the Office of the Governor or the Trusteed Programs within the Office of the Governor are hereby appropriated to the Office of the Governor or the Trusteed Programs within the Office of the Governor, respectively, for the same purposes for the biennium beginning September 1, 2011.

Any unexpended balances as of August 31, 2012, in the appropriations made to the Office of the Governor or the Trusteed Programs within the Office of the Governor, are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2012.

Notwithstanding any limitations related to specialty license plate revenues, amounts appropriated to the Office of the Governor or the Trusteed Programs within the Office of the Governor for the biennium beginning September 1, 2011, include all estimated revenue and interest earnings accruing during the 2012-13 biennium to the Trusteed Programs within the Office of the Governor.

**Sec. 18.106. Texas Economic Development Bank: Additional Amending Provisions.** Notwithstanding Rider 20, titled "Texas Economic Development Bank", in the bill pattern of the Trusteed Programs within the Office of the Governor, the Texas Economic Development Bank is authorized to to make expenditures for items of expense not limited to debt service payments.

**Sec. 18.107. Transfer of Appropriations and Full-Time Equivalents (FTEs).** Notwithstanding limitations on appropriation and FTE transfers contained in the General Provisions of this Act, agency appropriations and FTEs may be transferred between the Office of the Governor and the Trusteed Programs within the Office of the Governor. The transfer of appropriations shall not exceed the limitations in Section 14.01 of the General Provisions of this Act.

The Governor may transfer appropriations and FTEs from the Office of the Governor and Trusteed Programs within the Office of the Governor to other agencies. The transfer of appropriations and FTEs to other state agencies shall not exceed the limitations in Section 14.01 of the General Provisions of this Act.

**Sec. 18.108. Contingency for HB 2247.** Contingent on passage and enactment of House Bill 2247, or similar legislation relating to the eligibility of the Adjutant General's Department to receive Foundation School Program funding for students enrolled in the Texas ChalleNGe Youth Academy and the guarantee of matching Federal Funds from the United States National Guard Bureau, the Texas Education Agency shall transfer $175,000 from the Foundation School Fund No. 193 from Strategy A.1.1 FSP- Equalized Operations per fiscal year to the Adjutant General's Department for the purpose of operating the ChalleNGe Youth Academy.

**Sec. 18.109. Contingency for SB 1572: Reimbursement of Advisory Committee.** Contingent on enactment of SB 1572 by the Eighty-second Legislature, Regular Session, or similar legislation relating to the operations and monitoring of fusion centers, reimbursement of travel expenses for members of the Texas Fusion Center Policy Council are authorized to the extent provided by law out of funds appropriated to the Department of Public Safety.

**Sec. 18.110. Contingency for SB 1841.** Contingent on enactment of SB 1841, or similar legislation relating to the preservation and maintenance of the Alamo by the General Land Office, by the Eighty Second Legislature, Regular Session, and in addition to amounts appropriated herein, the General Land Office is hereby appropriated $176,000 in each fiscal year of the 2012-13 biennium out of the General Revenue Fund for administrative costs relating to operating and managing the Alamo Complex. In addition, the Number of Full-Time Equivalents (FTE) indicated herein for the General Land Office is hereby increased by 2.0 in each fiscal year of the 2012-13 biennium.

Also contingent upon enactment of SB 1841, or similar legislation relating to the preservation and maintenance of the Alamo by the General Land Office, by the Eighty-second Legislature, Regular Session, and in addition to amounts appropriated herein, the General Land Office is hereby appropriated all revenues to the Alamo Complex Account created by the legislation to be used to support the preservation, repair, renovation, improvement, expansion, equipping, operation, or maintenance of the Alamo complex or to acquire a historical item appropriate to the Alamo complex, as provided by the legislation.

**Sec. 18.111. Contingency for SB 1399/HB 2530.** Contingent on enactment of SB 1399/HB 2530, or similar legislation relating to the regulation of foundation repair contractors, by the Eighty-second Legislature, Regular Session, the Department of Licensing and Regulation is appropriated $392,042 in General Revenue Funds for fiscal year 2012 and $348,967 in General Revenue Funds for fiscal year 2013 to implement the provisions of the legislation. This appropriation is also contingent on the Department of Licensing and Regulation assessing or increasing fees sufficient to generate, in addition to revenue requirements elsewhere in this Act, during the 2012-13 biennium, $909,947 in excess of $75,826,310 (Object Codes 3035, 3146, 3147, 3160, 3161, 3164, 3175, 3366, 3727) contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2012 and 2013. Also, the "Number of Full-Time Equivalents (FTE)" indicated in agency's bill pattern shall be increased by 7.0 FTEs in fiscal year 2012 and 7.0 FTEs in fiscal year 2013 contingent upon the agency meeting the above revenue target. The Department of Licensing and Regulation, upon completion of necessary actions to assess or increase such additional fees, shall furnish copies of the Department of Licensing and Regulation's minutes and other information supporting the estimated revenues to be generated for the 2012-13 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes. For informational purposes, the amount of increased revenue identified above reflects amounts sufficient to cover direct appropriations of $741,009 and other direct and indirect costs (estimated to be $168,938 for the 2012-13

**Sec. 18.112. Contingency for SB 1811.** Contingent upon enactment of SB 1811, or similar legislation by the Eighty-second Legislature, Regular Session, 2011, relating to the transfer of General Revenue-Dedicated Texas Enterprise Fund Account No. 5107 appropriations to other state agencies, the Trusteed

Programs within the Office of the Governor shall transfer $20,000,000 from the General Revenue-Dedicated Texas Enterprise Fund Account No. 5107 to the Texas Workforce Commission for the Texas Back to Work Program.

If SB 1811, or similar legislation by the Eighty-second Legislature, Regular Session, 2011, relating to the transfer of General Revenue-Dedicated Texas Enterprise Fund Account No. 5107 appropriations to other state agencies is not enacted, it is the intent of the Legislature that the Trusteed Programs within the Office of the Governor award a grant in the amount of $20,000,000 in the 2012-13 biennium out of

the General Revenue-Dedicated Texas Enterprise Fund Account No. 5107 to the Texas Workforce Commission for the Texas Back to Work Program.

**Sec. 18.113. Higher Education Coordinating Board: System Administration for Community Colleges.** The Higher Education Coordinating Board shall not issue the Request for Proposal under Article III, Higher Education Coordinating Board Rider 53, System Administration for Community Colleges, without the prior approval of the Legislative Budget Board.

**Sec. 18.114. Contingency for HB 2969 or SB 1811.** Contingent on enactment of HB 2969/SB 1811, or similar legislation relating to the sale of state owned land or real property, by the Eighty-second Legislature, Regular Session:

a. In addition to amounts appropriated elsewhere in this act, the Texas Facilities Commission is appropriated, out of receipts generated by the operations of the state surplus property program, an amount not to exceed $1,500,000 in Appropriated Receipts (Other Funds) for fiscal year 2012 in Strategy A.2.1, Building Design and Construction, to facilitate the relocation of the state surplus property program and Railroad Commission programs from the Austin Bolm Road Warehouse property to the Promontory Point property, and the relocation of Office of Attorney General operations from the Promontory Point facility to appropriate leased space. In the event that the actual and/or projected revenue collections are insufficient to offset the costs identified by this provision, the Legislative Budget Board may direct the Comptroller of Public Accounts to reduce the appropriation authority provided herein to be within the amount of revenue expected to be available. This appropriation is contingent upon the inclusion of the Austin Bolm Road Warehouse in the enacted legislation and shall be included in the capital budget authority for the Texas Facilities Commission.

b. Out of amounts appropriated elsewhere in this act, the Office of the Attorney General (OAG) shall work with the Texas Facilities Commission to relocate necessary OAG operations at the Promontory Point facility to appropriate leased space, no later than December 31, 2011, to facilitate the relocation of the state surplus property program to the Promontory Point facility. This direction is contingent upon the inclusion of the Austin Bolm Road Warehouse in the enacted legislation.

c. Out of amounts appropriated elsewhere in this act to the Texas Department of Transportation not more than $15,462,000 of State Highway Fund revenue may be used in the 2012-13 biennium to relocate agency operations located at the Bull Creek Camp Hubbard Annex to the Cedar Park and Camp Hubbard facilities. This provision is contingent upon the inclusion of the Bull Creek Camp Hubbard Annex property in the enacted legislation and shall be included in the capital budget authority for the Texas Department of Transportation.

**Sec. 18.115. Contingency for Senate Bill 1811.** The All Funds appropriations made for the Foundation School Program (FSP) in Article III, Texas Education Agency Strategies A.1.1 and A.1.2, are contingent on enactment of SB 1811 or similar legislation by the Eighty-second Legislature, Regular Session, 2011, relating to certain state fiscal matters and that amends Chapter 42 of the Texas Education Code to adjust state aid payments to the level of FSP appropriations made elsewhere in this Act. Should this legislation fail to pass and be enacted, the All Funds appropriations for the FSP made in Article III, Texas Education Agency Strategies A.1.1 and A.1.2, are hereby reduced to zero for each year of the 2012-13 biennium, and the sum-certain appropriation identified in Rider 3 of the Texas Education Agency's bill pattern is hereby reduced to zero for each year of the 2012-13 biennium.

## RECAPITULATION - ARTICLE IX
## GENERAL PROVISIONS
## (General Revenue)

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| Data Center Services Reductions | (8,142,405) | (9,135,487) |
| Reduction to State Appropriations | 0 | (250,000,000) |
| General Obligation Bonds for Capital Projects | 10,500,000 | 0 |
| Contingency for SB 1811 Foundation School Program Deferral | 0 | (2,300,000,000) |
| Contingency Appropriation for Oil and Gas-Related Activities | 5,000,000 | 5,000,000 |
| Additional Funding for Medicaid | 0 | 500,000,000 |
| Reduction for Employee Benefits | (9,308,245) | (9,578,992) |
| Department of Information Resources: Enterprise Resource Planning | 6,737,961 | 6,597,952 |
| General Revenue Reduction for Medicaid | 0 | (200,000,000) |
| Additional Funding for Community Junior Colleges | 17,300,000 | 17,300,000 |
| State Cost Estimate for Foundation School Program | $ (438,900,000) | $ (361,100,000) |
| TOTAL, ARTICLE IX - GENERAL PROVISIONS | $ (416,812,689) | $ (2,600,916,527) |

## RECAPITULATION - ARTICLE IX
## GENERAL PROVISIONS
## (General Revenue - Dedicated)

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| Data Center Services Reductions | (1,405,292) | (1,694,183) |
| Drivers License Process Improvement | 27,731,124 | 36,368,876 |
| Contingency Provision: Sexual Assault Prevention and Intervention | 61,400,000 | 0 |
| Reduction for Employee Benefits | $ (1,620,871) | $ (1,672,913) |
| TOTAL, ARTICLE IX - GENERAL PROVISIONS | $ 86,104,961 | $ 33,001,780 |

## RECAPITULATION - ARTICLE IX
## GENERAL PROVISIONS
## (Federal Funds)

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| Data Center Services Reductions | (6,961,606) | (7,694,125) |
| Additional Funding for Medicaid | 0 | 672,882,946 |
| Reduction for Employee Benefits | (465,808) | (481,343) |
| General Revenue Reduction for Medicaid | $ 0 | $ (269,200,000) |
| TOTAL, ARTICLE IX - GENERAL PROVISIONS | $ (7,427,414) | $ 395,507,478 |

## RECAPITULATION - ARTICLE IX
## GENERAL PROVISIONS
## (Other Funds)

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| Data Center Services Reductions | (3,806,465) | (4,100,737) |
| General Obligation Bonds for Capital Projects | 132,350,000 | 0 |
| Reduction for Employee Benefits | (614,104) | (623,626) |
| Less Interagency Contracts | $ 0 | $ 0 |
| TOTAL, ARTICLE IX - GENERAL PROVISIONS | $ 127,929,431 | $ (4,724,363) |

## RECAPITULATION - ARTICLE IX
## GENERAL PROVISIONS
## (All Funds)

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| Data Center Services Reductions | (20,315,768) | (22,624,532) |
| Reduction to State Appropriations | 0 | (250,000,000) |
| Drivers License Process Improvement | 27,731,124 | 36,368,876 |
| Contingency Provision: Sexual Assault Prevention and Intervention | 61,400,000 | 0 |
| General Obligation Bonds for Capital Projects | 142,850,000 | 0 |
| Contingency for SB 1811 Foundation School Program Deferral | 0 | (2,300,000,000) |
| Contingency Appropriation for Oil and Gas-Related Activities | 5,000,000 | 5,000,000 |
| Additional Funding for Medicaid | 0 | 1,172,882,946 |
| Reduction for Employee Benefits | (12,009,028) | (12,356,874) |
| Department of Information Resources: Enterprise Resource Planning | 6,737,961 | 6,597,952 |
| General Revenue Reduction for Medicaid | 0 | (469,200,000) |
| Additional Funding for Community Junior Colleges | 17,300,000 | 17,300,000 |
| State Cost Estimate for Foundation School Program | (438,900,000) | (361,100,000) |
| Less Interagency Contracts | $ 0 | $ 0 |
| TOTAL, ARTICLE IX - GENERAL PROVISIONS | $ (210,205,711) | $ (2,177,131,632) |
| Number of Full-Time-Equivalents (FTE) | 112.0 | 361.0 |

**ARTICLE**/Agency/Rider

**ARTICLE 01**
- Office of the Attorney General
  - Sec. 18.59
  - Sec. 18.114
  - Sec. 18.116
- Comptroller of Public Accounts
  - Sec. 18.37
  - Sec. 18.53
  - Sec. 18.88
  - Sec. 18.89
  - Sec. 18.90
  - Sec. 18.91
- Fiscal Programs - Comptroller of Public Accounts
  - Sec. 18.34
  - Sec. 18.84
  - Sec. 18.86
  - Sec. 18.87
- Facilities Commission
  - Sec. 18.116
- Public Finance Authority
  - Sec. 18.38
- Office of the Governor
  - Sec. 18.111
- Trusteed Programs Within the Office of the Governor
  - Sec. 18.82
- Department of Information Resources
  - Sec. 18.53
- Secretary of State
  - Sec. 18.84

**ARTICLE 02**
- Aging and Disability Services, Department of
  - Sec. 18.65
- Family and Protective Services, Department of
  - Sec. 18.94
  - Sec. 18.99
- State Health Services, Department of
  - Sec. 18.63
  - Sec. 18.73
  - Sec. 18.80
  - Sec. 18.96
  - Sec. 18.97
  - Sec. 18.99
  - Sec. 18.103
  - Sec. 18.104
- Health and Human Services Commission
  - Sec. 18.69
  - Sec. 18.93
  - Sec. 18.98

**ARTICLE 03**
- Texas Education Agency
  - Sec. 18.51
  - Sec. 18.54
  - Sec. 18.64
  - Sec. 18.70
  - Sec. 18.101
- Higher Education Coordinating Board
  - Sec. 18.41
  - Sec. 18.100
- The University of Texas System Administration
  - Sec. 18.99
- Texas A&M University System Administrative and General Offices
  - Sec. 18.99

**ARTICLE**/Agency/Rider

**ARTICLE 04**
Office of Court Administration, Texas Judicial Council
Sec. 18.57
**ARTICLE 05**
Adjutant General's Department
Sec. 18.67
Sec. 18.108
Alcoholic Beverage Commission
Sec. 18.35
Sec. 18.46
Department of Criminal Justice
Sec. 18.99
Sec. 18.102
Juvenile Probation Commission
Sec. 18.99
Department of Public Safety
Sec. 18.36
Sec. 18.73
Sec. 18.83
Sec. 18.109
Youth Commission
Sec. 18.99
**ARTICLE 06**
Department of Agriculture
Sec. 18.77
Commission on Environmental Quality
Sec. 18.40
Sec. 18.56
Sec. 18.60
Sec. 18.62
Sec. 18.66
Sec. 18.72
Sec. 18.81
General Land Office and Veterans' Land Board
Sec. 18.110
Sec. 18.116
Parks and Wildlife Department
Sec. 18.74
Sec. 18.85
Railroad Commission
Sec. 18.56
Sec. 18.58
Sec. 18.71
**ARTICLE 07**
Texas Lottery Commission
Sec. 18.32
Department of Motor Vehicles
Sec. 18.75
Sec. 18.92
Department of Transportation
Sec. 18.92
Sec. 18.116
Texas Workforce Commission
Sec. 18.114
**ARTICLE 08**
Department of Insurance
Sec. 18.38
Sec. 18.44
Sec. 18.45
Sec. 18.47
Sec. 18.50
Sec. 18.52
Sec. 18.61

**ARTICLE**/Agency/Rider

**ARTICLE 08**

Department of Insurance

Sec. 18.78

Sec. 18.78

Department of Licensing and Regulation

Sec. 18.43

Texas Medical Board

Sec. 18.48

Optometry Board

Sec. 18.76

Racing Commission

Sec. 18.49

Real Estate Commission

Sec. 18.42

Public Utility Commission of Texas

Sec. 18.68

Sec. 18.72

Office of Public Utility Counsel

Sec. 18.60

Sec. 18.72

**ARTICLE 10**

Senate

Sec. 18.111

House of Representatives

Sec. 18.111

# ARTICLE X

# THE LEGISLATURE

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 legislative agencies.

## SENATE

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 31,144,168 | $ 33,684,012 |
| **Total, Method of Financing** | $ 31,144,168 | $ 33,684,012 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Items of Appropriation:** | | |
| **A. Goal:** SENATE | | |
| **A.1.1. Strategy:** SENATE | $ 31,144,168 | $ 33,684,012 |
| **Grand Total,** SENATE | $ 31,144,168 | $ 33,684,012 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 1,805,823 | $ 1,814,853 |
| Group Insurance | 5,115,384 | 5,203,692 |
| Social Security | 2,391,669 | 2,403,628 |
| Benefits Replacement | 101,333 | 94,747 |
| Subtotal, Employee Benefits | $ 9,414,209 | $ 9,516,920 |
| Debt Service | | |
| Lease Payments | $ 1,758,499 | $ 1,549,288 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 11,172,708 | $ 11,066,208 |

1. **Purposes for Which Appropriations May Be Expended.** Funds appropriated to the Senate may be expended for constitutionally authorized annual salaries for Members of the Senate and the Lieutenant Governor, per diem, other salaries and wages, consumable supplies and materials, current and recurring operating expenses, films, membership dues in any national or regional organization of legislative leaders, capital outlay, building repair and remodeling and other expenses of the Senate including interim expenses of the Eighty-second and Eighty-third Legislatures as may be authorized by law or by resolution.

2. **Appropriation of Fees: Rental Space in Capitol Building.** The Texas Senate shall charge a reasonable fee for rental of space within the State Capitol Building under its control and authority. Any fees so collected are hereby appropriated for use by the Texas Senate during the biennium covered by this Act.

3. **Unexpended Balances.** Any unexpended balances as of August 31, 2011, in the appropriations made by the Legislature to the Senate are hereby appropriated to the Senate for the same purposes for the biennium beginning September 1, 2011.

   Any unexpended balances as of August 31, 2012 in the appropriations made to the Senate are hereby appropriated for the same purposes for the fiscal year beginning September 1, 2012.

# HOUSE OF REPRESENTATIVES

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 34,811,580 | $ 38,771,751 |
| **Total, Method of Financing** | $ 34,811,580 | $ 38,771,751 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Items of Appropriation:** | | |
| **A. Goal:** HOUSE OF REPRESENTATIVES | | |
| **A.1.1. Strategy:** HOUSE OF REPRESENTATIVES | $ 34,811,580 | $ 38,771,751 |
| **Grand Total,** HOUSE OF REPRESENTATIVES | $ 34,811,580 | $ 38,771,751 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 1,883,623 | $ 1,893,042 |
| Group Insurance | 7,799,006 | 7,958,114 |
| Social Security | 2,463,067 | 2,475,383 |
| Benefits Replacement | 82,718 | 77,342 |
| Subtotal, Employee Benefits | $ 12,228,414 | $ 12,403,881 |
| Debt Service | | |
| Lease Payments | $ 2,299,200 | $ 2,316,513 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 14,527,614 | $ 14,720,394 |

1. **Purposes For Which Appropriations May Be Expended.** Funds appropriated to the House of Representatives may be expended for Constitutionally authorized annual salaries for Members of the House of Representatives, per diem, other salaries and wages, consumable supplies and materials, current and recurring operating expenses, films, membership dues in the National Conference of State Legislatures and in any national or regional organization of legislative leaders, capital outlay, building repair and remodeling, and other expenses for the House of Representatives, including interim expenses of the Eighty-second and Eighty-third Legislatures as may be authorized by law or resolution.

2. **Appropriation of Fees: Rental Space in Capitol Building.** The House of Representatives shall charge a reasonable fee for rental of space within the State Capitol Building under its control and authority. Any fees so collected are hereby appropriated for use by the House during the biennium covered by this Act.

3. **Unexpended Balances.** Any unexpended balances as of August 31, 2011, in the appropriations made by the Legislature to the House of Representatives are hereby appropriated to the House of Representatives for the same purposes for the biennium beginning September 1, 2011.

   Any unexpended balances as of August 31, 2012 in the appropriations made to the House of Representatives are hereby appropriated for the same purposes for the fiscal year beginning September 1, 2012.

4. **Transfer and Appropriation to Legislative Budget Board Account.** Out of the appropriations made in this Article for the Senate or the House of Representatives, there may be transferred, upon the written approval of the Lieutenant Governor or the Speaker of the House, to an appropriations account for the Legislative Budget Board, such sums as may be deemed necessary but not to exceed an aggregate of $4,068,380 for the fiscal year beginning September 1, 2011, and $4,068,380 for the fiscal year beginning September 1, 2012, for maintaining the operations of said Legislative Budget Board. In addition to amounts identified elsewhere in this provision, there is hereby appropriated to the Legislative Budget Board out of the General Revenue Fund a total of $17,402,866 for the 2012-13 biennium.

Such sums as may be transferred to an account for the Legislative Budget Board shall be budgeted by said Board pursuant to Chapter 322, Government Code, and any amendments thereto including the payment of travel expenses and registration fees incurred by Budget Board members or members of its staff in attending meetings on problems of federal-state relations, interstate problems, problems affecting state or local governments, and meetings sponsored by the Council of State Governments or any of its affiliated organizations, and contributions incident to membership in national or regional organizations of state governments.

**5. Unexpended Balances: Legislative Budget Board.**

a. Any unexpended balances as of August 31, 2011, in the appropriations made to the Legislative Budget Board for fiscal year 2011, are hereby appropriated to the Legislative Budget Board for the biennium beginning September 1, 2011.

b. Any unexpended balances as of August 31, 2012, in the appropriations made to the Legislative Budget Board are hereby appropriated for the same purposes for the fiscal year beginning September 1, 2012.

**6. Texas School Performance Reviews.** In view of the cost savings and efficiency measures accruing to school districts from School Performance Reviews, the Legislative Budget Board may enter into interlocal cost sharing agreements with school districts where districts requesting review will be responsible for up to 25 percent of the cost of such performance reviews. The Legislative Budget Board shall be solely responsible for the terms and conditions of the contracts and administration of the program. However, any such cost sharing contracts shall include the school as a third party. The financial responsibility of such schools shall be a direct obligation of the school to pay the vendor upon approval of the work product by the Legislative Budget Board.

**7. Transfer to Sunset Advisory Commission Account and Unexpended Balances.**

a. Out of the appropriations made in this Article for the Senate or the House of Representatives, there may be transferred upon the written approval of the Lieutenant Governor or the Speaker of the House, to an appropriations account for the Sunset Advisory Commission such sums as may be deemed necessary but not to exceed an aggregate of $2,286,188 for the fiscal year beginning September 1, 2011, and $2,286,188 for the fiscal year beginning September 1, 2012, for maintaining the operations of the Commission.

b. Any unexpended balances as of August 31, 2011, in the appropriations made to the Sunset Advisory Commission are hereby appropriated for the same purposes for the biennium beginning September 1, 2011.

Any unexpended balances as of August 31, 2012, in the appropriations made to the Sunset Advisory Commission, are hereby appropriated to the Sunset Advisory Commission for the fiscal year beginning September 1, 2012.

c. The money that an entity is required by law to pay to the Sunset Advisory Commission to cover the costs the commission incurs in performing a review of the entity is appropriated to the commission for maintaining the operations of the commission. Money appropriated to the commission under this subsection is in addition to the aggregate amounts appropriated to the commission under Subsection a.

## LEGISLATIVE COUNCIL

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 31,184,358 | $ 37,640,048 |
| **Total, Method of Financing** | $ 31,184,358 | $ 37,640,048 |

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

## LEGISLATIVE COUNCIL
(Continued)

| | | |
|---|---|---|
| **Items of Appropriation:** | | |
| **A. Goal:** LEGISLATIVE COUNCIL | | |
| **A.1.1. Strategy:** LEGISLATIVE COUNCIL | $ 31,184,358 | $ 37,640,048 |
| **Grand Total,** LEGISLATIVE COUNCIL | $ 31,184,358 | $ 37,640,048 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 1,491,179 | $ 1,498,634 |
| Group Insurance | 3,075,071 | 3,106,329 |
| Social Security | 1,857,883 | 1,867,171 |
| Benefits Replacement | 116,143 | 108,593 |
| Subtotal, Employee Benefits | $ 6,540,276 | $ 6,580,727 |
| Debt Service | | |
| Lease Payments | $ 2,577,468 | $ 2,917,299 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 9,117,744 | $ 9,498,026 |

1. **Purposes for Which Appropriations May Be Expended.** Funds appropriated to the Legislative Council may be expended for payment of salaries and other necessary expenses to carry out the council's statutory powers and duties (including those powers and duties provided by Chapters 301, 323, and 326, Government Code; §§ 531.203, 762.011, and 2053.004, Government Code; and § 276.008, Election Code) and to carry out responsibilities assigned pursuant to legislative resolution. Out of the funds appropriated above:

   (1) $1,000,000 each shall be transferred annually to the Senate and the House of Representatives for printing costs;

   (2) $50,000 each shall be transferred annually to the Senate and House of Representatives for moving expenses; and

   (3) Out of funds appropriated above, the Legislative Council shall transfer to the chamber of the legislature for which the Council estimates it has spent or will spend less money on bill analysis services during the 2012-13 biennium, as compared to the other chamber, an amount of funds equal to the difference in the amounts estimated by the Council as spent or to be spent on bill analysis services for each chamber of the legislature.

2. **Unexpended Balances.** Any unexpended balances as of August 31, 2011, previously appropriated to the Legislative Council are hereby appropriated to the Council for the biennium beginning September 1, 2011, for the purposes stated in Rider provision 1 of the preceding appropriation to the Council.

   Any unexpended balances in the appropriations made to the Legislative Council as of August 31, 2012, are hereby appropriated to the Legislative Council for the fiscal year beginning September 1, 2012.

3. **Appropriation of Fees: Charges for Information Services.** In addition to other amounts appropriated, there is appropriated to the Legislative Council for the fiscal years beginning September 1, 2011, and September 1, 2012, any amounts received as charges under § 323.014(c), Government Code.

4. **Transfers to Legislative Agencies.** The Legislative Council may transfer amounts, as appropriate, to the Commission on Uniform State Laws and to legislative agencies as determined by the Lieutenant Governor and the Speaker of the House.

## COMMISSION ON UNIFORM STATE LAWS

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 128,600 | $ 128,600 |
| **Total, Method of Financing** | $ 128,600 | $ 128,600 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Items of Appropriation:** | | |
| **A. Goal:** COMMISSION ON UNIFORM STATE LAWS | | |
| **A.1.1. Strategy:** COMMISSION ON UNIFORM STATE LAWS | $ 128,600 | $ 128,600 |
| **Grand Total,** COMMISSION ON UNIFORM STATE LAWS | $ 128,600 | $ 128,600 |

1. **Purposes for Which Appropriations May Be Expended.** Funds appropriated to the Commission on Uniform State Laws may be expended for payment of the contribution by the State of Texas to the National Conference of Commissioners on Uniform State Laws and for payment of other necessary expenses of the commission in carrying out provisions of Chapter 762, Government Code, including the printing of the commission's report and travel expenses of members of the commission to attend the annual meeting of the National Conference of Commissioner's on Uniform State Laws and travel to the state capitol on commission business.

2. **Unexpended Balances.** Any unexpended balances as of August 31, 2011, in the appropriations made to the Commission on Uniform State Laws are hereby appropriated to the Commission on Uniform State Laws for the same purposes for the biennium beginning September 1, 2011.

   Any unexpended balances in the appropriations of the Commission on Uniform State Laws as of August 31, 2012, are hereby appropriated to the Commission on Uniform State Laws for the fiscal year beginning September 1, 2012.

## STATE AUDITOR'S OFFICE

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 13,753,611 | $ 13,753,611 |
| Other Funds | | |
| Appropriated Receipts | 275,000 | 275,000 |
| Interagency Contracts | 4,500,000 | 4,500,000 |
| Subtotal, Other Funds | $ 4,775,000 | $ 4,775,000 |
| **Total, Method of Financing** | $ 18,528,611 | $ 18,528,611 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Items of Appropriation:** | | |
| **A. Goal:** STATE AUDITOR | | |
| **A.1.1. Strategy:** STATE AUDITOR | $ 18,528,611 | $ 18,528,611 |
| **Grand Total,** STATE AUDITOR'S OFFICE | $ 18,528,611 | $ 18,528,611 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 827,284 | $ 831,420 |
| Group Insurance | 1,633,233 | 1,655,587 |

## STATE AUDITOR'S OFFICE
(Continued)

| | | |
|---|---|---|
| Social Security | 1,047,355 | 1,052,592 |
| Benefits Replacement | 50,653 | 47,361 |
| Subtotal, Employee Benefits | $ 3,558,525 | $ 3,586,960 |
| Debt Service | | |
| Lease Payments | $ 1,108,541 | $ 1,261,627 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 4,667,066 | $ 4,848,587 |

1. **Appropriation of Interagency Contracts.** All funds transferred to the State Auditor's Office (SAO) pursuant to interagency contracts for services provided by the SAO are hereby appropriated to the SAO during the fiscal year in which they are received and shall be used as provided by Government Code, Chapter 321.

2. **Appropriation of Appropriated Receipts.** All funds reimbursed to the State Auditor's Office (SAO) by governmental entities for the provision of services are hereby appropriated to the SAO during the fiscal year in which they are received and shall be used as provided by Government Code, Chapter 321.

3. **Unexpended Balances.** Any unexpended balance as of August 31, 2011, in amounts previously appropriated to the State Auditor from the General Revenue Fund is hereby appropriated to the State Auditor for the same purposes for the biennium beginning September 1, 2011.

   Any unexpended balance remaining in the appropriations of the State Auditor as of August 31, 2012, is hereby appropriated to the State Auditor for the same purposes for the fiscal year beginning September 1, 2012.

4. **Notification of State Auditor Reports.** The State Auditor shall provide copies of audit reports to the respective affected agencies and to the Legislative Audit Committee prior to public release of any audit or audit report.

## LEGISLATIVE REFERENCE LIBRARY

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund | $ 1,358,990 | $ 1,472,239 |
| Other Funds | | |
| Appropriated Receipts | 6,400 | 6,400 |
| Interagency Contracts | 1,600 | 1,600 |
| Subtotal, Other Funds | $ 8,000 | $ 8,000 |
| **Total, Method of Financing** | $ 1,366,990 | $ 1,480,239 |
| **This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.** | | |
| **Items of Appropriation:** | | |
| **A. Goal:** LEGISLATIVE REFERENCE LIBRARY | | |
| **A.1.1. Strategy:** LEGISLATIVE REFERENCE LIBRARY | $ 1,366,990 | $ 1,480,239 |
| **Grand Total,** LEGISLATIVE REFERENCE LIBRARY | $ 1,366,990 | $ 1,480,239 |
| **Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:** | | |
| Employee Benefits | | |
| Retirement | $ 71,930 | $ 72,290 |
| Group Insurance | 175,605 | 177,528 |

## LEGISLATIVE REFERENCE LIBRARY
(Continued)

| | | |
|---|---|---|
| Social Security | 90,262 | 90,713 |
| Benefits Replacement | 4,789 | 4,477 |
| Subtotal, Employee Benefits | $ 342,586 | $ 345,008 |
| Debt Service | | |
| Lease Payments | $ 212,207 | $ 204,322 |
| **Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act** | $ 554,793 | $ 549,330 |

1. **Purposes for Which Appropriations May Be Expended.** Funds appropriated to the Legislative Reference Library may be expended for library administration and services, for salaries and wages, travel, consumable supplies and materials, current and recurring operating expenses, capital outlay, books and periodicals, and other necessary expenses to be expended under the direction of the Legislative Library Board.

2. **Unexpended Balances.** Any unexpended balances as of August 31, 2011, in the appropriations made to the Legislative Reference Library are hereby appropriated for the biennium beginning September 1, 2011.

   Any unexpended balances as of August 31, 2012, in the appropriations made to the Legislative Reference Library are hereby appropriated for the same purposes for the fiscal year beginning September 1, 2012.

## RETIREMENT AND GROUP INSURANCE

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund, estimated | $ 24,682,700 | $ 26,892,988 |
| **Total, Method of Financing** | $ 24,682,700 | $ 26,892,988 |
| **Items of Appropriation:** | | |
| **A. Goal:** EMPLOYEES RETIREMENT SYSTEM | | |
| **A.1.1. Strategy:** RETIREMENT CONTRIBUTIONS<br>Retirement Contributions. Estimated. | $ 6,049,560 | $ 6,553,690 |
| **A.1.2. Strategy:** GROUP INSURANCE<br>Group Insurance Contributions. Estimated. | $ 18,633,140 | $ 20,339,298 |
| **Total, Goal A:** EMPLOYEES RETIREMENT SYSTEM | $ 24,682,700 | $ 26,892,988 |
| **Grand Total,** RETIREMENT AND GROUP INSURANCE | $ 24,682,700 | $ 26,892,988 |

## SOCIAL SECURITY AND BENEFIT REPLACEMENT PAY

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:** | | |
| General Revenue Fund, estimated | $ 8,205,871 | $ 8,222,007 |
| **Total, Method of Financing** | $ 8,205,871 | $ 8,222,007 |
| **Items of Appropriation:** | | |
| **A. Goal:** SOCIAL SECURITY/BENEFIT REPLACEMENT | | |
| Comptroller - Social Security. | | |
| **A.1.1. Strategy:** STATE MATCH -- EMPLOYER<br>State Match — Employer. Estimated. | $ 7,850,235 | $ 7,889,487 |

## SOCIAL SECURITY AND BENEFIT REPLACEMENT PAY
(Continued)

| | | |
|---|---|---|
| **A.1.2. Strategy:** BENEFIT REPLACEMENT PAY<br>Benefit Replacement Pay. Estimated. | $ 355,636 | $ 332,520 |
| **Total, Goal A:** SOCIAL SECURITY/BENEFIT REPLACEMENT | $ 8,205,871 | $ 8,222,007 |
| **Grand Total,** SOCIAL SECURITY AND BENEFIT REPLACEMENT PAY | $ 8,205,871 | $ 8,222,007 |

## LEASE PAYMENTS

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| **Method of Financing:**<br>General Revenue Fund | $ 7,955,915 | $ 8,249,049 |
| **Total, Method of Financing** | $ 7,955,915 | $ 8,249,049 |
| **Items of Appropriation:**<br>**A. Goal:** FINANCE CAPITAL PROJECTS<br>**A.1.1. Strategy:** LEASE PAYMENTS<br>To TFC for Payment to TPFA. | $ 7,955,915 | $ 8,249,049<br>& UB |
| **Grand Total,** LEASE PAYMENTS | $ 7,955,915 | $ 8,249,049 |

## SPECIAL PROVISIONS RELATING TO THE LEGISLATURE

**Sec. 2.** (a) A provision of the General Provisions of this Act that restricts or limits the use or transfer of appropriated funds, or that imposes a duty or places a limitation or condition precedent on a state agency, applies to entities and appropriations under this Article only to the extent that the provision by its terms specifically and expressly applies to those entities or appropriations. A general reference to "funds appropriated by this Act" or similar words is not specific and express application for purposes of this section.

(b) Notwithstanding other provisions in this Article, amounts appropriated under this Article may be transferred among entities covered by this Article:

(1) in accordance with Chapter 326, Government Code; or,

(2) under a written agreement executed by the presiding officers of the Senate and House of Representatives.

**Sec. 3. Authorization to Spend Unexpended Balances.** Notwithstanding any other provision contained herein, a legislative agency may only spend prior year balances with the approval of its respective governing board.

## RECAPITULATION - ARTICLE X
## THE LEGISLATURE
## (General Revenue)

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| Senate | $ 31,144,168 | $ 33,684,012 |
| House of Representatives | 34,811,580 | 38,771,751 |
| Legislative Budget Board, Rider Appropriations | 8,701,433 | 8,701,433 |
| Legislative Council | 31,184,358 | 37,640,048 |
| Commission on Uniform State Laws | 128,600 | 128,600 |
| State Auditor's Office | 13,753,611 | 13,753,611 |
| Legislative Reference Library | 1,358,990 | 1,472,239 |
| Subtotal, Legislature | $ 121,082,740 | $ 134,151,694 |
| Retirement and Group Insurance | 24,682,700 | 26,892,988 |
| Social Security and Benefit Replacement Pay | 8,205,871 | 8,222,007 |
| Subtotal, Employee Benefits | $ 32,888,571 | $ 35,114,995 |
| Lease Payments | 7,955,915 | 8,249,049 |
| Subtotal, Debt Service | $ 7,955,915 | $ 8,249,049 |
| TOTAL, ARTICLE X - THE LEGISLATURE | $ 161,927,226 | $ 177,515,738 |

## RECAPITULATION - ARTICLE X
## THE LEGISLATURE
## (Other Funds)

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| State Auditor's Office | $ 4,775,000 | $ 4,775,000 |
| Legislative Reference Library | 8,000 | 8,000 |
| Subtotal, Legislature | $ 4,783,000 | $ 4,783,000 |
| Less Interagency Contracts | $ 4,501,600 | $ 4,501,600 |
| TOTAL, ARTICLE X - THE LEGISLATURE | $ 281,400 | $ 281,400 |

## RECAPITULATION - ARTICLE X
## THE LEGISLATURE
## (All Funds)

| | For the Years Ending August 31, 2012 | For the Years Ending August 31, 2013 |
|---|---|---|
| Senate | $ 31,144,168 | $ 33,684,012 |
| House of Representatives | 34,811,580 | 38,771,751 |
| Legislative Budget Board, Rider Appropriations | 8,701,433 | 8,701,433 |
| Legislative Council | 31,184,358 | 37,640,048 |
| Commission on Uniform State Laws | 128,600 | 128,600 |
| State Auditor's Office | 18,528,611 | 18,528,611 |
| Legislative Reference Library | 1,366,990 | 1,480,239 |
| Subtotal, Legislature | $ 125,865,740 | $ 138,934,694 |
| Retirement and Group Insurance | 24,682,700 | 26,892,988 |
| Social Security and Benefit Replacement Pay | 8,205,871 | 8,222,007 |
| Subtotal, Employee Benefits | $ 32,888,571 | $ 35,114,995 |
| Lease Payments | 7,955,915 | 8,249,049 |
| Subtotal, Debt Service | $ 7,955,915 | $ 8,249,049 |
| Less Interagency Contracts | $ 4,501,600 | $ 4,501,600 |
| TOTAL, ARTICLE X - THE LEGISLATURE | $ 162,208,626 | $ 177,797,138 |

## ARTICLE XI. SAVINGS CLAUSE

If any section, sentence, clause or part of this Act shall for any reason be held to be invalid, such decision shall not affect the remaining portions of this Act; and it is hereby declared to be the intention of the Legislature to have passed each sentence, section, clause, or part thereof irrespective of the fact that any other sentence, section, clause or part thereof may be declared invalid.

## ARTICLE XII. EMERGENCY CLAUSE

The importance of the legislation to the people of the State of Texas and the crowded condition of the calendars in both Houses of the Legislature create an emergency and an imperative public necessity that the Constitutional Rule requiring bills to be read on three separate days in each House be suspended, and said Rule is hereby suspended; and this Act shall take effect and be in force from and after its passage, and it is so enacted.

**Comparison of House-Full, Senate Full, and Conference Committee Recommendations for the 2012- 2013 Biennium - House Bill 1 (All Funds)**
**Interagency Contracts Excluded**

| Article Code | Agency Name | 2012/2013 House-Full | 2012/2013 Sen-Full | 2012/2013 Conf |
|---|---|---|---|---|
| 01 | | | | |
| | COMMISSION ON THE ARTS | $3,087,509 | $7,541,544 | $7,541,544 |
| | OFF OF THE ATTNY GENERAL | $997,275,801 | $1,023,334,801 | $1,019,308,895 |
| | BOND REVIEW BOARD | $933,935 | $973,935 | $973,935 |
| | CANCER PREVENTION & RESEARCH INST | $52,000 | $600,052,000 | $600,052,000 |
| | COMPTROLLER OF PUB ACCTS | $406,109,682 | $404,409,682 | $406,788,349 |
| | FISCAL PROGRAMS | $780,170,072 | $799,770,072 | $801,770,072 |
| | COMM/EMER COMMUNICAT | $103,953,021 | $122,573,926 | $115,008,442 |
| | EMPLOYEES RETIREMENT SYS | $16,176,080 | $16,176,080 | $16,176,080 |
| | ETHICS COMMISSION | $3,865,444 | $3,865,444 | $3,865,444 |
| | FACILITIES COMMISSION | $63,361,252 | $125,535,252 | $65,595,252 |
| | PUBLIC FINANCE AUTHORITY | $4,907,832 | $4,907,832 | $4,907,832 |
| | FIRE FIGHTERS' PENSION | $1,654,339 | $1,479,339 | $1,654,339 |
| | OFFICE OF THE GOVERNOR | $19,049,960 | $19,049,960 | $19,049,960 |
| | TRUSTEED PROGRAMS - GOV | $520,710,298 | $240,591,369 | $506,799,369 |
| | HISTORICAL COMMISSION | $27,171,387 | $47,692,757 | $28,652,757 |
| | DEPT OF INFORMATION RES | $44,124,813 | $43,659,523 | $43,659,523 |
| | LIBRARY & ARCHIVES COMM | $35,434,501 | $36,533,189 | $35,434,501 |
| | PENSION REVIEW BOARD | $1,408,003 | $1,691,603 | $1,408,003 |
| | PRESERVATION BOARD | $26,938,584 | $27,143,584 | $28,143,584 |
| | OFFICE OF RISK MANAGEMENT | $0 | $0 | $0 |
| | WORKERS' COMP PAYMENTS | $1,135,500 | $1,135,500 | $1,135,500 |
| | SECRETARY OF STATE | $88,631,625 | $90,195,248 | $89,975,120 |
| | VETERANS COMMISSION | $53,373,292 | $54,188,486 | $53,930,261 |
| | RETIREMENT & GROUP INS | $197,046,151 | $218,060,355 | $211,115,002 |
| | SOCIAL SECURITY & BRP | $77,030,937 | $77,030,937 | $77,030,937 |

**Comparison of House-Full, Senate Full, and Conference Committee Recommendations for the 2012- 2013 Biennium - House Bill 1 (All Funds)**
**Interagency Contracts Excluded**

| Article Code | Agency Name | 2012/2013 House-Full | 2012/2013 Sen-Full | 2012/2013 Conf |
|---|---|---|---|---|
| 01 | | | | |
| | BOND DEBT SERVICE PAYMENT | $139,371,164 | $161,319,164 | $129,156,046 |
| | LEASE PAYMENTS | $22,027,736 | $22,027,736 | $22,027,736 |
| | **Article 01 Total** | **$3,635,000,918** | **$4,150,939,318** | **$4,291,160,483** |
| 02 | | | | |
| | AGING & DISABILITY SERVICES | $8,596,748,523 | $11,478,755,114 | $9,668,262,122 |
| | ASSISTIVE & REHABILITATIVE SERVICES | $1,196,356,515 | $1,237,488,784 | $1,217,369,123 |
| | FAMILY & PROTECTIVE SERVICES | $2,673,778,563 | $2,764,897,343 | $2,747,595,794 |
| | STATE HEALTH SERVICES | $5,278,138,843 | $5,621,328,246 | $5,551,826,966 |
| | HLTH & HUMAN SVCS COMM | $34,818,539,229 | $34,983,934,121 | $33,454,227,486 |
| | RETIREMENT & GROUP INS | $1,079,844,857 | $1,202,224,701 | $1,160,554,119 |
| | SOCIAL SECURITY & BRP | $338,809,483 | $338,809,483 | $338,809,483 |
| | BOND DEBT SERVICE PAYMENT | $61,123,592 | $62,623,592 | $55,355,547 |
| | LEASE PAYMENTS | $12,452,745 | $12,452,745 | $12,452,745 |
| | **Article 02 Total** | **$54,055,792,350** | **$57,702,514,129** | **$54,206,453,385** |
| 03 | | | | |
| Public Education | | | | |
| | TEXAS EDUCATION AGENCY | $45,357,650,676 | $50,800,828,680 | $50,382,998,586 |
| | SCH-BLIND/VISUAL IMPAIRED | $38,272,229 | $38,272,229 | $38,272,229 |
| | SCHOOL FOR THE DEAF | $51,779,887 | $51,779,887 | $51,779,887 |
| | TEACHER RETIREMENT SYSTEM | $3,640,110,363 | $3,797,393,090 | $3,797,393,090 |
| | OPTIONAL RETIREMENT PRG | $258,762,896 | $247,905,975 | $247,905,975 |
| | **Public Education Total** | **$49,346,576,051** | **$54,936,179,861** | **$54,518,349,767** |
| Higher Education | | | | |
| | HIGH EDU EMP GP INS CONTR | $954,491,133 | $1,026,486,032 | $968,961,950 |
| | HIGHER EDUCATION COORD BD | $981,426,131 | $1,426,653,683 | $1,291,803,138 |

**Comparison of House-Full, Senate Full, and Conference Committee Recommendations for the 2012- 2013 Biennium - House Bill 1 (All Funds)**
**Interagency Contracts Excluded**

| Article Code | Agency Name | 2012/2013 House-Full | 2012/2013 Sen-Full | 2012/2013 Conf |
|---|---|---|---|---|
| 03 | | | | |
| | HIGHER EDUCATION FUND | $525,000,000 | $525,000,000 | $525,000,000 |
| | UT SYS ADMIN | $15,297,200 | $19,097,200 | $18,147,200 |
| | AVAILABLE UNIVERSITY FUND | $1,061,449,668 | $1,061,449,668 | $1,061,449,668 |
| | UT ARLINGTON | $273,290,252 | $277,847,920 | $283,654,156 |
| | UT AUSTIN | $681,906,640 | $703,900,484 | $701,739,665 |
| | UT DALLAS | $210,922,107 | $217,709,384 | $220,513,862 |
| | UT EL PASO | $191,478,028 | $196,535,967 | $195,511,098 |
| | UT - PAN AMERICAN | $160,464,010 | $165,620,276 | $162,372,666 |
| | UT BROWNSVILLE | $56,922,787 | $58,760,304 | $57,628,718 |
| | UT PERMIAN BASIN | $55,170,580 | $57,679,663 | $57,445,561 |
| | UT SAN ANTONIO | $257,599,002 | $262,325,512 | $260,495,772 |
| | UT TYLER | $65,574,110 | $68,386,270 | $66,147,545 |
| | TEXAS A&M UNIV SYSTEM ADMIN | $9,945,902 | $11,063,688 | $10,107,868 |
| | TEXAS A&M UNIVERSITY | $635,699,055 | $649,547,279 | $651,599,219 |
| | TAMU GALVESTON | $36,453,238 | $37,447,406 | $37,773,622 |
| | PRAIRIE VIEW A&M | $113,100,443 | $123,503,049 | $122,639,379 |
| | TARLETON STATE UNIVERSITY | $79,100,055 | $81,223,960 | $83,950,084 |
| | A&M UNIV - CENTRAL TEXAS | $30,627,638 | $32,277,314 | $30,599,703 |
| | A&M UNIV - CORPUS CHRISTI | $107,362,755 | $111,716,792 | $109,783,074 |
| | A&M UNIV - KINGSVILLE | $71,343,028 | $75,718,362 | $75,368,253 |
| | A&M University - San Antonio | $35,848,325 | $37,468,217 | $37,125,363 |
| | TX A&M INTERNATIONAL UNIV | $72,877,060 | $75,963,313 | $73,540,550 |
| | WEST TEXAS A&M UNIVERSITY | $70,990,844 | $73,225,277 | $72,847,023 |
| | TX A&M UNIV - COMMERCE | $84,873,267 | $87,084,428 | $89,920,628 |
| | TX A&M UNIV - TEXARKANA | $34,451,910 | $35,530,173 | $34,754,968 |

**Comparison of House-Full, Senate Full, and Conference Committee Recommendations for the 2012- 2013 Biennium - House Bill 1 (All Funds)**
**Interagency Contracts Excluded**

| Article Code | Agency Name | 2012/2013 House-Full | 2012/2013 Sen-Full | 2012/2013 Conf |
|---|---|---|---|---|
| 03 | | | | |
| | UNIV OF HOUSTON SYS ADMIN | $48,818,462 | $52,642,420 | $51,668,462 |
| | UNIVERSITY OF HOUSTON | $388,346,690 | $398,674,109 | $394,815,403 |
| | UH CLEAR LAKE | $69,927,453 | $72,430,751 | $71,849,633 |
| | UH DOWNTOWN | $67,003,119 | $68,829,058 | $67,926,822 |
| | UH VICTORIA | $38,914,881 | $35,610,956 | $39,786,959 |
| | MIDWESTERN STATE UNIV | $48,417,235 | $49,214,108 | $48,828,454 |
| | UNT SYSTEM ADMINISTRATION | $3,882,226 | $9,761,456 | $6,732,226 |
| | UNIV OF NORTH TEXAS | $292,688,624 | $298,682,040 | $296,355,351 |
| | UNIVERSITY OF NORTH TEXAS - DALLAS | $28,831,747 | $30,808,534 | $30,478,388 |
| | STEPHEN F. AUSTIN STATE | $107,100,561 | $110,358,671 | $108,728,674 |
| | TEXAS SOUTHERN UNIVERSITY | $138,449,718 | $149,512,078 | $150,903,873 |
| | TEXAS TECH UNIV SYS ADMIN | $0 | $3,800,000 | $2,850,000 |
| | TEXAS TECH UNIVERSITY | $348,361,696 | $356,370,593 | $357,164,343 |
| | ANGELO STATE UNIVERSITY | $61,729,604 | $63,485,733 | $64,053,866 |
| | TEXAS WOMAN'S UNIVERSITY | $131,907,167 | $135,830,072 | $135,140,923 |
| | TEXAS STATE UNIVERSITY SYSTEM | $10 | $3,800,010 | $2,850,010 |
| | LAMAR UNIVERSITY | $103,534,559 | $110,650,908 | $111,926,905 |
| | LAMAR INSTITUTE OF TECHNOLOGY | $23,740,606 | $24,427,575 | $23,708,990 |
| | LAMAR STATE COLLEGE - ORANGE | $18,861,428 | $19,154,875 | $19,164,769 |
| | LAMAR STATE COLLEGE - PORT ARTHUR | $21,225,342 | $21,462,138 | $22,119,709 |
| | SAM HOUSTON STATE UNIV | $142,182,811 | $146,596,625 | $145,338,873 |
| | TEXAS STATE UNIVERSITY - SAN MARCOS | $249,458,287 | $254,471,639 | $254,492,644 |
| | SUL ROSS STATE UNIV | $28,906,890 | $31,147,651 | $30,804,020 |
| | SUL ROSS RIO GRANDE | $11,777,232 | $12,467,749 | $12,127,383 |
| | UT SW MED CTR - DALLAS | $266,905,197 | $276,283,453 | $265,696,864 |

**Comparison of House-Full, Senate Full, and Conference Committee Recommendations for the 2012- 2013 Biennium - House Bill 1 (All Funds)**
**Interagency Contracts Excluded**

| Article Code | Agency Name | 2012/2013 House-Full | 2012/2013 Sen-Full | 2012/2013 Conf |
|---|---|---|---|---|
| 03 | | | | |
| | UTMB - GALVESTON | $1,150,276,368 | $1,202,588,462 | $1,183,182,529 |
| | UTHSC - HOUSTON | $311,969,323 | $323,845,058 | $323,735,442 |
| | UTHSC - SAN ANTONIO | $304,142,174 | $313,327,664 | $302,335,325 |
| | UT MD ANDERSON CANCER CTR | $5,027,337,572 | $5,018,646,197 | $5,026,055,966 |
| | UTHSC - TYLER | $167,178,233 | $164,784,331 | $167,250,461 |
| | TAMU SYSTEM HEALTH CTR | $229,095,554 | $236,193,591 | $228,393,904 |
| | UNT HEALTH SCIENCE CENTER | $132,618,509 | $137,459,970 | $133,208,658 |
| | TX TECH UNIV HLTH SCI CTR | $309,944,360 | $318,365,925 | $313,236,425 |
| | PUBLIC COMM/JR COLLEGES | $1,572,733,849 | $1,751,089,403 | $1,714,737,163 |
| | TSTC SYSTEM ADMIN | $3,515,863 | $8,320,269 | $5,351,461 |
| | TSTC - HARLINGEN | $46,112,893 | $47,835,463 | $49,093,510 |
| | TSTC - WEST TEXAS | $19,114,709 | $24,812,893 | $24,970,291 |
| | TSTC - MARSHALL | $10,849,480 | $11,380,544 | $10,995,468 |
| | TSTC - WACO | $68,663,114 | $71,253,112 | $71,596,786 |
| | TEXAS AGRILIFE RESEARCH | $129,041,140 | $129,319,799 | $129,327,148 |
| | Texas AgriLife Extension Service | $127,140,343 | $127,176,178 | $127,102,261 |
| | ENG EXPR STATION | $259,087,254 | $260,212,748 | $259,935,480 |
| | TRANSPORTATION INSTITUTE | $56,750,931 | $56,844,316 | $56,954,531 |
| | ENG EXT SERVICE | $149,474,227 | $149,554,916 | $149,405,883 |
| | TEXAS FOREST SERVICE | $75,343,944 | $75,349,824 | $75,349,520 |
| | VET MED DIAGN LAB | $29,708,431 | $29,735,867 | $29,601,103 |
| | RETIREMENT & GROUP INS | $59,287,626 | $65,862,637 | $63,645,693 |
| | SOCIAL SECURITY & BRP | $597,525,757 | $597,525,757 | $597,525,757 |
| | BOND DEBT SERVICE PAYMENT | $17,188,724 | $17,188,724 | $14,567,314 |
| | LEASE PAYMENTS | $5,295,330 | $5,295,330 | $5,295,330 |

**Comparison of House-Full, Senate Full, and Conference Committee Recommendations for the 2012- 2013 Biennium - House Bill 1 (All Funds)**
**Interagency Contracts Excluded**

| Article Code | Agency Name | 2012/2013 House-Full | 2012/2013 Sen-Full | 2012/2013 Conf |
|---|---|---|---|---|
| 03 | | | | |
| | ART III, SPECIAL PROVISN | $0 | $-45,548,787 | $0 |
| | ART III, SPECIAL PROVISN | $0 | $0 | $0 |
| | **Higher Education Total** | **$20,374,032,421** | **$21,334,115,014** | **$21,079,247,686** |
| | **Article 03 Total** | **$69,720,608,472** | **$76,270,294,875** | **$75,597,597,453** |
| 04 | | | | |
| | SUPREME COURT OF TEXAS | $51,986,950 | $37,421,262 | $51,876,412 |
| | COURT OF CRIMINAL APPEALS | $27,074,624 | $27,273,018 | $26,993,018 |
| | 1ST CT APPEALS, HOUSTON | $7,284,842 | $7,497,076 | $7,390,959 |
| | 2ND CT APPEALS, FT. WORTH | $5,488,033 | $5,647,252 | $5,567,643 |
| | 3RD CT APPEALS, AUSTIN | $4,817,585 | $4,957,157 | $4,887,371 |
| | 4TH CT APPEALS, SAN ANTON | $5,572,447 | $5,734,269 | $5,653,358 |
| | 5TH CT APPEALS, DALLAS | $10,076,132 | $10,367,424 | $10,221,777 |
| | 6TH CT APPEALS, TEXARKANA | $2,650,117 | $2,727,713 | $2,688,915 |
| | 7TH CT APPEALS, AMARILLO | $3,276,846 | $3,372,077 | $3,324,462 |
| | 8TH CT APPEALS, EL PASO | $2,655,112 | $2,732,740 | $2,693,926 |
| | 9TH CT APPEALS, BEAUMONT | $3,267,586 | $3,362,524 | $3,315,055 |
| | 10TH CT APPEALS, WACO | $2,627,702 | $2,704,213 | $2,665,958 |
| | 11TH CT APPEALS, EASTLAND | $2,650,184 | $2,727,530 | $2,688,857 |
| | 12TH CT APPEALS, TYLER | $2,694,571 | $2,773,603 | $2,734,087 |
| | 13TH CT APPEALS, CORPUS | $4,842,764 | $4,983,006 | $4,912,885 |
| | 14TH CT APPEALS, HOUSTON | $7,318,641 | $7,531,763 | $7,425,202 |
| | OFFICE OF COURT ADMIN | $82,727,266 | $83,821,429 | $82,102,740 |
| | OFFICE OF CAPITAL WRITS | $1,784,271 | $1,784,271 | $1,784,271 |
| | STATE PROSECUTING ATTNY | $718,454 | $0 | $718,454 |
| | STATE LAW LIBRARY | $1,942,004 | $1,290,144 | $1,712,146 |

**Comparison of House-Full, Senate Full, and Conference Committee Recommendations for the 2012- 2013 Biennium - House Bill 1 (All Funds)**
**Interagency Contracts Excluded**

| Article Code | Agency Name | 2012/2013 House-Full | 2012/2013 Sen-Full | 2012/2013 Conf |
|---|---|---|---|---|
| 04 | | | | |
| | COMM ON JUDICIAL CONDUCT | $1,872,339 | $1,920,339 | $1,896,339 |
| | DIST CTS-COMPT JUD SEC | $283,775,902 | $284,087,420 | $285,329,586 |
| | RETIREMENT & GROUP INS | $96,988,443 | $101,236,488 | $99,902,248 |
| | SOCIAL SECURITY & BRP | $20,091,964 | $20,091,964 | $20,091,964 |
| | LEASE PAYMENTS | $4,565,814 | $4,565,814 | $4,565,814 |
| | **Article 04 Total** | **$638,750,593** | **$630,610,496** | **$643,143,447** |
| 05 | | | | |
| | ADJUTANT GENERAL | $108,510,188 | $115,414,780 | $124,100,748 |
| | TEXAS ALCOHOLIC BEVERAGE COMM | $84,911,127 | $85,472,327 | $84,911,127 |
| | DEPT OF CRIMINAL JUSTICE | $5,702,354,534 | $6,059,873,690 | $6,001,894,905 |
| | FIRE PROTECTION | $3,889,658 | $3,889,658 | $3,889,658 |
| | COMM ON JAIL STANDARDS | $1,850,111 | $1,850,111 | $1,850,111 |
| | JUVENILE PROBATION COMM | $307,340,727 | $308,399,827 | $308,212,163 |
| | LAW ENFORCE OFFICER STND | $5,334,240 | $6,155,192 | $5,590,448 |
| | DEPT OF PUBLIC SAFETY | $2,625,699,337 | $2,874,178,573 | $2,777,876,455 |
| | YOUTH COMMISSION | $326,568,501 | $326,568,501 | $326,568,501 |
| | RETIREMENT & GROUP INS | $1,037,316,405 | $1,160,357,508 | $1,121,033,612 |
| | SOCIAL SECURITY & BRP | $318,046,312 | $318,046,312 | $318,046,312 |
| | BOND DEBT SERVICE PAYMENT | $432,213,475 | $432,213,475 | $352,891,587 |
| | LEASE PAYMENTS | $3,889,308 | $3,889,308 | $3,889,308 |
| | **Article 05 Total** | **$10,957,923,923** | **$11,696,309,262** | **$11,430,754,935** |
| 06 | | | | |
| | DEPARTMENT OF AGRICULTURE | $983,277,333 | $986,434,593 | $986,364,593 |
| | ANIMAL HEALTH COMMISSION | $30,632,965 | $30,137,305 | $30,120,449 |

**Comparison of House-Full, Senate Full, and Conference Committee Recommendations for the 2012- 2013 Biennium - House Bill 1 (All Funds)**
**Interagency Contracts Excluded**

| Article Code | Agency Name | 2012/2013 House-Full | 2012/2013 Sen-Full | 2012/2013 Conf |
|---|---|---|---|---|
| 06 | | | | |
| | COMMISSION ON ENVIRONMENTAL QUALITY | $651,474,352 | $690,619,174 | $680,474,352 |
| | GENERAL LAND OFFICE | $157,205,415 | $134,737,495 | $134,737,495 |
| | PARKS AND WILDLIFE DEPT | $478,342,856 | $554,697,594 | $516,127,300 |
| | RAILROAD COMMISSION | $133,464,944 | $132,353,194 | $133,464,944 |
| | SOIL AND WATER CONS BD | $36,085,693 | $40,085,693 | $40,085,693 |
| | WATER DEVELOPMENT BOARD | $124,567,701 | $124,567,701 | $124,567,701 |
| | NON-SELF SUPP G.0. WTR BN | $220,282,037 | $235,137,086 | $213,275,672 |
| | RETIREMENT & GROUP INS | $191,523,589 | $212,268,716 | $205,298,734 |
| | SOCIAL SECURITY & BRP | $68,478,534 | $68,478,534 | $68,478,534 |
| | BOND DEBT SERVICE PAYMENT | $17,075,856 | $21,021,918 | $18,422,291 |
| | LEASE PAYMENTS | $6,992,178 | $6,992,178 | $6,992,178 |
| | **Article 06 Total** | **$3,099,403,453** | **$3,237,531,181** | **$3,158,409,936** |
| 07 | | | | |
| | DEPT HOUSING-COMM AFFAIRS | $379,386,225 | $379,386,225 | $379,386,225 |
| | TEXAS LOTTERY COMMISSION | $379,127,998 | $379,127,998 | $379,127,998 |
| | DEPARTMENT OF MOTOR VEHICLES | $252,855,406 | $280,579,146 | $280,579,146 |
| | Department of Rural Affairs | $675,191,589 | $675,191,589 | $675,191,589 |
| | DEPT OF TRANSPORTATION | $16,283,809,672 | $19,536,791,424 | $19,803,159,662 |
| | TEXAS WORKFORCE COMM | $2,132,077,363 | $2,132,077,363 | $2,143,490,650 |
| | UNEMPL COMP BENEFIT ACCT | $17,338,394 | $17,338,394 | $17,338,394 |
| | RETIREMENT & GROUP INS | $488,495,621 | $544,315,452 | $527,012,722 |
| | SOCIAL SECURITY & BRP | $134,870,355 | $134,870,355 | $134,870,355 |
| | BOND DEBT SERVICE PAYMENTS | $27,252,620 | $27,252,620 | $25,754,741 |
| | LEASE PAYMENTS | $2,347,889 | $2,347,889 | $2,347,889 |

**Comparison of House-Full, Senate Full, and Conference Committee Recommendations for the 2012- 2013 Biennium - House Bill 1 (All Funds)**
**Interagency Contracts Excluded**

| Article Code | Agency Name | 2012/2013 House-Full | 2012/2013 Sen-Full | 2012/2013 Conf |
|---|---|---|---|---|
| | **Article 07 Total** | **$20,772,753,132** | **$24,109,278,455** | **$24,368,259,371** |
| 08 | | | | |
| | OFFICE ADM HEARINGS | $13,385,022 | $13,385,022 | $13,385,022 |
| | BD CHIROPRACTIC EXAM | $1,223,078 | $1,223,078 | $1,223,078 |
| | BOARD OF DENTAL EXAMINERS | $4,398,913 | $4,398,913 | $4,398,913 |
| | FUNERAL SERVICE COMM | $1,466,427 | $1,466,427 | $1,466,427 |
| | BOARD OF PROFESSIONAL GEOSCIENTISTS | $1,168,663 | $1,168,663 | $1,168,663 |
| | HEALTH PROFESSIONS CNCL | $0 | $0 | $0 |
| | Office of Injured Employee Counsel | $15,539,084 | $15,539,084 | $15,539,084 |
| | DEPARTMENT OF INSURANCE | $216,047,917 | $215,847,917 | $216,047,917 |
| | PUBLIC INSURANCE CNSL | $1,682,836 | $1,882,836 | $1,682,836 |
| | BD OF PROF LAND SURVEYING | $891,386 | $893,986 | $893,986 |
| | DEPT OF LICENSE & REG | $46,838,869 | $46,698,869 | $46,838,869 |
| | TEXAS MEDICAL BOARD | $22,038,657 | $22,680,657 | $22,680,657 |
| | TEXAS BOARD OF NURSING | $18,591,094 | $17,546,646 | $18,591,094 |
| | OPTOMETRY BOARD | $814,235 | $863,443 | $853,443 |
| | BOARD OF PHARMACY | $10,340,283 | $10,089,356 | $10,340,283 |
| | EXEC CNCL PHYS THERAPY | $2,246,745 | $2,246,745 | $2,246,745 |
| | BD OF PLUMBING EXAMINERS | $4,342,070 | $4,342,070 | $4,342,070 |
| | PODIATRIC MED EXAMINERS | $479,487 | $479,487 | $479,487 |
| | BD EXAM PSYCHOLOGISTS | $1,553,964 | $1,553,964 | $1,553,964 |
| | TEXAS RACING COMMISSION | $18,595,467 | $18,595,467 | $18,595,467 |
| | REAL ESTATE COMMISSION | $14,548,662 | $14,548,662 | $14,548,662 |
| | Residential Construction Commission | $0 | $0 | $0 |
| | SECURITIES BOARD | $13,679,568 | $13,679,568 | $13,679,568 |
| | PUBLIC UTILITY COMM | $189,153,421 | $28,013,596 | $178,130,660 |

**Comparison of House-Full, Senate Full, and Conference Committee Recommendations for the 2012- 2013 Biennium - House Bill 1 (All Funds)**
**Interagency Contracts Excluded**

| Article Code | Agency Name | 2012/2013 House-Full | 2012/2013 Sen-Full | 2012/2013 Conf |
|---|---|---|---|---|
| 08 | | | | |
| | PUBLIC UTILITY COUNSEL | $3,007,406 | $3,007,406 | $3,007,406 |
| | BD OF VET MEDICAL EXAM | $1,814,810 | $1,938,299 | $1,938,299 |
| | RETIREMENT & GROUP INS | $69,426,924 | $76,889,432 | $74,402,252 |
| | SOCIAL SECURITY & BRP | $26,035,190 | $26,035,190 | $26,035,190 |
| | LEASE PAYMENTS | $2,555,856 | $2,555,856 | $2,555,856 |
| | **Article 08 Total** | **$701,866,034** | **$547,570,639** | **$696,625,898** |
| 09 | | | | |
| | DATA CENTER SERVICES REDUCTIONS | $-42,378,186 | $-42,378,186 | $-42,940,300 |
| | PAYROLL GROWTH REDUCTIONS | $0 | $-24,365,902 | $0 |
| | Reduction to State Appropriations | $0 | $-3,666,190,476 | $-250,000,000 |
| | Drivers License Process Improvement | $0 | $0 | $64,100,000 |
| | Approp for Specialty License Plate | $0 | $2,723,000 | $0 |
| | Sex Assault Prevention/Intervention | $61,400,000 | $0 | $61,400,000 |
| | Appropriation Adjustments | $0 | $-2,159,321,333 | $0 |
| | GO Bonds for Capital Projects | $0 | $0 | $142,850,000 |
| | Cont for SB 1811 Found Sch Prog Def | $0 | $0 | $-2,300,000,000 |
| | Approp for Oil and Gas-Related Act | $0 | $0 | $10,000,000 |
| | Additional Funding for Medicaid | $0 | $0 | $1,172,882,946 |
| | Reduction for Employee Benefits | $0 | $0 | $-24,365,902 |
| | DIR: Enterprise Resource Planning | $0 | $0 | $13,335,913 |
| | GR Reduction for Medicaid | $0 | $0 | $-469,200,000 |
| | Addit'l Fund'g for Comm/Jr Colleges | $0 | $0 | $34,600,000 |
| | State Cost Estimate for FSP | $0 | $0 | $-800,000,000 |
| | CONTINGENCY AND OTHER PROVISIONS | $600,000,000 | $0 | $0 |

**Comparison of House-Full, Senate Full, and Conference Committee Recommendations for the 2012- 2013 Biennium - House Bill 1 (All Funds)**
**Interagency Contracts Excluded**

| Article Code | Agency Name | 2012/2013 House-Full | 2012/2013 Sen-Full | 2012/2013 Conf |
|---|---|---|---|---|
| | **Article 09 Total** | **$619,021,814** | **$-5,889,532,897** | **$-2,387,337,343** |
| 10 | | | | |
| | SENATE | $58,328,180 | $64,828,180 | $64,828,180 |
| | HOUSE OF REPRESENTATIVES | $67,083,331 | $73,583,331 | $73,583,331 |
| | LEGISLATIVE BUDGET BOARD | $17,402,866 | $17,402,866 | $17,402,866 |
| | LEGISLATIVE COUNCIL | $58,824,406 | $68,824,406 | $68,824,406 |
| | COMM ON UNIFORM STATE LAW | $257,200 | $257,200 | $257,200 |
| | STATE AUDITOR'S OFFICE | $28,057,222 | $28,057,222 | $28,057,222 |
| | LEGISLATIVE REF LIBRARY | $2,844,029 | $2,844,029 | $2,844,029 |
| | RETIREMENT & GROUP INS | $48,089,628 | $53,331,964 | $51,575,688 |
| | SOCIAL SECURITY & BRP | $16,427,878 | $16,427,878 | $16,427,878 |
| | LEASE PAYMENTS | $16,204,964 | $16,204,964 | $16,204,964 |
| | **Article 10 Total** | **$313,519,704** | **$341,762,040** | **$340,005,764** |
| | **Statewide Total** | **$164,514,640,393** | **$172,797,277,498** | **$172,345,073,329** |