

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 1060
By: Lindsay
Finance
4/3/2001
Committee Report (Substituted)

DIGEST AND PURPOSE

The legislature has acknowledged the need for agencies to respond to changing priorities by allowing, through an Article IX rider, the transfer of up to 25 percent of an agency's appropriations from one strategy to another. However, the statutory restrictions placed on the various fees assessed by the Texas Natural Resource Conservation Commission (TNRCC) do not allow the agency to avail itself of the flexibility provided under the appropriations transferability provisions. As proposed, C.S.S.B. 1060 provides that the reallocation of funds would not be subject to the statutory limitations on the uses of the funds by the TNRCC.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 5, Water Code, by adding Section 5.707, as follows:

Section 5.707. TRANSFERABILITY OF APPROPRIATIONS AND FUNDS DERIVED FROM FEES. Provides that, notwithstanding, any law that provides specific purposes for which a fund, account, or revenue source may be used and expended by the Texas Natural Resource Conservation Commission (commission) and that restricts the use of revenues and balances by the commission, the commission may transfer a percentage of appropriations from one appropriation item to another appropriation item consistent with the General Appropriations Act for any biennium authorizing the commission to transfer a percentage of appropriations from one appropriation item to another appropriation item. Provides that the use of funds in dedicated accounts under this section for purposes in addition to those provided by statutes restricting their use may not exceed seven percent of appropriations to the commission in the General Appropriations Act for any biennium. Requires that a transfer of \$500,000 or more from one appropriation item to another appropriation item under this section to be approved by the commission at an open meeting subject to Chapter 551 (Open Meetings), Government Code.

SECTION 2. Effective date: September 1, 2001.

SUMMARY OF COMMITTEE CHANGES

Amends As Filed S.B. 1060 to provide more restrictions on the transferability of appropriations from item to item in the Texas Natural Resource Conservation Commission budget.