

# SENATE JOURNAL

EIGHTY-SEVENTH LEGISLATURE — THIRD CALLED SESSION

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AUSTIN, TEXAS

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PROCEEDINGS

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SEVENTH DAY

(Continued)

(Friday, October 15, 2021)

AFTER RECESS

The Senate met at 11:18 a.m. and was called to order by the President.

Senator Hinojosa offered the invocation as follows:

Lord, I ask for courage, courage to face and conquer my own fears, courage to take me where others will not go. I ask for strength, strength of body to protect others. I ask for dedication, dedication to do my job and do it well, dedication to my country and keep it safe. Lord, give me concern for those who trust me and compassion for those who need me. And please, Lord, through it all be at my side. Amen. Semper Fi.

**SENATE RULE 7.12(a) SUSPENDED**

**(Printing of Bills)**

**(Motion In Writing)**

Senator Huffman offered the following Motion In Writing:

Mr. President,

Pursuant to Senate Rule 7.12(a), the Printing Rule, I move that the Senate order H.B. 1 not printed.

HUFFMAN

The Motion In Writing was read and prevailed without objection.

**MESSAGE FROM THE HOUSE**

HOUSE CHAMBER

Austin, Texas

Friday, October 15, 2021 - 1

The Honorable President of the Senate

Senate Chamber

Austin, Texas

Mr. President:

I am directed by the house to inform the senate that the house has taken the following action:

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

**HB 25**

Swanson

Relating to requiring public school students to compete in interscholastic athletic competitions based on biological sex.

**HCR 14**

Craddick

Congratulating Dr. Jonathan J. Sanford on his inauguration as the 10th president of the University of Dallas.

Respectfully,

/s/Robert Haney, Chief Clerk  
House of Representatives

**MESSAGE FROM THE GOVERNOR**

The following Message from the Governor was read and was filed with the Secretary of the Senate:

STATE OF TEXAS  
OFFICE OF THE GOVERNOR

## MESSAGE

TO THE SENATE AND HOUSE OF REPRESENTATIVES OF THE EIGHTY-SEVENTH TEXAS LEGISLATURE, THIRD CALLED SESSION:

I, GREG ABBOTT, Governor of the State of Texas, by the authority vested in me by Article III, Section 40, and Article IV, Section 8, of the Texas Constitution, do hereby present the following additional subject to the 87th Texas Legislature, Third Called Session, for consideration:

Legislation to improve higher education in Texas.

Respectfully submitted,

/s/Greg Abbott  
Governor

Austin, Texas  
October 15, 2021

**HOUSE BILL ON FIRST READING**

The following bill received from the House was read first time and referred to the committee indicated:

**HB 25** to Committee on Health and Human Services.

**CONCLUSION OF MORNING CALL**

The President at 1:02 p.m. announced the conclusion of morning call.

**COMMITTEE SUBSTITUTE**  
**SENATE BILL 52 ON SECOND READING**

Senator Creighton moved to suspend the regular order of business and Senate Rule 7.12(a) to take up for consideration **CSSB 52** at this time on its second reading:

**CSSB 52**, Relating to authorizing the issuance of revenue bonds to fund capital projects at public institutions of higher education.

The motion prevailed.

Senator Hall asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time.

Senator Creighton offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **CSSB 52** (senate committee printing) in SECTION 1 of the bill as follows:

(1) In added Section 55.1791(a), Education Code:

(A) In added Subdivision (1) (page 1, line 38), strike "\$140 million" and substitute "\$125 million".

(B) In added Subdivision (2) (page 1, line 41), strike "\$50 million" and substitute "\$40 million".

(C) In added Subdivision (6) (page 1, line 51), strike "\$60 million" and substitute "\$50 million".

(D) In added Subdivision (9) (page 1, line 59), strike "\$80 million" and substitute "\$55 million".

(2) In added Section 55.1791(a), Education Code, add the following appropriately numbered subdivision and renumber subsequent subdivisions accordingly:

( ) Prairie View A&M University, \$60 million for construction of a teaching and academic student support services facility;

(3) In added Section 55.1794(a), Education Code (page 3, lines 44 and 45), strike "located in San Marcos, Texas" and substitute "and health professions building".

CREIGHTON  
KOLKHORST  
MILES  
WEST

The amendment to **CSSB 52** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 1.

Senator Miles offered the following amendment to the bill:

**Floor Amendment No. 2**

Amend **CSSB 52** (senate committee printing) in SECTION 1 of the bill, in added Section 55.1793(a), Education Code, as follows:

(1) In added Subdivision (1) (page 2, line 67), strike "\$128 million" and substitute "\$113 million".

(2) Add the following appropriately numbered subdivision and renumber subsequent subdivisions accordingly:

( ) the University of Houston–Downtown, \$15 million for additions to the Girard Street Building;

MILES  
ALVARADO  
BETTENCOURT  
WHITMIRE

The amendment to **CSSB 52** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 2.

Senator Gutierrez offered the following amendment to the bill:

**Floor Amendment No. 3**

Amend **CSSB 52** (senate committee printing) in SECTION 1 of the bill, in added Section 55.1792(a), Education Code (page 2, between lines 34 and 35), by adding the following appropriately numbered subdivision and renumbering subsequent subdivisions accordingly:

( ) The University of Texas at San Antonio, \$161,250,000 for construction of an Innovation, Entrepreneurship, and Careers building;

GUTIERREZ  
CAMPBELL  
MENÉNDEZ  
ZAFFIRINI

The amendment to **CSSB 52** was read.

Senator Gutierrez withdrew Floor Amendment No. 3.

Senator Gutierrez offered the following amendment to the bill:

**Floor Amendment No. 4**

Amend **CSSB 52** (senate committee printing) in SECTION 1 of the bill, in added Section 55.1792(a), Education Code (page 2, between lines 36 and 37), by adding the following appropriately numbered subdivision and renumbering subsequent subdivisions accordingly:

( ) The University of Texas Health Science Center at San Antonio, \$110 million for construction of an Alzheimer's academic and research building;

GUTIERREZ  
CAMPBELL  
MENÉNDEZ  
ZAFFIRINI

The amendment to **CSSB 52** was read.

Senator Gutierrez withdrew Floor Amendment No. 4.

Senator Hinojosa offered the following amendment to the bill:

**Floor Amendment No. 5**

Amend **CSSB 52** (senate committee printing) in SECTION 1 of the bill, as follows:

(1) In added Section 55.1791(a), Education Code (page 1, between lines 45 and 46), add the following appropriately numbered subdivision and renumber subsequent subdivisions accordingly:

( ) Texas A&M University–Corpus Christi, \$30 million to address deferred maintenance;

(2) In added Section 55.1791(a), Education Code (page 1, line 53), in added Subdivision (7), strike "\$80 million" and substitute "\$70 million".

(3) In added Section 55.1792(a), Education Code (page 2, between lines 34 and 35), add the following appropriately numbered subdivision and renumber subsequent subdivisions accordingly:

( ) The University of Texas Rio Grande Valley, \$35 million to address deferred maintenance;

HINOJOSA  
LUCIO

The amendment to **CSSB 52** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 5.

Senator Creighton offered the following amendment to the bill:

**Floor Amendment No. 6**

Amend **CSSB 52** (senate committee printing) in SECTION 1 of the bill, in added Section 55.1792(a), Education Code, as follows:

(1) In added Subdivision (1) (page 2, line 24), strike "\$80 million" and substitute "\$74 million".

(2) In added Subdivision (2) (page 2, line 27), strike "\$107,200,000" and substitute "\$101,200,000".

(3) In added Subdivision (3) (page 2, line 29), strike "\$68 million" and substitute "\$62 million".

(4) In added Subdivision (4) (page 2, line 31), strike "\$80 million" and substitute "\$74 million".

(5) In added Subdivision (5) (page 2, lines 33 through 34), strike "\$56 million" and substitute "\$50 million".

(6) In added Subdivision (6) (page 2, line 35), strike "\$60,800,000" and substitute "\$54,800,000".

(7) In added Subdivision (7) (page 2, line 38), strike "\$80 million" and substitute "\$74 million".

(8) In added Subdivision (8) (page 2, line 41), strike "\$87,358,171" and substitute "\$81,358,171".

(9) Add the following appropriately numbered subdivision and renumber subsequent subdivisions accordingly:

( ) The University of Texas Health Science Center at Tyler, \$48 million for construction of a health professions education center;

The amendment to **CSSB 52** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 6.

Senator Bettencourt offered the following amendment to the bill:

**Floor Amendment No. 7**

Amend **CSSB 52** by adding the following appropriately numbered new section:  
Tuition Revenue Bonds shall now be referred to as Capitol Construction Assistance Projects.

The amendment to **CSSB 52** was read.

Senator Bettencourt offered the following substitute to Floor Amendment No. 7:

**Floor Amendment No. 8**

Amend **CSSB 52** (senate committee printing) by adding the following appropriately numbered section:

SECTION \_\_\_\_. Subchapter B, Chapter 55, Education Code, is amended by adding Section 55.111 to read as follows:

Sec. 55.111. CERTAIN ALLOCATED FUNDS TO BE DESIGNATED AS CAPITAL CONSTRUCTION ASSISTANCE PROJECTS. For purposes of this subchapter, funds allocated from the appropriation of general revenue to an institution of higher education to supplement revenue funds of the institution described by Section 55.13(a) may be designated as "Capital Construction Assistance Projects."

BETTENCOURT  
CREIGHTON

The substitute to Floor Amendment No. 7 to **CSSB 52** was read and was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 8.

Question recurring on the adoption of Floor Amendment No. 7 to **CSSB 52**, the amendment as substituted was adopted by a viva voce vote.

All Members are deemed to have voted "Yea" on the adoption of Floor Amendment No. 7.

**CSSB 52** as amended was passed to engrossment by the following vote: Yeas 30, Nays 1.

Nays: Hall.

**COMMITTEE SUBSTITUTE  
SENATE BILL 52 ON THIRD READING**

Senator Creighton moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSSB 52** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 1.

Nays: Hall.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 1. (Same as previous roll call)

### REMARKS ORDERED PRINTED

On motion of Senator Lucio and by unanimous consent, his remarks regarding **CSSB 52** were ordered reduced to writing and printed in the *Senate Journal* as follows:

Members, we have a lot to be proud of in our Texas university systems. Our universities span the breadth of our large state, from El Paso to Port Arthur, from Amarillo to Brownsville. Just as noteworthy is the wide array of high-quality programs they offer, and as we all know, the graduates of these fine institutions are the engine that power our dynamic economy.

Like an engine, our system cannot function unless all parts are working in tandem. When creating and improving programs of study, the Legislature carefully examines the needs of various areas of the state, the resources already in place, and the feasibility of standing up new facilities to meet these needs. All of this is done in a way that universities and their systems complement each other, not compete with each other.

This is especially the case when we consider allowing for university expansion through the issue of tuition revenue bonds, as we are today. There was some concern that, due to the limited amount of funds available, we would be picking winners and losers in the bill we are discussing today. I thank Chairman Creighton for speaking to many of us personally on the floor to put those concerns to rest.

However, I do want to note that in our future discussions, we need to ensure that we have the resources available to meet the needs of universities and programs in all areas of the state. We are lucky this session to have federal funds to work with to approach this goal; but we will not always be so lucky.

We need to have a serious discussion about a permanent source of funding to make sure we are able to provide all our systems of higher education with the resources they need to continue their invaluable work in preparing the next generation of Texas workers and leaders. I understand that now may not be the proper time for that conversation, and I am encouraged at the earlier suggestion that this could be the subject of an interim charge.

In any case, I look forward to the opportunity to continue the discussion on how we can best support our systems of higher learning. Thank you, Chairman Creighton, for your work on this issue and for the fruitful discussions I know you will have in your committee as you explore the issue further.

*(Note: Prepared text)*

### HOUSE BILL 1 ON SECOND READING

Senator Huffman moved to suspend the regular order of business to take up for consideration **HB 1** at this time on its second reading:

**HB 1**, Relating to the composition of districts for the election of members of the Texas House of Representatives.

The motion prevailed by the following vote: Yeas 18, Nays 13.

Yeas: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Hall, Hancock, Huffman, Hughes, Kolkhorst, Nelson, Nichols, Paxton, Perry, Schwertner, Seliger, Springer, Taylor.

Nays: Alvarado, Blanco, Eckhardt, Gutierrez, Hinojosa, Johnson, Lucio, Menéndez, Miles, Powell, West, Whitmire, Zaffirini.

The bill was read second time and was passed to third reading by the following vote: Yeas 18, Nays 13. (Same as previous roll call)

**SENATE RULES SUSPENDED**  
**(Posting Rules)**

Senator Kolkhorst moved to suspend Senate Rule 11.10(a) and Senate Rule 11.18(a) in order that the Committee on Health and Human Services might meet and consider **HB 25** today upon adjournment in the Press Room, 2E.9.

The motion prevailed by the following vote: Yeas 18, Nays 13.

Yeas: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Hall, Hancock, Huffman, Hughes, Kolkhorst, Nelson, Nichols, Paxton, Perry, Schwertner, Seliger, Springer, Taylor.

Nays: Alvarado, Blanco, Eckhardt, Gutierrez, Hinojosa, Johnson, Lucio, Menéndez, Miles, Powell, West, Whitmire, Zaffirini.

**SENATE RULES SUSPENDED**  
**(Posting Rules)**

Senator Kolkhorst moved to suspend Senate Rule 11.10(a) and Senate Rule 11.18(a) in order that the Committee on Health and Human Services might meet and consider **HB 25** today upon recess in the Press Room, 2E.9.

The motion prevailed by the following vote: Yeas 18, Nays 13.

Yeas: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Hall, Hancock, Huffman, Hughes, Kolkhorst, Nelson, Nichols, Paxton, Perry, Schwertner, Seliger, Springer, Taylor.

Nays: Alvarado, Blanco, Eckhardt, Gutierrez, Hinojosa, Johnson, Lucio, Menéndez, Miles, Powell, West, Whitmire, Zaffirini.

**RECESS**

On motion of Senator Zaffirini, the Senate at 3:38 p.m. recessed until 4:30 p.m. today.

**AFTER RECESS**

The Senate met at 5:32 p.m. and was called to order by Senator Huffman.

**AT EASE**

Senator Huffman at 5:44 p.m. announced the Senate would stand At Ease subject to the call of the Chair.



**IN LEGISLATIVE SESSION**

The President at 6:01 p.m. called the Senate to order as In Legislative Session.

**HOUSE BILL 1 ON THIRD READING**

Senator Huffman moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 1** be placed on its third reading and final passage:

**HB 1**, Relating to the composition of districts for the election of members of the Texas House of Representatives.

The motion prevailed by the following vote: Yeas 25, Nays 6.

Yeas: Bettencourt, Birdwell, Blanco, Buckingham, Campbell, Creighton, Eckhardt, Gutierrez, Hall, Hancock, Hinojosa, Huffman, Hughes, Kolkhorst, Lucio, Miles, Nelson, Nichols, Paxton, Perry, Schwertner, Seliger, Springer, Taylor, Zaffirini.

Nays: Alvarado, Johnson, Menéndez, Powell, West, Whitmire.

The bill was read third time and was passed by the following vote: Yeas 18, Nays 13.

Yeas: Bettencourt, Birdwell, Buckingham, Campbell, Creighton, Hall, Hancock, Huffman, Hughes, Kolkhorst, Nelson, Nichols, Paxton, Perry, Schwertner, Seliger, Springer, Taylor.

Nays: Alvarado, Blanco, Eckhardt, Gutierrez, Hinojosa, Johnson, Lucio, Menéndez, Miles, Powell, West, Whitmire, Zaffirini.

**MESSAGE FROM THE HOUSE**

HOUSE CHAMBER

Austin, Texas

Friday, October 15, 2021 - 2

The Honorable President of the Senate  
Senate Chamber  
Austin, Texas

Mr. President:

I am directed by the house to inform the senate that the house has taken the following action:

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

**HB 160** Wilson

Relating to making supplemental appropriations for education initiatives, institutions, and related agencies and giving direction regarding appropriations.

**HB 161** Capriglione

Relating to making supplemental appropriations relating to health and human services and giving direction regarding appropriations.

**SB 1** Bettencourt Sponsor: Meyer  
 Relating to the provision of direct relief from ad valorem taxes to certain property owners in this state through the distribution of certain federal economic assistance money received by the state and a study of the provision of additional ad valorem tax relief; making an appropriation.  
 (Committee Substitute/Amended)

**SB 7** Huffman Sponsor: Hunter  
 Relating to the composition of districts for the election of members of the State Board of Education.  
 (Amended)

**SB 8** Nelson Sponsor: Bonnen  
 Relating to making supplemental appropriations and giving direction regarding appropriations.  
 (Committee Substitute/Amended)

Respectfully,  
 /s/Robert Haney, Chief Clerk  
 House of Representatives

### SENATE BILL 8 WITH HOUSE AMENDMENTS

Senator Nelson called **SB 8** from the President's table for consideration of the House amendments to the bill.

The President laid the bill and the House amendments before the Senate.

#### Amendment

#### A BILL TO BE ENTITLED AN ACT

relating to making supplemental appropriations and giving direction regarding appropriations.

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

SECTION 1. COMPTROLLER OF PUBLIC ACCOUNTS: UNEMPLOYMENT COMPENSATION FUND. The amount of \$7,245,419,946 is appropriated to the comptroller of public accounts from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for use during the state fiscal year beginning September 1, 2021, for the purpose of immediately depositing that amount to the credit of the unemployment compensation fund under Section 203.021, Labor Code, to pay back outstanding advances received by this state under Section 1201, Social Security Act (42 U.S.C. Section 1321), and to return the unemployment compensation fund to the statutory floor computed under Section 204.061, Labor Code, on October 1, 2021, as reimbursement for payments made as a result of the coronavirus disease pandemic.

SECTION 2. FISCAL PROGRAMS-COMPTROLLER OF PUBLIC ACCOUNTS: BROADBAND INFRASTRUCTURE. (a) The amount of \$500,475,163 is appropriated to Fiscal Programs-Comptroller of Public Accounts from money received by this state from the Coronavirus Capital Projects Fund (42

U.S.C. Section 804) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing funding for broadband infrastructure in accordance with Section 490L.0108, Government Code, and other applicable state or federal law during the two-year period beginning on the effective date of this Act.

(b) Out of money appropriated by Subsection (a) of this section, \$75,000,000 may be used only for the Texas broadband pole replacement program.

SECTION 3. TRUSTEED PROGRAMS WITHIN THE OFFICE OF THE GOVERNOR: VICTIMS OF CRIME. (a) The amount of \$160,000,000 is appropriated to the Trusteed Programs within the Office of the Governor from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing funding for grants for victims of crime during the two-year period beginning on the effective date of this Act.

(b) It is the intent of the legislature that grants made for victims of crime during the state fiscal year beginning September 1, 2021, and the state fiscal year beginning September 1, 2022, equal grants made for victims of crime during the state fiscal year beginning September 1, 2020.

SECTION 4. DEPARTMENT OF AGRICULTURE: FOOD BANKS. The amount of \$100,000,000 is appropriated to the Department of Agriculture from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing supplemental funding to food banks in response to the coronavirus pandemic during the two-year period beginning on the effective date of this Act.

SECTION 5. DEPARTMENT OF INFORMATION RESOURCES: CYBERSECURITY PROJECTS. (a) The amount of \$200,000,000 is appropriated to the Department of Information Resources for deposit into the Technology Improvement and Modernization Fund No. 187 and for use during the two-year period beginning on the effective date of this Act for the purpose of cybersecurity projects from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325. Before spending money appropriated under this subsection, the department must receive approval for the proposed cybersecurity projects from the Joint Oversight Committee on Investment in Information Technology Improvement and Modernization Projects established under Section 2054.578, Government Code.

(b) The capital budget authority of the Department of Information Resources in Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), is increased by \$200,000,000 for the appropriation made under Subsection (a) of this section.

SECTION 6. TEXAS FACILITIES COMMISSION: PERMIAN BASIN BEHAVIORAL HEALTH CENTER. (a) The amount of \$40,000,000 is appropriated to the Texas Facilities Commission from money received by this state from the

Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of constructing a 100-bed comprehensive behavioral health center to serve the Permian Basin region during the two-year period beginning on the effective date of this Act.

(b) Upon completion of the construction described by Subsection (a) of this section, ownership of the building shall transfer to the Permian Basin Behavioral Health Center controlled by the Ector County Hospital District and the Midland County Hospital District.

(c) The appropriation under Subsection (a) of this section is contingent on the completion of a signed agreement between the Texas Facilities Commission and the Ector County Hospital District and the Midland County Hospital District guaranteeing the ongoing operations of the comprehensive behavioral health center described by Subsection (a) of this section by the Permian Basin Behavioral Health Center to ensure the continuing benefit to the residents of this state.

**SECTION 7. OFFICE OF THE ATTORNEY GENERAL: SEXUAL ASSAULT PROGRAM ACCOUNT.** The amount of \$52,277,114 is appropriated to the Office of the Attorney General for deposit into the Sexual Assault Program Account No. 5010 and for use by the office as authorized by other law during the two-year period beginning on the effective date of this Act from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325.

**SECTION 8. OFFICE OF THE ATTORNEY GENERAL: CRIME VICTIMS COMPENSATION.** The amount of \$54,756,000 is appropriated to the Office of the Attorney General for deposit into the Compensation to Victims of Crime Account No. 469 and for use by the office during the two-year period beginning on the effective date of this Act for the purpose of compensating crime victims from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325.

**SECTION 9. APPROPRIATIONS FOR SHORTFALL IN COURT FEES.** (a) To address matters related to shortfalls in court fee collections, the following amounts are appropriated to the following entities from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the indicated purposes for the two-year period beginning on the effective date of this Act:

(1) Comptroller of Public Accounts, Judiciary Section: \$14,854,228 for the purpose of addressing the backlog in court cases, including to pay for visiting judges and support staff;

(2) Office of Court Administration, Texas Judicial Council:

(A) \$10,338,158 for the purpose of addressing the backlog in court cases, including information technology support; and

(B) for Strategy D.1.1., Texas Indigent Defense Commission, as listed in Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act):

(i) \$63,698,784 for the purpose of addressing the backlog in court cases, including to pay for public defenders; and

(ii) \$13,942,466 for deposit into the Fair Defense Account No. 5073 and for use by the office for the purpose of addressing the backlog in court cases, as authorized by other law;

(3) Office of Capital and Forensic Writs: \$200,000 for the purpose of addressing the backlog in court cases and paying costs related to the coronavirus disease pandemic; and

(4) Texas Commission on Law Enforcement: \$9,400,000 for deposit into the Texas Commission on Law Enforcement Account No. 116 and for use by the commission as authorized by other law.

(b) During the two-year period beginning on the effective date of this Act, in addition to the number of full-time equivalent (FTE) employees other law authorizes the office to employ during that period, the Office of Court Administration, Texas Judicial Council may employ:

(1) out of money appropriated by Subsection (a)(2)(A) of this section, eight full-time equivalent (FTE) employees; and

(2) out of money appropriated by Subsection (a)(2)(B)(i) of this section, two full-time equivalent (FTE) employees.

(c) During the two-year period beginning on the effective date of this Act, in addition to the number of full-time equivalent (FTE) employees other law authorizes the office to employ during that period, the Office of Capital and Forensic Writs may employ out of money appropriated by Subsection (a)(3) of this section one full-time equivalent (FTE) employee.

(d) The capital budget authority of the Office of Court Administration, Texas Judicial Council, in Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), is increased by \$1,330,680 for the appropriation made under Subsection (a)(2)(A) of this section.

SECTION 10. COMMISSION ON STATE EMERGENCY COMMUNICATIONS: NEXT GENERATION 9-1-1 SERVICE FUND. (a) The amount of \$150,000,000 is appropriated to the Commission on State Emergency Communications for deposit into the Next Generation 9-1-1 Service Fund No. 0195 and for use by the commission as authorized by other law for the deployment and reliable operation of next generation 9-1-1 service, including equipment and administration costs, during the two-year period beginning on the effective date of this Act from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325.

(b) In accordance with Section 771.0713(f), Health and Safety Code, it is the intent of the legislature that all money appropriated under Subsection (a) of this section be distributed not later than December 31, 2022, and all money distributed under this subsection be spent not later than December 31, 2024, for the purpose described by Subsection (a) of this section.

**SECTION 11. DEPARTMENT OF TRANSPORTATION: PRESIDIO CUSTOMS INSPECTION STATION.** The amount of \$15,000,000 is appropriated to the Department of Transportation from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing funding for a customs inspection station on the South Orient Rail Line in Presidio, Texas, during the two-year period beginning on the effective date of this Act.

**SECTION 12. LEGISLATIVE INTENT REGARDING APPROPRIATIONS.**

(a) It is the intent of the legislature that the appropriations made by this Act:

(1) are one-time appropriations made for the purpose of addressing the needs of this state for the two-year period beginning on the effective date of this Act; and

(2) be used:

(A) only for purposes authorized by state and federal law, including guidance issued by the United States Department of the Treasury in 86 Fed. Reg. 26786 (May 17, 2021); and

(B) before all other methods of finance, if more than one method of finance is available for the applicable purpose.

(b) It is the intent of the legislature that, if the United States Department of the Treasury or any other qualified state or federal authority determines that a purpose for which money is appropriated under this Act is an improper use of that money, the appropriated money not be spent and instead be retained in the treasury for later legislative appropriation.

**SECTION 13. APPROPRIATION AUTHORITY UNDER FEDERAL LAW.** The appropriations made under Sections 3, 4, 5, 6, 7, 8, 9, 10, and 11 of this Act using money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) are made in accordance with 42 U.S.C. Section 802(c)(1)(C), which allows money from the Coronavirus State Fiscal Recovery Fund to be used to provide government services to the extent of a reduction in the revenue of a state government caused by the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year of the state government that ended before that emergency.

**SECTION 14. APPLICABILITY OF TRANSFER PROVISIONS OF OTHER LAW.** The transfer provisions of Part 14, Article IX, Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), and the transfer provisions of Section 65, Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular Session, 2021 (the Supplemental Appropriations Act), apply to the appropriations made by this Act to allow appropriate transfer of appropriations made

by this Act as if the appropriations made by the General Appropriations Act, the Supplemental Appropriations Act, and this Act were all a part of the same Act, to the extent permitted by federal law.

SECTION 15. EFFECTIVE DATE. This Act takes effect immediately.

### **Floor Amendment No. 1**

Amend **CSSB 8** (house committee printing) as follows:

(1) On page 3, strike "\$200,000,000" and substitute "\$20,000,000" in each of the following places it appears:

(A) page 3, line 9; and

(B) page 3, line 26.

(2) Add the following appropriately numbered SECTION to the bill and renumber the SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. TRUSTEED PROGRAMS WITHIN THE OFFICE OF THE GOVERNOR: TOURISM, TRAVEL, AND HOSPITALITY RECOVERY GRANTS.

(a) The amount of \$180,000,000 is appropriated to the Trusteed Programs within the Office of the Governor from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing funding for grants during the two-year period beginning on the effective date of this Act for tourism, travel, and hospitality industry recovery, to the extent the grants are authorized by other law.

(b) Out of money appropriated by Subsection (a) of this section, \$45,000,000 may be used only for the purpose of providing funding for grants to businesses and entities that are based in Texas and were directly affected by a federal No Sail Order.

(c) It is the intent of the legislature that the governor give priority to potential grantees that have not received direct federal aid and that the amount of each authorized grant awarded, other than a grant described by Subsection (b), does not exceed \$20,000.

### **Floor Amendment No. 2**

Amend Amendment No. 1 by Middleton to **CSSB 8** as follows:

(1) Strike page 1, line 18 of the amendment and substitute the following:  
extent the grants are not prohibited by other law.

(2) Strike page 1, lines 24 and 25 of the amendment and substitute the following:

reduce grant awards provided under this section by the amount of any direct federal aid received by the grantee and that the amount of each authorized grant awarded,

(3) On page 2 of the amendment, immediately following line 2, add the following:

(d) Notwithstanding any other law, on a report originally due on or after January 1, 2022, under Chapter 171, Tax Code, a taxable entity, as defined by Section 171.0002, Tax Code:

(1) shall exclude from its total revenue, to the extent included under Section 171.1011(c)(1)(A), (c)(2)(A), or (c)(3), Tax Code, grant proceeds awarded under this section;

(2) may include as a cost of goods sold under Section 171.1012, Tax Code, any expense paid using grant proceeds awarded under this section to the extent the expense is otherwise includable as a cost of goods sold under Section 171.1012, Tax Code; and

(3) may include as compensation under Section 171.1013, Tax Code, any expense paid using grant proceeds to the extent the expense is otherwise includable as compensation under that section.

### **Floor Amendment No. 3**

Amend **CSSB 8** (house committee printing) as follows:

(1) On page 3, strike "\$200,000,000" and substitute "\$185,000,000" in each of the following places it appears:

(A) line 9; and

(B) line 26.

(2) Add the following appropriately numbered SECTION to the bill and renumber the SECTIONS of the bill accordingly:

SECTION \_\_\_\_ . HIGHER EDUCATION COORDINATING BOARD: TEXAS RESKILLING AND UPSKILLING THROUGH EDUCATION (TRUE) PROGRAM.

(a) The amount of \$15,000,000 is appropriated to the Higher Education Coordinating Board from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of operating the Texas Reskilling and Upskilling through Education (TRUE) Program during the two-year period beginning on the effective date of this Act.

(b) The Higher Education Coordinating Board shall distribute the money appropriated by Subsection (a) of this section in a manner consistent with Subchapter T-2, Chapter 61, Education Code, as added by Section 1, Chapter 601 (**SB 1102**), Acts of the 87th Legislature, Regular Session, 2021. The board may not place additional eligibility requirements on eligible entities beyond the statutory limitations of Subchapter T-2, Chapter 61, Education Code, as added by Section 1, Chapter 601 (**SB 1102**), Acts of the 87th Legislature, Regular Session, 2021, including matching fund requirements by recipients of money appropriated by this section.

### **Floor Amendment No. 4**

Amend **CSSB 8** (house committee printing) as follows:

(1) In SECTION 5 of the bill, in the appropriation to the Department of Information Resources for cybersecurity projects, strike "\$200,000,000" and substitute "\$199,900,000" in each of the following places it appears:

(A) page 3, line 9; and

(B) page 3, line 26.

(2) Add the following appropriately numbered SECTION to the bill and renumber subsequent SECTIONS of the bill accordingly:



SECTION \_\_\_\_\_. HEALTH AND HUMAN SERVICES COMMISSION: ADDITIONAL MEDICAID REIMBURSEMENTS FOR CERTAIN SPECIALTY PROVIDERS. The amount of \$100,000 is appropriated to the Health and Human Services Commission for the two-year period beginning on the effective date of this Act from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing additional Medicaid reimbursements to non-primary care specialty providers who provide life-sustaining treatment, as defined by Section 166.002, Health & Safety Code, life-stabilizing treatment, or any other treatment, services, equipment, or supplies necessary to improve outcomes, prevent emergency room visits, maintain care in the home and community, and avoid admission to a health care facility or other institution, during the two-year period beginning on the effective date of this Act, in amounts that are proportional to the amount each provider's claims during that period bears to the total amount of claims for those services during that period.

#### **Floor Amendment No. 5**

Amend **CSSB 8** (house committee printing) as follows:

(1) On page 3, strike "\$200,000,000" and substitute "\$194,958,500" in each of the following places it appears:

(A) line 9; and

(B) line 26.

(2) Add the following appropriately numbered SECTION to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. TEXAS STATE BOARD OF PHARMACY: PRESCRIPTION MONITORING PROGRAM. The amount of \$2,520,750 is appropriated to the Texas State Board of Pharmacy for each state fiscal year of the state fiscal biennium beginning September 1, 2021, notwithstanding Section 12(a) of this Act, from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of allowing continued funding of the prescription monitoring program for Texas prescribers and pharmacies, including subscription costs for the PMP Gateway, NarxCare, and Clinical Alerts, to address the increase in deaths related to opioid use in this state due to the 2019 novel coronavirus disease (COVID-19).

#### **Floor Amendment No. 6**

Amend **CSSB 8** (house committee printing) as follows:

(1) On page 3, strike "\$200,000,000" and substitute "\$198,620,000" in each of the following places it appears:

(A) line 9; and

(B) line 26.

(2) Add the following appropriately numbered SECTION to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES: NURSE FAMILY PARTNERSHIP PROGRAM. The amount of \$1,375,500 is appropriated to the Department of Family and Protective Services for the two-year period beginning on the effective date of this Act from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of supporting the Nurse Family Partnership Program.

(b) Out of the money appropriated under Subsection (a) of this section:

(1) \$1,241,500 may be used only for client or nurse material or technological supports such as personal protective equipment, telehealth platform licensing, and client equipment and education materials; and

(2) \$134,000 may be used only for nurse salaries, including hero bonuses and staff sign-on and retention bonuses.

#### **Floor Amendment No. 7**

Amend **CSSB 8** (house committee printing) as follows:

(1) On page 3, line 9, strike "\$200,000,000" and substitute "\$199,700,000".

(2) Add the following appropriately numbered SECTION to the bill and renumber the SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. GENERAL LAND OFFICE: ANALYSIS OF COASTAL TEXAS STUDY DESIGN ELEMENTS. The amount of \$300,000 is appropriated to the General Land Office from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 to be used during the two-year period beginning on the effective date of this Act for the purpose of providing funding for a cost and component analysis of the Coastal Texas Study design elements to be conducted by the Gulf Coast Protection District under an agreement between the office and the district.

#### **Floor Amendment No. 8**

Amend **CSSB 8** (house committee printing) as follows:

(1) On page 1, line 6, strike "\$7,245,419,946" and substitute "\$7,244,419,946".

(2) Add the following appropriately numbered SECTION to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. TEXAS WORKFORCE COMMISSION: EMPLOYMENT COACHING AND JOB READINESS. The amount of \$1,000,000 is appropriated to the Texas Workforce Commission from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the two-year period beginning on the effective date of this Act for the purpose of providing funding to nonprofit organizations that provide employment coaching and job readiness programs.

#### **Floor Amendment No. 9**

Amend Amendment No. 8 by J.E. Johnson to **CSSB 8** as follows:

(1) On page 1, line 3, of Amendment No. 8, strike "\$7,244,419,946" and substitute "\$7,204,419,946".

(2) On page 1, line 4, of Amendment No. 8, strike "SECTION" and substitute "SECTIONS".

(3) At the end of line 15, insert the following:

SECTION \_\_\_\_\_. PARKS AND WILDLIFE GRANTS. The amount of \$40,000,000 is appropriated to the Texas Parks and Wildlife Department, Strategy C.2.1, Outreach and Education, for use by the department as authorized by other law during the two-year period beginning on the effective date of this Act from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing grants throughout the state.

### **Floor Amendment No. 11**

Amend Amendment No. 10 by Martinez to **CSSB 8** on page 1 of the amendment as follows:

(1) Strike lines 2 and 3 and substitute the following:

(1) On page 3, strike "\$200,000,000" and substitute "\$195,600,000" in each of the following places it appears:

(A) line 9; and

(B) line 26.

(2) On line 7, strike "\$8,800,000" and substitute "4,400,000".

### **Floor Amendment No. 13**

Amend **CSSB 8** (house committee printing) to read as follows:

(1) On page 3 of the bill, strike "\$200,000,000" and substitute "\$175,000,000" in each of the following places it appears:

(A) line 9; and

(B) line 26.

(2) On page 7, line 20, strike "\$150,000,000" and substitute "\$125,000,000".

(3) Add the following appropriately numbered SECTION to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. DEPARTMENT OF INSURANCE: WORKERS' COMPENSATION DEATH BENEFITS. (a) The amount of \$50,000,000 is appropriated to the Department of Insurance for the two-year period beginning on the effective date of this Act from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of distributing the money to political subdivisions and pools, as defined by Section 504.001, Labor Code, to support payment of workers' compensation death benefits of public safety employees, as defined by Section 607.001, Government Code:

(1) who contracted severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2) or coronavirus disease 2019 (COVID-19) that resulted in death;

(2) for whom the presumption under Section 607.0545, Government Code, applies; and

(3) who at the time the virus or disease was contracted were employed by a political subdivision other than a municipality with a population of greater than 200,000.

(b) The Department of Insurance may distribute not more than \$1,000,000 to a political subdivision or pool for each claim for death benefits to which Subsection (a) of this section applies.

#### **Floor Amendment No. 14**

Amend Amendment No. 13 by Patterson to **CSSB 8** as follows:

(1) Strike page 1, lines 3 through 9 of the amendment, substitute the following appropriately numbered item, and renumber subsequent items of the amendment accordingly:

( ) On page 1, line 22, strike "\$500,475,163" and substitute "\$450,475,163".

(2) Strike page 2, lines 1 and 2 of the amendment and substitute the following:  
were employed by a political subdivision with a population of less than 200,000.

(3) Strike page 2, line 3 of the amendment and substitute the following:

(b) The Department of Insurance shall distribute

#### **Floor Amendment No. 15**

Amend **CSSB 8** (house committee printing) as follows:

(1) In SECTION 5 of the bill, in the appropriation to the Department of Information Resources for cybersecurity projects, strike "\$200,000,000" and substitute "\$195,000,000" in each of the following places it appears:

(A) page 3, line 9; and

(B) page 3, line 26.

(2) Add the following appropriately numbered SECTION to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_ . GENERAL LAND OFFICE: BRAZORIA COUNTY BEACH AND DUNE MAINTENANCE. The amount of \$5,000,000 is appropriated to the General Land Office for the two-year period beginning on the effective date of this Act from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for use by the office to maintain with Brazoria County approximately 4,600 feet of beach and dunes along the Bluewater Highway and Beach Access Road Five.

#### **Floor Amendment No. 16**

Amend Amendment No. 15 by Vasut to **CSSB 8** as follows:

(1) Strike lines 2-7.

(2) On line 8, strike "(2)" and substitute "(1)".

(3) On line 11, insert "(a)" between "MAINTENANCE." and "The".

(4) After line 19, insert the following:

(b) Each appropriation made by another section of this Act is reduced in an amount proportional to the total appropriations made by this Act so that the total amount of appropriations made by all other sections of this Act is reduced by \$5,000,000.

#### **Floor Amendment No. 17**

Amend **CSSB 8** (house committee report) as follows:

(1) On page 1, line 6, strike "\$7,245,419,946" and substitute "\$7,045,419,946".

(2) Add the following appropriately numbered SECTION to the bill and renumber subsequent SECTIONS of the bill and cross-references to those SECTIONS accordingly:

SECTION \_\_\_\_\_. DEPARTMENT OF CRIMINAL JUSTICE: ONE-TIME RETENTION BONUSES. The amount of \$200,000,000 is appropriated to the Department of Criminal Justice from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of, to the extent authorized by other law, providing a one-time retention bonus to each employee of the department eligible for premium pay in accordance with 42 U.S.C. Section 802.

#### **Floor Amendment No. 19**

Amend **CSSB 8** (house committee printing) as follows:

(1) On page 2, line 26, between "FOOD BANKS" and the period, insert "AND FOOD PANTRIES".

(2) On page 3, line 5, between "food banks" and "in", insert "and food pantries".

#### **Floor Amendment No. 20**

Amend **CSSB 8** (house committee printing) as follows:

(1) In SECTION 9(a)(1) of the bill, making an appropriation to the Comptroller of Public Accounts, Judiciary Section (page 5, line 27), strike "\$14,854,228" and substitute "\$13,807,228".

(2) Add the following appropriately numbered SECTION to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. COURT OF CRIMINAL APPEALS: JUSTICE OF THE PEACE AND CONSTABLE TRAINING. The amount of \$1,047,000 is appropriated to the Court of Criminal Appeals from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing funding for additional training for justices of the peace and constables during the two-year period beginning on the effective date of this Act.

#### **Floor Amendment No. 21**

Amend **CSSB 8** (house committee printing) as follows:

(1) On page 1, line 6, strike "\$7,245,419,946" and substitute "\$7,244,419,946".

(2) Add the following appropriately numbered SECTION to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. TEXAS WORKFORCE COMMISSION: EMPLOYMENT COACHING AND JOB READINESS. The amount of \$1,000,000 is appropriated to the Texas Workforce Commission from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the two-year period beginning on the effective date of this Act for the purpose of providing funding to nonprofit organizations that provide employment coaching and job readiness programs.

(b) The comptroller of public accounts shall consult with the Legislative Budget Board and the State Auditor's Office to determine which state employees are eligible to receive one-time payments under Subsection (a) of this section and the amount of the payment to which each employee is entitled. To the extent authorized by other law, the amount of the payment to which a state employee is entitled is determined by multiplying \$2 and the number of hours the employee worked while considered to be a essential critical infrastructure worker under 42 U.S.C. Section 802 during the period beginning March 13, 2020, and ending September 13, 2021, but may not exceed \$8,000.

#### **Floor Amendment No. 24**

Amend **CSSB 8** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. REPORT ON FEDERAL FUNDS BY LEGISLATIVE BUDGET BOARD. (a) In this section, "COVID-19 relief money" means money received under federal legislation responding to the coronavirus disease (COVID-19) pandemic.

(b) The Legislative Budget Board, in consultation with the comptroller of public accounts, shall provide, in a publicly available database on the board's Internet website:

(1) for each political subdivision in this state, an informational listing of all COVID-19 relief money received by the subdivision; and

(2) for each state agency and each institution of higher education, an informational listing of the following:

(A) the amount of COVID-19 relief money received by the agency or institution;

(B) the federal legislation that authorized distribution of COVID-19 relief money to the state, agency, or institution and the state legislation, if applicable, that appropriated the money to the agency or institution;

(C) an indication of whether the COVID-19 relief money received by the agency or institution was received directly from the federal government, was appropriated to the agency or institution by state legislation, or was provided to the agency or institution by a separate state agency;

(D) the amount of COVID-19 relief money expended by the agency or institution;

(E) the allowable uses for which the agency or institution may expend COVID-19 relief money received by the agency or institution and the purposes for which the agency or institution has expended the money;

(F) the amount of COVID-19 relief money received by the agency or institution:

(i) which the agency or institution has not expended; and

(ii) which the agency or institution may expend without further appropriation; and

(G) the time frame during which COVID-19 relief money received by the agency or institution was expended by the agency or institution, including the remaining time in which the agency or institution may expend the money without further appropriation.

(c) This chapter does not apply to a hospital licensed under Chapter 241, Health and Safety Code or a hospital owned and operated by the state.

(d) It is the intent of the legislature that information required to be provided in a publicly available database on the Legislative Budget Board's Internet website under Subsection (b) of this section must be updated not less than once during each fiscal quarter and once on the first day of each fiscal quarter that occurs on or after December 1, 2021, until at least December 1, 2028.

#### **Floor Amendment No. 25**

Amend **CSSB 8** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. PROGRAM OF ALL-INCLUSIVE CARE FOR THE ELDERLY (PACE). (a) Notwithstanding Rider 122, page II-85, Chapter 1053 (**SB 1**), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), the Health and Human Services Commission shall transfer money from Strategy A.1.1, Aged and Medicare-Related, or Strategy A.1.2, Disability-Related, to Strategy A.3.5, All-Inclusive Care - Elderly (PACE), as listed in that Act, in an amount not to exceed \$2,807,303 in general revenue funds appropriated for the state fiscal year beginning September 1, 2021, and \$11,229,210 in general revenue funds appropriated for the state fiscal year beginning September 1, 2022, to support up to 150 clients served in each of up to two additional Program of All-Inclusive Care for the Elderly (PACE) sites. The amount transferred under this subsection may not exceed \$1,403,651 for the state fiscal year beginning September 1, 2021, and \$5,614,605 for the state fiscal year beginning September 1, 2022, for each new site. It is the intent of the legislature that additional PACE sites be located in Bexar County and administered by entities with available facility space and demonstrated administrative capacity. The new sites shall support the goals of increased access to health care services, options for eligible persons, and improved public health outcomes.

(b) The transfer of money described by Subsection (a) of this section is contingent on the additional PACE sites having:

(1) complied with the statutory requirements of Section 32.053, Human Resources Code, and any regulatory requirements; and

(2) been approved by the Centers for Medicare and Medicaid Services to be a provider agency.

(c) The executive commissioner of the Health and Human Services Commission shall provide written notice to the Legislative Budget Board and the governor of the certification and transfer amounts not later than the 30th business day after the date a transfer occurs.

(d) If transfer authority provided by Subsection (a) of this section is not sufficient to serve the increase in clients described by Subsection (a) of this section, the executive commissioner of the Health and Human Services Commission shall submit a written request to the Legislative Budget Board and the governor for approval to transfer additional money from the strategies described by Subsection (a) of this section. The request shall be considered approved unless the Legislative Budget Board or the governor issues a written disapproval not later than the 30th business day after the date 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 of representatives, and lieutenant governor. Any requests for additional information made by the Legislative Budget Board toll the counting of the 30 business days.

(e) Proposed rates related to all PACE sites, including any new sites as authorized by this section, are subject to the requirements in Section 12, page II-102, Chapter 1053 (**SB 1**), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act). The fiscal impact of proposed rates shall be calculated relative to the average cost per client for existing PACE sites.

(f) A PACE provider shall provide any requested information on actual cost, caseload, and service on request of the Health and Human Services Commission, the Legislative Budget Board, or the governor.

#### **Floor Amendment No. 26**

Amend **CSSB 8** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. RESTRICTION ON CERTAIN APPROPRIATIONS. (a) In this section, "COVID-19" means the 2019 novel coronavirus disease.

(b) Notwithstanding any other provision of this Act, an appropriation that would otherwise be made under this Act is not effective if the state agency or other entity to which the appropriation would have been made requires that any employee or client of the agency or entity, or any visitor to a location operated by or under the administrative control of the agency or entity, be vaccinated against COVID-19.

(c) An agency or other entity to which money is appropriated under this Act for the purpose of making grants to another person, including an entity, may not make a grant using the appropriated money to any person who requires that any employee, client, or customer of the person, or any visitor to a location operated by or under the administrative control of the person, be vaccinated against COVID-19.

#### **Floor Amendment No. 27**

Amend Amendment No. 26 by Cain to **CSSB 8** by striking the text and substituting the following:

(1) On page 1, line 5 of the amendment, strike "\$6,645,419,946" and substitute "\$6,644,419,946".



(2) On page 1, line 6 of the amendment, strike "SECTION" and substitute "SECTIONS".

(3) On page 2 of the amendment, immediately after line 3, add the following:

SECTION \_\_\_\_\_. FISCAL PROGRAMS - COMPTROLLER OF PUBLIC ACCOUNTS: DISABLED VETERAN ASSISTANCE PAYMENTS. The amount of \$1,000,000 is appropriated to Fiscal Programs - Comptroller of Public Accounts from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 to be used during the two-year period beginning on the effective date of this Act for the purpose of providing funding for disabled veteran assistance payments to cities and counties consistent with A.1.12, Disabled Veteran Assist Payments, as listed in Chapter 1053 (**SB 1**), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act).

### **Floor Amendment No. 28**

Amend **CSSB 8** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. DEPARTMENT OF STATE HEALTH SERVICES AND HEALTH AND HUMAN SERVICES COMMISSION: FEDERAL FUNDS FOR HOSPITALS. It is the intent of the Legislature that the Department of State Health Services and the Health and Human Services Commission, in distributing any money received from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 distribute the money appropriated by this Act to entities that are subject to the hospital price transparency public disclosure requirements required by 45 C.F.R. Sections 180.10-180.60 and by Chapter 327, Health and Safety Code, only if the entities are in compliance with those requirements.

### **Floor Amendment No. 29**

Amend Amendment No. 28 by Frank to **CSSB 8** on page 1, line 15, between "entities" and "are", by inserting "certify that they".

The amendments were read.

Senator Nelson moved that the Senate do not concur in the House amendments, but that a conference committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed without objection.

The President asked if there were any motions to instruct the conference committee on **SB 8** before appointment.

There were no motions offered.

The President announced the appointment of the following conferees on the part of the Senate: Senators Nelson, Chair; Creighton, Huffman, Kolkhorst, and Nichols.

## SENATE BILL 1 WITH HOUSE AMENDMENTS

Senator Bettencourt called **SB 1** from the President's table for consideration of the House amendments to the bill.

The President laid the bill and the House amendments before the Senate.

### Amendment

#### A BILL TO BE ENTITLED

#### AN ACT

relating to the provision of direct relief from ad valorem taxes to certain property owners in this state through the distribution of certain federal economic assistance money received by the state and a study of the provision of additional ad valorem tax relief; making an appropriation.

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

SECTION 1. (a) In this section, "COVID-19" means the 2019 novel coronavirus disease.

(b) The legislature finds that:

(1) the widespread effects of COVID-19 in this state have resulted in a state of disaster being declared by the governor under Section 418.014, Government Code;

(2) COVID-19 is a public calamity for the purposes of Section 51, Article III, Texas Constitution;

(3) as part of the American Rescue Plan Act of 2021 (Pub. L. No. 117-2), the United States Congress established the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) for the purpose of providing money to the states for certain purposes, including "to respond to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19) or its negative economic impacts, including assistance to households";

(4) ad valorem taxes imposed on households in this state are especially burdensome for this state's residents and the negative economic effects of COVID-19 have made it difficult for local governments to reduce the ad valorem tax burden; and

(5) previous state COVID-19 relief efforts have not adequately addressed the additional burden ad valorem taxes have imposed on households living in residence homesteads during the COVID-19 pandemic.

SECTION 2. Subchapter B, Chapter 403, Government Code, is amended by adding Section 403.03059 to read as follows:

Sec. 403.03059. AUTHORIZATION TO DISTRIBUTE CERTAIN FEDERAL ECONOMIC ASSISTANCE MONEY TO CERTAIN HOMEOWNERS. (a) The purpose of this section is to provide assistance to households in this state in response to the negative economic effects of the COVID-19 public health emergency by providing direct relief from ad valorem taxes to eligible property owners.

(b) In this section, "eligible property owner" means a person who, as of May 1, 2022, owns property for which the person receives an exemption under Section 11.13, Tax Code.

(c) Notwithstanding any other provision of this chapter, not later than September 1, 2022, or as soon thereafter as practicable, the comptroller shall issue a warrant to each eligible property owner in the amount calculated under Subsection (d) that is payable from money appropriated to the comptroller for that purpose.

(d) The comptroller shall calculate the amount of the warrant to which each eligible property owner is entitled by dividing the total amount of money appropriated to the comptroller for the purposes of this section by the total number of eligible property owners.

(e) On request by the comptroller, each appraisal district shall, not later than July 1, 2022, submit to the comptroller, in an electronic format specified by the comptroller, any information determined by the comptroller to be necessary to identify eligible property owners for purposes of this section. This state and the comptroller are not liable for an error in the information provided to the comptroller under this subsection.

(f) Sections 403.055 and 403.0551 of this code and Section 1.111(f), Tax Code, do not apply to a warrant issued under this section.

(g) The information provided by an appraisal district to the comptroller under Subsection (e) is confidential and excepted from the requirements of Section 552.021.

(h) If a person who is not an eligible property owner, including an eligible property owner's agent or mortgage servicer, receives a payment issued under this section that is intended for an eligible property owner, the person shall forward the full amount of the payment, as well as any information that accompanied the payment, to the eligible property owner as soon as practicable.

(i) The comptroller may adopt rules for the administration of this section, including rules prescribing procedures to prevent warrant fraud.

(j) This section expires January 1, 2023.

SECTION 3. (a) In this section, "committee" means the joint interim committee on property tax relief.

(b) The committee is established for the purpose of:

- (1) conducting the study required under Subsection (h) of this section; and
- (2) reporting the committee's findings to the legislature under Subsection (j)

of this section.

(c) The committee is composed of 10 members as follows:

- (1) the chair of the senate committee on finance;
- (2) the chair of the senate committee on local government;
- (3) the chair of the senate committee on education;
- (4) two members of the senate appointed by the lieutenant governor;
- (5) the chair of the house committee on appropriations;
- (6) the chair of the house committee on ways and means;
- (7) the chair of the house committee on public education; and
- (8) two members of the house of representatives appointed by the speaker of the house of representatives.

(d) The lieutenant governor shall appoint a co-chair of the committee from the members described by Subsections (c)(1)-(4) of this section, and the speaker of the house of representatives shall appoint a co-chair of the committee from the members described by Subsections (c)(5)-(8) of this section.

(e) The lieutenant governor and the speaker of the house of representatives shall make the appointments required under Subsections (c) and (d) of this section not later than the 60th day after the effective date of this Act.

(f) The committee shall meet at the joint call of the co-chairs.

(g) The committee has all other powers and duties provided to a special committee by:

- (1) Subchapter B, Chapter 301, Government Code;
- (2) the rules of the senate and house of representatives; and
- (3) the policies of the senate and house committees on administration.

(h) The committee shall study matters relating to the burdens on property owners imposed by the current ad valorem tax structure in this state and identify potential solutions to reduce those burdens.

(i) The comptroller of public accounts and the Legislative Budget Board shall provide information to the committee necessary to conduct the study required under Subsection (h) of this section.

(j) Not later than December 1, 2022, the committee shall:

- (1) prepare a written report of the committee's findings, including recommendations for legislation; and
- (2) submit the report described by Subdivision (1) of this subsection to the legislature.

(k) The committee is abolished and this section expires January 1, 2023.

SECTION 4. The amount of \$3,000,000,000 is appropriated to the comptroller of public accounts from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of making the payments required by Section 403.03059, Government Code, as added by this Act, during the period beginning on the effective date of this Act and ending January 1, 2023.

SECTION 5. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect on the 91st day after the last day of the legislative session.

### **Floor Amendment No. 1**

Amend **CSSB 1** (house committee printing) as follows:

(1) On page 2, line 14, strike "eligible property owners" and substitute "owners of eligible properties".

(2) Strike page 2, lines 15-17, and substitute the following:

(b) In this section, "eligible property" means a property that, as of March 1, 2022, received an exemption under Section 11.13, Tax Code, as reflected in the appraisal records in effect on that date.

(3) On page 2, lines 20 and 21, strike "a warrant to each eligible property owner" and substitute "to the owner of each eligible property a warrant".

(4) On page 2, between lines 23 and 24, insert the following:

(c-1) For purposes of Subsection (c), if the appraisal records reflect that an eligible property is owned by more than one person, the comptroller shall issue a single warrant payable to all of the joint owners of the property in the amount calculated under Subsection (d).

(5) On page 2, line 25, strike "to which each eligible property owner is entitled".

(6) On page 3, line 1, strike "property owners" and substitute "properties".

(7) On page 3, line 3, strike "July 1, 2022," and substitute "May 1, 2022,".

(8) On page 3, lines 5 and 6, strike "eligible property owners" and substitute "the owners of eligible properties".

(9) Strike page 3, lines 15-20, and substitute the following:

(h) If a person who is not the owner of an eligible property, including the agent or mortgage servicer of an owner of eligible property, receives a payment issued under this section that is intended for the owner of an eligible property, the person shall forward the full amount of the payment, as well as any information that accompanied the payment, to the owner of the eligible property as soon as practicable.

(10) Strike page 3, lines 22 and 23, and substitute "of this section.".

The amendments were read.

Senator Bettencourt moved that the Senate do not concur in the House amendments, but that a conference committee be appointed to adjust the differences between the two Houses on the bill.

The motion prevailed without objection.

The President asked if there were any motions to instruct the conference committee on **SB 1** before appointment.

There were no motions offered.

The President announced the appointment of the following conferees on the part of the Senate: Senators Bettencourt, Chair; Creighton, Kolkhorst, Lucio, and Perry.

### MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Friday, October 15, 2021 - 3

The Honorable President of the Senate

Senate Chamber

Austin, Texas

Mr. President:

I am directed by the house to inform the senate that the house has taken the following action:

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

**SB 4**

Huffman

Sponsor: Hunter

Relating to the composition of districts for the election of members of the Texas Senate.

THE HOUSE HAS TAKEN THE FOLLOWING OTHER ACTION:

**SB 7**

The house has receded from amendment #1 and declared that Senate Bill 7 passed the house in the same form in which it was received by the house from the senate.

Respectfully,

/s/Robert Haney, Chief Clerk  
House of Representatives

**MESSAGE FROM THE HOUSE**

HOUSE CHAMBER  
Austin, Texas  
Friday, October 15, 2021 - 4

The Honorable President of the Senate  
Senate Chamber  
Austin, Texas

Mr. President:

I am directed by the house to inform the senate that the house has taken the following action:

THE HOUSE HAS GRANTED THE REQUEST OF THE SENATE FOR THE APPOINTMENT OF A CONFERENCE COMMITTEE ON THE FOLLOWING MEASURES:

**SB 1** (non-record vote)

House Conferees: Meyer - Chair/Bonnen/Button/Guillen/Raymond

**SB 8** (non-record vote)

House Conferees: Bonnen - Chair/Capriglione/González, Mary/Walle/Wilson

Respectfully,

/s/Robert Haney, Chief Clerk  
House of Representatives

**CO-AUTHOR OF SENATE BILL 35**

On motion of Senator Paxton, Senator Kolkhorst will be shown as Co-author of **SB 35**.

**CO-AUTHOR OF SENATE BILL 36**

On motion of Senator Hall, Senator Kolkhorst will be shown as Co-author of **SB 36**.

**CO-AUTHORS OF SENATE BILL 52**

On motion of Senator Creighton, Senators Alvarado, Bettencourt, Blanco, Hinojosa, Huffman, West, and Zaffirini will be shown as Co-authors of **SB 52**.

**CO-SPONSORS OF HOUSE BILL 25**

On motion of Senator Perry, Senators Paxton and Schwertner will be shown as Co-sponsors of **HB 25**.

**RESOLUTIONS OF RECOGNITION**

The following resolutions were adopted by the Senate:

**Memorial Resolutions**

**SCR 4** by Hughes, In memory of Billy Ray Herring.

**SR 83** by Miles, In memory of Manuel Valdes "Manny" LaFont Jr.

**Congratulatory Resolution**

**HCR 14** (Nelson), Congratulating Dr. Jonathan J. Sanford on his inauguration as the 10th president of the University of Dallas.

**ADJOURNMENT**

On motion of Senator Zaffirini, the Senate at 6:51 p.m. adjourned, in memory of John Gordon Wilkerson Jr., Kenneth Duncan Dickson, Joshua Blake Bartlett, Diana Natalicio, and Frances Tarlton "Sissy" Farenthold, until 6:55 p.m. today.

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**APPENDIX**

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**COMMITTEE REPORTS**

The following committee reports were received by the Secretary of the Senate in the order listed:

October 15, 2021

REDISTRICTING — **HB 1**

HEALTH AND HUMAN SERVICES — **HB 25**

**BILL ENGROSSED**

October 15, 2021

**SB 52**

**BILLS AND RESOLUTION ENROLLED**

October 15, 2021

**SB 4, SB 7, SR 83**

