

# SENATE JOURNAL

EIGHTY-EIGHTH LEGISLATURE — REGULAR SESSION

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AUSTIN, TEXAS

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PROCEEDINGS

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**FIFTY-NINTH DAY**

(Continued)

(Wednesday, May 24, 2023)

**AFTER RECESS**

The Senate met at 10:40 a.m. and was called to order by Senator Birdwell.

Minister Jeff Peterson, University Avenue Church of Christ, Austin, offered the invocation as follows:

Creator of all things and giver of every good gift, thank You for the lives You have entrusted to us and for opportunities to do good each day in our families and communities. Thank You for the rare and precious gift of sound government, wherever it is found. May this body be such a place. Bestow Your wisdom on all who labor here, that they may discern the common good for all citizens of this state and pursue it rather than the advantage of any faction. Sustain in the Members of this body a deep regard for those who lack the wealth, power, and influence to command their attention. May the laws passed here always safeguard the dignity of every human person from the beginning of life until natural death. May they protect the families and children of this state from those who would exploit them for gain. Grant each person who serves here health and strength to fulfill their responsibilities. Guard their families and loved ones as they are apart from one another. It is in the name of Your son, the Lord Jesus Christ, that this prayer is offered. Amen.

**PHYSICIAN OF THE DAY**

Senator Flores was recognized and presented Dr. Steve Ramirez of Round Rock as the Physician of the Day.

The Senate welcomed Dr. Ramirez and thanked him for his participation in the Physician of the Day program sponsored by the Texas Academy of Family Physicians.

**GUESTS PRESENTED**

Senator LaMantia was recognized and introduced to the Senate a City of South Padre Island delegation including Mayor Patrick McNulty and Councilmember Joe Ricco.

The Senate welcomed its guests.

**SENATE RESOLUTION 638**

Senator Eckhardt offered the following resolution:

**SR 638**, Recognizing the Austin Branch of the American Association of University Women on the occasion of its 100th anniversary.

The resolution was read and was adopted without objection.

**GUESTS PRESENTED**

Senator Eckhardt was recognized and introduced to the Senate the American Association of University Women Austin Branch members including Ann Berasley, Jackie Hardee, and Shirlene Justice.

The Senate welcomed its guests.

**SENATE RESOLUTION 629**

Senator Creighton offered the following resolution:

WHEREAS, The Senate of the State of Texas is pleased to recognize Judge Wayne Mack on his outstanding service as justice of the peace in Montgomery County; and

WHEREAS, Judge Mack took office as county judge on May 1, 2014, and he has faithfully served the residents of Montgomery County for nearly a decade; a graduate of Jackson College of Ministries and the Lone Star College Police Academy, he previously served with the Conroe Police Department as a deputy reserve constable and as the reserve unit supervisor; Judge Mack is dedicated to upholding the law, and he presides over Montgomery County Precinct One with the highest standards of judicial conduct; and

WHEREAS, Shortly after his election to the bench, Judge Mack established a chaplaincy program of clergy and laity from several faiths and denominations that assists law enforcement officers who are working with community members during times of crisis and tragedy; this program has greatly expanded over the past eight years and has provided spiritual guidance and solace to countless individuals and law enforcement officials; and

WHEREAS, An esteemed public servant and a highly respected leader in the Montgomery County community, Judge Mack has given generously of his time and energy to benefit numerous groups and causes, including Montgomery County Youth Services, the Women's Center, and Children's Safe Harbor; he has served in leadership roles with such organizations as Montgomery County United Way, the Conroe Noon Lions Club, the Friendship Center, and the Conroe Family Young Men's Christian Association; and

WHEREAS, Throughout his more than 20 years as a peace officer and justice of the peace, Judge Mack has worked tirelessly to serve the families and youth of Montgomery County; his efforts and accomplishments have provided an invaluable benefit to the county and its residents, and he has made a positive difference in the lives of many; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 88th Legislature, hereby commend Judge Wayne Mack on his distinguished career and service to Montgomery County and extend to him best wishes for the future; and, be it further

RESOLVED, That a copy of this Resolution be prepared for him as an expression of esteem from the Texas Senate.

**SR 629** was read and was adopted without objection.

**GUEST PRESENTED**

Senator Creighton, joined by Senators Nichols, Kolkhorst, and Bettencourt, was recognized and introduced to the Senate Wayne Mack.

The Senate welcomed its guest.

**(President in Chair)**

**MOMENT OF SILENCE OBSERVED**

At the request of the President, the Senate observed a moment of silence at 11:30 a.m. in honor of the victims, survivors, families, loved ones, and the entire Uvalde community on the one-year anniversary of the shooting at Robb Elementary.

**SENATE RESOLUTION 618**

Senator Campbell offered the following resolution:

**SR 618**, In memory of Billy Joe "Red" McCombs.

CAMPBELL	HINOJOSA	PARKER
ALVARADO	HUFFMAN	PAXTON
BETTENCOURT	HUGHES	PERRY
BIRDWELL	JOHNSON	SCHWERTNER
BLANCO	KING	SPARKS
CREIGHTON	KOLKHORST	SPRINGER
ECKHARDT	LAMANTIA	WEST
FLORES	MENÉNDEZ	WHITMIRE
GUTIERREZ	MIDDLETON	ZAFFIRINI
HALL	MILES	
HANCOCK	NICHOLS	

The resolution was read.

On motion of Senator Campbell, **SR 618** was adopted by a rising vote of the Senate.

In honor of the memory of Billy Joe "Red" McCombs, the text of the resolution is printed at the end of today's *Senate Journal*.

Senator Campbell was recognized and introduced to the Senate family members of Billy Joe "Red" McCombs including Marsha Shields, Anna Shields Turner, Joseph Shields, and Carson Rubey, as well as President of The University of Texas at Austin Jay Hartzell, Senior Associate Dean of the McCombs School of Business Ethan Burris, Athletic Director Chris Del Conte, Margaret Kaster, and Marty Wender.

The Senate welcomed its guests and extended its sympathy.

**SENATE RESOLUTIONS**

Senator Gutierrez offered the following resolution:

**SR 593**, In memory of Tess Marie Mata.

The resolution was read.

Senator Gutierrez offered the following resolution:

**SR 596**, In memory of Uziyah Sergio Garcia.

The resolution was read.

Senator Gutierrez offered the following resolution:

**SR 591**, In memory of Nevaeh Alyssa Bravo.

The resolution was read.

Senator Gutierrez offered the following resolution:

**SR 590**, In memory of Jose Manuel Flores Jr.

The resolution was read.

Senator Gutierrez offered the following resolution:

**SR 592**, In memory of Eliahna Amyah Garcia.

The resolution was read.

Senator Gutierrez offered the following resolution:

**SR 576**, In memory of Irma Linda Garcia and Jose Antonio Garcia.

The resolution was read.

Senator Gutierrez offered the following resolution:

**SR 581**, In memory of Americ Jo Garza.

The resolution was read.

Senator Gutierrez offered the following resolution:

**SR 580**, In memory of Xavier James Lopez.

The resolution was read.

Senator Gutierrez offered the following resolution:

**SR 594**, In memory of Jayce Carmelo Luevanos.

The resolution was read.

Senator Gutierrez offered the following resolution:

**SR 587**, In memory of Maranda Gail Mathis.

The resolution was read.

Senator Gutierrez offered the following resolution:

**SR 578**, In memory of Eva Mireles.

The resolution was read.

Senator Gutierrez offered the following resolution:

**SR 595**, In memory of Alithia Haven Ramierz.

The resolution was read.

Senator Gutierrez offered the following resolution:

**SR 583**, In memory of Layla Marie Salazar.

The resolution was read.

Senator Gutierrez offered the following resolution:

**SR 589**, In memory of Makenna Lee Elrod.

The resolution was read.

Senator Gutierrez offered the following resolution:

**SR 577**, In memory of Jailah Nicole Silguero.

The resolution was read.

Senator Gutierrez offered the following resolution:

**SR 579**, In memory of Eliahna Torres.

The resolution was read.

Senator Gutierrez offered the following resolution:

**SR 585**, In memory of Rojelio Fernandez Torres.

The resolution was read.

Senator Gutierrez offered the following resolution:

**SR 586**, In memory of Maite Yuleana Rodriguez.

The resolution was read.

Senator Gutierrez offered the following resolution:

**SR 582**, In memory of Annabell Guadalupe Rodriguez.

The resolution was read.

Senator Gutierrez offered the following resolution:

**SR 588**, In memory of Jacklyn Jaylen Cazares.

The resolution was read.

Senator Gutierrez offered the following resolution:

**SR 584**, In memory of Alexandria Aniyah Rubio.

The resolution was read.

On motion of Senator Bettencourt and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolutions as signers thereof.

On motion of Senator Gutierrez, **SR 593**, **SR 596**, **SR 591**, **SR 590**, **SR 592**, **SR 581**, **SR 576**, **SR 580**, **SR 594**, **SR 587**, **SR 578**, **SR 595**, **SR 583**, **SR 589**, **SR 577**, **SR 579**, **SR 585**, **SR 586**, **SR 582**, **SR 588**, and **SR 584** were adopted by a rising vote of the Senate.

In honor of the memory of Tess Marie Mata, Uziyah Sergio Garcia, Nevaeh Alyssa Bravo, Jose Manuel Flores Jr., Eliahna Amyah Garcia, Irma Linda Garcia, Jose Antonio Garcia, Amerie Jo Garza, Xavier James Lopez, Jayce Carmelo

Luevanos, Maranda Gail Mathis, Eva Mireles, Alithia Haven Ramirez, Layla Marie Salazar, Makenna Lee Elrod Seiler, Jailah Nicole Silguero, Eliahna Torres, Rojelio Fernandez Torres, Maite Yuleana Rodriguez, Annabell Guadalupe Rodriguez, Jacklyn Jaylen Cazares, and Alexandria Aniyah Rubio, the text of the resolutions are printed at the end of today's *Senate Journal*.

Senators Gutierrez, Alvarado, Blanco, Eckhardt, Hinojosa, Hancock, Huffman, Johnson, Kolkhorst, LaMantia, Menéndez, Perry, Springer, West, Whitmire, Zaffirini, and Paxton spoke on the resolutions.

The Senate extended its sympathy.

### AT EASE

The President at 1:39 p.m. announced the Senate would stand At Ease subject to the call of the Chair.

### IN LEGISLATIVE SESSION

Senator Birdwell at 2:13 p.m. called the Senate to order as In Legislative Session.

### COMMITTEE SUBSTITUTE HOUSE BILL 5 ON SECOND READING

Senator Schwertner moved to suspend the regular order of business to take up for consideration **CSHB 5** at this time on its second reading:

**CSHB 5**, Relating to agreements authorizing a limitation on taxable value of certain property to provide for the creation of jobs and the generation of state and local tax revenue; authorizing a fee; authorizing penalties.

The motion prevailed by the following vote: Yeas 26, Nays 5.

Yeas: Alvarado, Bettencourt, Birdwell, Blanco, Campbell, Creighton, Eckhardt, Flores, Hancock, Hinojosa, Huffman, Hughes, Johnson, King, LaMantia, Menéndez, Miles, Nichols, Parker, Paxton, Perry, Schwertner, Sparks, Springer, West, Whitmire.

Nays: Gutierrez, Hall, Kolkhorst, Middleton, Zaffirini.

The bill was read second time.

### (President in Chair)

Senator Schwertner offered the following amendment to the bill:

#### Floor Amendment No. 1

Amend **CSHB 5** (senate committee printing) in SECTION 1 of the bill by striking added Section 403.602(8), Government Code (page 2, lines 18 through 51), and substituting the following:

(8) "Eligible project":

(A) means a project:

(i) to construct or expand a new or existing facility that is:

(a) a manufacturing facility;

(b) a facility related to the provision of utility services, including an electric generation facility that is considered to be dispatchable because the facility's output can be controlled primarily by forces under human control;

(c) a facility related to the development of natural resources; or

(d) a facility engaged in the research, development, or manufacture of high-tech equipment or technology; or

(ii) to construct or expand critical infrastructure; and

(B) does not include a project to construct or expand a new or existing:

(i) nondispatchable electric generation facility; or

(ii) electric energy storage facility.

SCHWERTNER  
BLANCO

The amendment to **CSHB 5** 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 Schwertner offered the following amendment to the bill:

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

Amend **CSHB 5** (senate committee printing) in SECTION 1 of the bill as follows:

(1) In added Section 403.602, Government Code (page 3, between lines 14 and 15), insert the following appropriately numbered subdivision and renumber the subsequent subdivisions and cross-references to those subdivisions accordingly:

( ) "Qualified opportunity zone" means an area designated as such by the secretary of the United States Treasury.

(2) Strike added Sections 403.605(a) and (b), Government Code (page 4, line 41, through page 5, line 9), and substitute the following:

(a) The taxable value for school district maintenance and operations ad valorem tax purposes of eligible property subject to an agreement for each tax year of the incentive period prescribed by the agreement is equal to:

(1) 50 percent of the market value of the property for that tax year; or

(2) if the property is located in a qualified opportunity zone, 25 percent of the market value of the property for that tax year.

(3) In added Section 403.605(c), Government Code (page 5, line 10), strike "(c)" and substitute "(b)".

(4) In added Section 403.605(d), Government Code (page 5, line 16), strike "(d)" and substitute "(c)".

(5) In added Section 403.605(e), Government Code (page 5, line 22), strike "(e)" and substitute "(d)".

(6) In added Section 403.606, Government Code (page 5, line 28), strike the underlined colon.

(7) In added Section 403.606, Government Code (page 5, line 29), strike "(1)".

(8) In added Section 403.606, Government Code (page 5, line 32), strike "; or" and substitute an underlined period.

(9) In added Section 403.606, Government Code, strike page 5, lines 33 through 39.

(10) In added Section 403.607(b), Government Code (page 6, between lines 11 and 12), insert the following appropriately numbered subdivision and renumber the subsequent subdivisions and cross-references to those subdivisions accordingly:

( ) whether the project is proposed to be located in a qualified opportunity zone;

(11) In added Section 403.609(b)(2), Government Code (page 7, line 37), strike "25th" and substitute "20th".

(12) In added Section 403.609(b)(2), Government Code (page 7, line 42), strike "and".

(13) In added Section 403.609(b)(3), Government Code (page 7, line 45), strike the underlined period and substitute "; and".

(14) In added Section 403.609(b), Government Code (page 7, between lines 45 and 46), insert the following:

(4) if the application indicates that the eligible project is proposed to be located in a qualified opportunity zone, the project is located in the zone.

(15) In added Section 403.609(d), Government Code (page 7, line 52), between "governor" and "with", insert "and the applicable school district".

(16) On page 8 of the bill, between lines 6 and 7, insert the following appropriately numbered section to added Subchapter T, Chapter 403, Government Code, and renumber subsequent sections of that subchapter and cross-references to those sections accordingly:

Sec. 403. . SCHOOL DISTRICT ACTION ON APPLICATION. (a) The governing body of a school district shall, not later than the 30th day after the date the district receives an application sent to the district by the comptroller under Section 403.609, consider the application and by official action determine whether the district is agreeable to entering into the agreement that is the subject of the application.

(b) The governing body of the school district shall hold a public hearing on the application during the period described by Subsection (a).

(c) The governing body of the school district shall provide written notice of the district's determination under Subsection (a) to the comptroller, the governor, and the applicant.

(17) In added Section 403.611, Government Code (page 8, between lines 21 and 22), insert the following appropriately lettered subsection and reletter subsequent subsections of that section and cross-references to those subsections accordingly:

( ) At least one member appointed by the speaker of the house of representatives and at least one member appointed by the lieutenant governor under Subsection (a) must represent a district that includes a county with a population of 100,000 or less.

(18) In added Section 403.612(d)(4), Government Code (page 9, line 33), strike "state is entitled to recover" and substitute "state shall recover from the applicant".

The amendment to **CSHB 5** was read.

Senator Birdwell offered the following amendment to Floor Amendment No. 2:



**Floor Amendment No. 3**

Amend Amendment No. 2 to **CSHB 5** (senate committee printing) in Item (11) of the amendment, adding a new section to added Subchapter T, Chapter 403, Government Code (page 3, between lines 17 and 18), by inserting the following appropriately lettered subsection in the section and relettering the subsequent subsections of the section accordingly:

( ) The governing body of the school district must provide notice of the public hearing in the manner required by Chapter 551, except that the district must provide the notice not later than the 15th day before the date of the hearing. The notice must contain:

- (1) the name of the applicant;
- (2) the name and location of the existing or proposed reinvestment zone or enterprise zone in which the eligible project is proposed to be located;
- (3) a general description of the proposed eligible project; and
- (4) the projected investment the applicant will make in the project.

The amendment to Floor Amendment No. 2 to **CSHB 5** 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. 3.

Question recurring on the adoption of Floor Amendment No. 2 to **CSHB 5**, the amendment as amended was adopted by a viva voce vote.

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

Senator Johnson offered the following amendment to the bill:

**Floor Amendment No. 4**

Amend **CSHB 5** (senate committee report) in SECTION 1 of the bill as follows:

(1) Strike added Section 403.609(b)(3), Government Code (page 7, lines 43-45), and substitute the following:

(3) the agreement is a compelling factor in a competitive site selection determination and that, in the absence of the agreement, the applicant would not make the proposed investment in this state.

(2) In added Section 403.609, Government Code, between Subsections (b) and (c) of the section (page 7, between lines 45 and 46), insert the following appropriately lettered subsection and reletter subsequent subsections of the section and cross-references to those subsections accordingly:

( ) In making the finding required by Subsection (b)(3), the comptroller shall consider factors related to the selection of the proposed site for the project, including the workforce, the regulatory environment, infrastructure, transportation, market conditions, investment alternatives, and any specific incentive information provided by the applicant related to other potential sites.

The amendment to **CSHB 5** 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. 4.

Senator Schwertner offered the following amendment to the bill:

**Floor Amendment No. 5**

Amend **CSHB 5** (senate committee printing) in SECTION 1 of the bill, in added Section 403.612(b), Government Code, between Subdivisions (7) and (8) of the subsection (page 9, between lines 11 and 12), by inserting the following appropriately numbered subdivision and renumbering subsequent subdivisions of the subsection and cross-references to those subdivisions accordingly:

( ) require the applicant, at the time the applicant executes the agreement, to execute a performance bond in an amount the comptroller determines to be reasonable and necessary to protect the interests of the state and the district and conditioned on the applicant's compliance with the terms of the agreement;

The amendment to **CSHB 5** 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 Schwertner offered the following amendment to the bill:

**Floor Amendment No. 6**

Amend **CSHB 5** (senate committee printing) in SECTION 1 of the bill as follows:

(1) In added Section 403.612(b)(6), Government Code (page 8, lines 68 and 69), strike "the average annual wage for all jobs in the county" and substitute "110 percent of the average annual wage for all jobs in the applicable industry sector".

(2) In added Section 403.612(b), Government Code (page 9, between lines 11 and 12), add the following appropriately numbered subdivision and renumber the subsequent subdivisions of the subsection accordingly:

( ) require the applicant to offer and contribute to a group health benefit plan for each employee of the applicant who is employed in a full-time job;

(3) In added Section 403.614(a), Government Code (page 10, line 34), between "to" and "the product", insert "two times".

(4) In added Section 403.614(b), Government Code (page 10, line 50), between "to" and "the difference", insert "two times".

The amendment to **CSHB 5** 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 Perry offered the following amendment to the bill:

**Floor Amendment No. 7**

Amend **CSHB 5** (senate committee report) in SECTION 1 of the bill, in added Section 403.611, Government Code (page 8, between lines 21 and 22), by inserting the following appropriately lettered subsection and relettering subsequent subsections of that section and cross-references to those subsections accordingly:

( ) At least one member appointed by the speaker of the house of representatives and at least one member appointed by the lieutenant governor under Subsection (a) must represent a district that includes a county with a population of 100,000 or less.

The amendment to **CSHB 5** 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. 7.

Senator West offered the following amendment to the bill:

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

Amend **CSHB 5** (senate committee printing) in SECTION 1 of the bill, in added Section 403.607(b), Government Code (page 6, between lines 11 and 12), by inserting the following appropriately numbered subdivision and renumbering subsequent subdivisions and cross-references to those subdivisions accordingly:

( ) a statement indicating whether the applicant considered locating the proposed project in an area designated as a qualified opportunity zone by the secretary of the United States Treasury;

The amendment to **CSHB 5** 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.

**CSHB 5** as amended was passed to third reading by the following vote: Yeas 27, Nays 4.

Yeas: Alvarado, Bettencourt, Birdwell, Blanco, Campbell, Creighton, Eckhardt, Flores, Hancock, Hinojosa, Huffman, Hughes, Johnson, King, LaMantia, Menéndez, Miles, Nichols, Parker, Paxton, Perry, Schwertner, Sparks, Springer, West, Whitmire, Zaffirini.

Nays: Gutierrez, Hall, Kolkhorst, Middleton.

### **COMMITTEE SUBSTITUTE HOUSE BILL 5 ON THIRD READING**

Senator Schwertner moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 5** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 28, Nays 3.

Yeas: Alvarado, Bettencourt, Birdwell, Blanco, Campbell, Creighton, Eckhardt, Flores, Hancock, Hinojosa, Huffman, Hughes, Johnson, King, Kolkhorst, LaMantia, Menéndez, Miles, Nichols, Parker, Paxton, Perry, Schwertner, Sparks, Springer, West, Whitmire, Zaffirini.

Nays: Gutierrez, Hall, Middleton.

The bill was read third time and was passed by the following vote: Yeas 27, Nays 4.

Yeas: Alvarado, Bettencourt, Birdwell, Blanco, Campbell, Creighton, Eckhardt, Flores, Hancock, Hinojosa, Huffman, Hughes, Johnson, King, LaMantia, Menéndez, Miles, Nichols, Parker, Paxton, Perry, Schwertner, Sparks, Springer, West, Whitmire, Zaffirini.

Nays: Gutierrez, Hall, Kolkhorst, Middleton.

**COMMITTEE SUBSTITUTE  
HOUSE BILL 1998 ON SECOND READING**

Senator Hall moved to suspend the regular order of business to take up for consideration **CSHB 1998** at this time on its second reading:

**CSHB 1998**, Relating to the regulation of physicians and the disciplinary authority of the Texas Medical Board; increasing a criminal penalty; imposing a surcharge.

The motion prevailed.

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

The bill was read second time.

Senator Campbell offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **CSHB 1998** (senate committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 153.051(d), Occupations Code, is amended to read as follows:

(d) The board may not set, charge, collect, receive, or deposit any of the following fees in excess of:

- (1) \$900 for a license;
- (2) \$400 for a first registration permit;
- (3) \$200 for a temporary license;
- (4) \$400 for renewal of a registration permit;
- (5) \$200 for a physician-in-training permit;
- (6) \$600 for the processing of an application and the issuance of a registration for anesthesia in an outpatient setting;
- (7) \$200 for an endorsement to other state medical boards;
- (8) \$200 for a duplicate license;
- (9) \$700 for a reinstated license after cancellation for cause; or
- (10) \$15 [~~\$1,200~~] for a surcharge [~~an annual fee~~] under Section 153.053 to administer [~~167.011(e) for a program participant in~~] the Texas Physician Health Program, due at the time of license issuance and registration permit renewal.

SECTION \_\_\_\_\_. Subchapter B, Chapter 153, Occupations Code, is amended by adding Section 153.053 to read as follows:

Sec. 153.053. SURCHARGE TO ADMINISTER TEXAS PHYSICIAN HEALTH PROGRAM. (a) The board shall collect an additional surcharge not to exceed \$15 for each of the following fees:

- (1) first registration permit; and
- (2) renewal of a registration permit.

(b) The board shall deposit each surcharge collected under this section to the credit of the Texas physician health program account. The Texas physician health program account is a special account in the general revenue fund. Money in the special account shall be appropriated only to the board to pay for administration of the Texas Physician Health Program under Chapter 167, including paying for an initial evaluation by the program's medical director or the director's designee. Money in the special account may not be used to pay for program participant costs incurred for monitoring or for a program participant's own medical costs, including any further required evaluations, primary treatment, or continuing care.

SECTION \_\_\_\_\_. Section 167.011, Occupations Code, is repealed.

SECTION \_\_\_\_\_. Section 153.051, Occupations Code, as amended by this Act, and Section 153.053, Occupations Code, as added by this Act, apply to the initial issuance of a license or the renewal of a registration permit under Subtitle B, Title 3, Occupations Code, on or after September 1, 2023. A license initially issued or registration permit renewed before September 1, 2023, is governed by the law in effect immediately before the effective date of this Act, and the former law is continued in effect for that purpose.

The amendment to **CSHB 1998** 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.

**CSHB 1998** as amended was passed to third reading by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to third reading except as follows:

Nays: Schwertner.

### COMMITTEE SUBSTITUTE HOUSE BILL 1998 ON THIRD READING

Senator Hall moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 1998** be placed on its third reading and final passage.

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

Nays: Schwertner.

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

### MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Wednesday, May 24, 2023 - 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:

**HCR 115**

Kitzman

Directing the governor of the State of Texas to posthumously award the Texas Legislative Medal of Honor to U.S. Army Master Sergeant Mike C. Peña.

**HCR 121**

Buckley

Instructing the enrolling clerk of the house to make corrections in H.B. No. 1605.

**SB 186**

Miles

Sponsor: Rose

Relating to the prohibited discharge of a patient to certain unlicensed or unpermitted group-centered facilities.

**SB 189**

Miles

Sponsor: Rose

Relating to the creation of a criminal offense concerning the failure of certain persons to report abuse, neglect, or exploitation in boarding home facilities.

(Amended)

**SB 365**

Zaffirini

Sponsor: Landgraf

Relating to the issuance or amendment of a certificate of public convenience and necessity that authorizes the construction of an electrical substation.

(Amended)

**SB 532**

West

Sponsor: Kuempel

Relating to repayment of certain mental health professional education loans.

(Amended)

**SB 544**

Blanco

Sponsor: Moody

Relating to the issuance of a temporary teaching certificate to and requirements regarding educator certification for certain persons with experience as instructors for the Community College of the Air Force.

(Amended)

**SB 545**

Kolkhorst

Sponsor: Toth

Relating to death records maintained and provided by the vital statistics unit of the Department of State Health Services.

**SB 812**

Zaffirini

Sponsor: Cortez

Relating to food allergen awareness in food service establishments, food handler and food manager certifications, and food service training or education programs.

**SB 833**

King

Sponsor: Oliverson

Relating to consideration by insurers of certain prohibited criteria for ratemaking.

**SB 999**

West

Sponsor: King, Tracy O.

Relating to the requirement that providers of active shooter training at public schools and institutions of higher education obtain a certificate issued by the Texas Commission on Law Enforcement.

(Amended)

- SB 1647** Parker Sponsor: Hefner  
Relating to dropout recovery education programs.
- SB 2035** Bettencourt Sponsor: Capriglione  
Relating to the issuance of certain anticipation notes and certificates of obligation.
- SB 2376** Campbell Sponsor: Canales  
Relating to the issuance of Support Adoption specialty license plates and to the Support Adoption account and certain voluntary contributions to that account.  
(Committee Substitute)
- SB 2453** Menéndez Sponsor: Hernandez  
Relating to certain regulations adopted by governmental entities for the building products, materials, or methods used in the construction of residential or commercial buildings.  
(Amended)
- SB 2620** Springer Sponsor: Spiller  
Relating to authorizing certain political subdivisions to change the date on which their general election for officers is held.  
(Amended)
- SCR 4** Eckhardt Sponsor: Hunter  
Directing the Texas Facilities Commission to name the Capitol Complex Child Development Center "Emma's Garden" in honor of Emma Barrientos.
- SCR 8** Parker Sponsor: Capriglione  
Designating June 2 as Italian Heritage Day for a 10-year period beginning in 2023.
- SCR 46** Flores Sponsor: Kuempel  
Authorizing the State Preservation Board to approve the placement of the Texas Game Warden Memorial at the State Capitol Complex.

THE HOUSE HAS CONCURRED IN THE SENATE AMENDMENTS TO THE FOLLOWING MEASURES:

- HB 8** (142 Yeas, 0 Nays, 1 Present, not voting)
- HB 54** (126 Yeas, 15 Nays, 2 Present, not voting)
- HB 90** (143 Yeas, 0 Nays, 1 Present, not voting)
- HB 420** (142 Yeas, 2 Nays, 1 Present, not voting)
- HB 471** (138 Yeas, 4 Nays, 1 Present, not voting)
- HB 852** (134 Yeas, 5 Nays, 1 Present, not voting)
- HB 1034** (128 Yeas, 15 Nays, 1 Present, not voting)
- HB 1217** (128 Yeas, 16 Nays, 1 Present, not voting)
- HB 1527** (143 Yeas, 0 Nays, 1 Present, not voting)
- HB 2194** (128 Yeas, 14 Nays, 1 Present, not voting)
- HB 2416** (142 Yeas, 1 Nays, 1 Present, not voting)
- HB 2800** (140 Yeas, 3 Nays, 1 Present, not voting)

**HB 2879** (144 Yeas, 0 Nays, 2 Present, not voting)

**HB 2920** (144 Yeas, 0 Nays, 1 Present, not voting)

**HB 3310** (143 Yeas, 0 Nays, 1 Present, not voting)

**HB 3323** (94 Yeas, 49 Nays, 1 Present, not voting)

**HB 3414** (139 Yeas, 5 Nays, 1 Present, not voting)

**HB 3536** (124 Yeas, 21 Nays, 1 Present, not voting)

**HB 4034** (144 Yeas, 0 Nays, 1 Present, not voting)

**HB 4421** (143 Yeas, 0 Nays, 1 Present, not voting)

**HB 4510** (137 Yeas, 5 Nays, 1 Present, not voting)

**HB 5010** (101 Yeas, 44 Nays, 1 Present, not voting)

THE HOUSE HAS ADOPTED THE FOLLOWING CONFERENCE COMMITTEE REPORTS:

**SB 763** (84 Yeas, 60 Nays, 1 Present, not voting)

**SB 1188** (129 Yeas, 14 Nays, 1 Present, not voting)

Respectfully,

/s/Stephen Brown,

Chief Clerk

House of Representatives

### **HOUSE BILL 2285 ON SECOND READING**

Senator Paxton moved to suspend the regular order of business to take up for consideration **HB 2285** at this time on its second reading:

**HB 2285**, Relating to the authority of certain independent school districts to change the terms for members of the districts' board of trustees.

The motion prevailed.

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

The bill was read second time and was passed to third reading by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to third reading except as follows:

Nays: Hughes.

### **HOUSE BILL 2285 ON THIRD READING**

Senator Paxton moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 2285** be placed on its third reading and final passage.

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

Nays: Hughes.



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

### **HOUSE BILL 5415 ON SECOND READING**

Senator Springer moved to suspend the regular order of business to take up for consideration **HB 5415** at this time on its second reading:

**HB 5415**, Relating to the creation of the Elm Fork Municipal Utility District No. 1 of Cooke County; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

The motion prevailed.

Senators Hall, Hughes, and Middleton asked to be recorded as voting "Nay" on suspension of the regular order of business.

Senator Kolkhorst asked to be recorded as "Present-not voting" on suspension of the regular order of business.

The bill was read second time and was passed to third reading by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to third reading except as follows:

Nays: Hall, Hughes, Middleton.

Present-not voting: Kolkhorst.

### **HOUSE BILL 5415 ON THIRD READING**

Senator Springer moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 5415** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 3, Present-not voting 1.

Yeas: Alvarado, Bettencourt, Birdwell, Blanco, Campbell, Creighton, Eckhardt, Flores, Gutierrez, Hancock, Hinojosa, Huffman, Johnson, King, LaMantia, Menéndez, Miles, Nichols, Parker, Paxton, Perry, Schwertner, Sparks, Springer, West, Whitmire, Zaffirini.

Nays: Hall, Hughes, Middleton.

Present-not voting: Kolkhorst.

The bill was read third time and was passed by the following vote: Yeas 27, Nays 3, Present-not voting 1. (Same as previous roll call)

### **HOUSE BILL 4714 ON SECOND READING**

On motion of Senator Menéndez and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 4714** at this time on its second reading:

**HB 4714**, Relating to the use of an electronic recording device to report proceedings before a municipal court of record for the City of San Antonio.

The bill was read second time and was passed to third reading by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to third reading.

#### **HOUSE BILL 4714 ON THIRD READING**

Senator Menéndez moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 4714** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

#### **HOUSE BILL 1432 ON SECOND READING**

Senator Whitmire moved to suspend the regular order of business to take up for consideration **HB 1432** at this time on its second reading:

**HB 1432**, Relating to required findings for the issuance of a protective order.

The motion prevailed.

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

The bill was read second time and was passed to third reading by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to third reading except as follows:

Nays: Middleton.

#### **HOUSE BILL 1432 ON THIRD READING**

Senator Whitmire moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 1432** be placed on its third reading and final passage.

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

Nays: Middleton.

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

#### **HOUSE BILL 4164 ON SECOND READING**

Senator Whitmire moved to suspend the regular order of business to take up for consideration **HB 4164** at this time on its second reading:

**HB 4164**, Relating to the improper use and treatment of an assistance animal or service animal; increasing a criminal penalty.

The motion prevailed.

Senators Creighton and Hughes asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time and was passed to third reading by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to third reading except as follows:

Nays: Creighton, Hughes.

#### **HOUSE BILL 4164 ON THIRD READING**

Senator Whitmire moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 4164** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 2.

Yeas: Alvarado, Bettencourt, Birdwell, Blanco, Campbell, Eckhardt, Flores, Gutierrez, Hall, Hancock, Hinojosa, Huffman, Johnson, King, Kolkhorst, LaMantia, Menéndez, Middleton, Miles, Nichols, Parker, Paxton, Perry, Schwertner, Sparks, Springer, West, Whitmire, Zaffirini.

Nays: Creighton, Hughes.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 2. (Same as previous roll call)

#### **HOUSE BILL 4645 ON SECOND READING**

Senator Zaffirini moved to suspend the regular order of business to take up for consideration **HB 4645** at this time on its second reading:

**HB 4645**, Relating to the exemption from ad valorem taxation of certain property used to provide low-income or moderate-income housing.

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

Yeas: Alvarado, Bettencourt, Birdwell, Blanco, Campbell, Eckhardt, Flores, Gutierrez, Hancock, Hinojosa, Huffman, Johnson, King, Kolkhorst, LaMantia, Menéndez, Middleton, Miles, Nichols, Parker, Sparks, Springer, West, Whitmire, Zaffirini.

Nays: Creighton, Hall, Hughes, Paxton, Perry, Schwertner.

The bill was read second time.

Senator Zaffirini moved to postpone further consideration of the bill to a time certain of 5:00 p.m. today.

The motion prevailed.

Question: Shall **HB 4645** be passed to third reading?

#### **COMMITTEE SUBSTITUTE HOUSE BILL 718 ON SECOND READING**

Senator West moved to suspend the regular order of business to take up for consideration **CSHB 718** at this time on its second reading:

**CSHB 718**, Relating to the issuance of certain tags, permits, and license plates authorizing the movement of vehicles.

The motion prevailed.

Senators Blanco and Menéndez asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time.

Senator West offered the following amendment to the bill:

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

Amend **CSHB 718** (senate committee report) as follows:

(1) STRIKE SECTION 3 of the bill, adding Section 501.0041(c), Transportation Code (page 1, lines 32-42).

(2) In SECTION 6 of the bill, in amended Section 502.095(d), Transportation Code (page 2, lines 30-31), strike "obtain multiple 30-day license plates" and substitute "request from the department an extension of the period a [obtain multiple] 30-day license plate is valid".

(3) In SECTION 6 of the bill, immediately following amended Section 502.095(g), Transportation Code (page 2, between lines 67 and 68), insert the following:

(h) A vehicle operated with a license plate under this section is exempt from the inspection requirements of Chapter 548.

(4) In SECTION 8 of the bill, strike amended Section 503.008(a), Transportation Code (page 3, lines 7-8), and substitute the following:

(a) The fee for:

(1) a [metal] dealer's license plate issued under Section 503.061 is \$20 a year; and

(2) a dealer's temporary license plate issued under Section 503.062 is \$10.

(5) In SECTION 9 of the bill, in amended Section 503.038(c), Transportation Code (page 3, line 56), between "officer" and "to", insert "or designated department employee".

(6) Strike the recital to SECTION 11 of the bill (page 3, lines 62-64), and substitute the following:

SECTION 11. Section 503.061(a), Transportation Code, is amended to read as follows:

(7) In SECTION 11 of the bill, strike added Section 503.061(c), Transportation Code (page 4, lines 4-9).

(8) In SECTION 13 of the bill, in amended Section 503.063(c), Transportation Code (page 4, line 44), strike "regarding the placement of license plates".

(9) In SECTION 13 of the bill, in amended Section 503.063(d), Transportation Code (page 4, line 53), between "department" and the period, insert the following:

. The dealer is liable for missing or misused license plates. The department may conduct a review of a dealer's compliance with this subsection

(10) In SECTION 13 of the bill, in amended Section 503.063(i), Transportation Code (page 5, lines 32-34), strike "license plate in the manner provided by Section 503.065 for out-of-state license plates" and substitute "temporary license plate under this section".

(11) In SECTION 13 of the bill, immediately following amended Section 503.063(i), Transportation Code (page 5, between lines 45 and 46), insert the following:

(i-1) A temporary license plate issued to a vehicle described by Subsection (i) is valid for 60 days.

(12) In SECTION 27 of the bill, in Subdivision (3), repealing Section 503.062, Transportation Code (page 8, line 64), strike "503.062" and substitute "503.062(d)".

(13) In SECTION 27 of the bill, strike Subdivisions (8) and (9), repealing provisions of the Transportation Code (page 8, line 69, through page 9, line 1), and substitute the following:

(8) Section 503.068(a);

(9) Section 503.094(d); and

(10) Sections 504.901(c), (d), and (e).

(14) Strike SECTION 29 of the bill, imposing certain duties on the Texas Department of Motor Vehicles (page 9, lines 9-14).

(15) Add the following appropriately numbered SECTIONS to the bill:

SECTION \_\_\_\_. Section 152.042, Tax Code, is amended to read as follows:

Sec. 152.042. COLLECTION OF TAX ON DEALER'S LICENSE ~~[METAL DEALER]~~ PLATES. A person required to pay the tax imposed by Section 152.027 shall pay the tax to the Texas Department of Motor Vehicles, and the department may not issue the ~~[metal]~~ dealer's license plates until the tax is paid.

SECTION \_\_\_\_. Section 501.147, Transportation Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a) On receipt of a written notice of transfer from the seller of a motor vehicle or a dealer who holds a general distinguishing number issued under Chapter 503, the department shall indicate the transfer on the motor vehicle records maintained by the department. As an alternative to a written notice of transfer, the department shall establish procedures that permit the seller of a motor vehicle or a dealer who holds a general distinguishing number issued under Chapter 503 to electronically submit a notice of transfer to the department through the department's Internet website. A notice of transfer provided through the department's Internet website is not required to bear the signature of the seller or include the date of signing.

(a-1) On the sale or transfer of a motor vehicle to a dealer who holds a general distinguishing number issued under Chapter 503, the dealer shall submit the notice of transfer under Subsection (a).

SECTION \_\_\_\_. The heading to Section 503.062, Transportation Code, is amended to read as follows:

Sec. 503.062. DEALER'S TEMPORARY LICENSE PLATE ~~[TAGS]~~.

SECTION \_\_\_\_. Section 503.062(a), Transportation Code, is amended to read as follows:

(a) A dealer may issue a temporary license plate ~~[tag]~~ for use on an unregistered vehicle by the dealer or the dealer's employees only to:

(1) demonstrate or cause to be demonstrated to a prospective buyer the vehicle for sale purposes only;

(2) convey or cause to be conveyed the vehicle:

(A) from one of the dealer's places of business in this state to another of the dealer's places of business in this state;

(B) from the dealer's place of business to a place the vehicle is to be repaired, reconditioned, or serviced;

(C) from the state line or a location in this state where the vehicle is unloaded to the dealer's place of business;

(D) from the dealer's place of business to a place of business of another dealer;

(E) from the point of purchase by the dealer to the dealer's place of business; or

(F) to road test the vehicle; or

(3) use the vehicle for or allow its use by a charitable organization.

SECTION \_\_\_\_. The heading to Section 504.901, Transportation Code, is amended to read as follows:

Sec. 504.901. TRANSFER [~~AND REMOVAL~~] OF LICENSE PLATES.

SECTION \_\_\_\_. Section 504.901, Transportation Code, is amended by amending Subsections (a) and (b) and adding Subsection (b-1) to read as follows:

(a) On the sale or transfer of a motor vehicle to a dealer who holds a general distinguishing number issued under Chapter 503, the dealer shall remove each license plate issued for the motor vehicle. Each license plate issued for the motor vehicle shall be assigned to a subsequent purchaser of the motor vehicle at retail sale as required by Section 503.063. [~~A person may use the license plates removed from a motor vehicle on a new motor vehicle purchased from a dealer after the person obtains the department's approval of a title and registration application.~~]

(b) On the sale or transfer of a motor vehicle to a person who does not hold a general distinguishing number issued under Chapter 503, [~~the seller may remove~~] each license plate issued for the motor vehicle shall remain with the motor vehicle. [~~The license plates may be transferred to another vehicle titled in the seller's name if the seller obtains:~~

~~(1) the department's approval of an application to transfer the license plates; and~~

~~(2) a new registration insignia for the motor vehicle.]~~

(b-1) The purchaser of a motor vehicle may request replacement license plates under Section 504.007.

SECTION \_\_\_\_. The Texas Department of Motor Vehicles may adopt rules necessary to implement or administer the changes in law made by this Act. Rules adopted under this section must be adopted not later than December 1, 2024.

(16) Renumber the SECTIONS of the bill appropriately and update cross-references to those SECTIONS accordingly.

The amendment to **CSHB 718** 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.

**CSHB 718** as amended was passed to third reading by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to third reading except as follows:

Nays: Blanco, Menéndez.

**COMMITTEE SUBSTITUTE  
HOUSE BILL 718 ON THIRD READING**

Senator West moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 718** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 2.

Yeas: Alvarado, Bettencourt, Birdwell, Campbell, Creighton, Eckhardt, Flores, Gutierrez, Hall, Hancock, Hinojosa, Huffman, Hughes, Johnson, King, Kolkhorst, LaMantia, Middleton, Miles, Nichols, Parker, Paxton, Perry, Schwertner, Sparks, Springer, West, Whitmire, Zaffirini.

Nays: Blanco, Menéndez.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 2. (Same as previous roll call)

**(Senator Flores in Chair)**

**COMMITTEE SUBSTITUTE  
HOUSE BILL 2779 ON SECOND READING**

On motion of Senator Huffman and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 2779** at this time on its second reading:

**CSHB 2779**, Relating to the compensation and retirement benefits of certain elected state officials.

The bill was read second time.

Senator Huffman offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **CSHB 2779** (senate committee report) as follows:

(1) In SECTION 4 of the bill, amend Section 834.102(a), Government Code, as follows:

(A) In Subdivision (1) (page 2, line 53), strike "or" and substitute "[~~or~~]".

(B) In Subdivision (2) (page 2, line 54), between "2019," and "is", insert "and before September 1, 2023,".

(C) In Subdivision (2) (page 2, line 58), between "retirement" and the period, insert the following:

; or

(3) on or after September 1, 2023, is an amount equal to 50 percent of the state salary being paid in accordance with Section 659.012(b)(3) to a judge of a court of the same classification as the court on which the retiree last served before retirement

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

SECTION \_\_\_\_\_. Sections 74.051(b) and (c), Government Code, are amended to read as follows:

(b) Except as provided by Subsection (c), a presiding judge shall receive a salary in an amount not to exceed 40 [~~30~~] percent of the state base salary paid to a district judge as set by the General Appropriations Act in accordance with Section 659.012(a). The Texas Judicial Council shall set the salary biennially and, in arriving at the amount of the salary, shall consider whether the presiding judge is active in administrative duties, performs part time, or is a retired judge. The salary set by the Texas Judicial Council shall be apportioned to each county in the region according to the population of the counties in the region and shall be paid through the county budget process.

(c) A presiding judge who is a retired or former district judge or a retired appellate judge and who presides over an administrative region with 30 or more district courts, statutory county courts, and retired and former judges named on the list maintained under Section 74.055 for the administrative region is entitled to an annual salary for each fiscal year in an amount equal to:

Number of Courts and Judges Salary

30 to 49 40 [~~30~~] percent of the state base salary paid to a district judge as set by the General Appropriations Act in accordance with Section 659.012(a)

50 to 69 45 [~~35~~] percent of the state base salary paid to a district judge as set by the General Appropriations Act in accordance with Section 659.012(a)

70 to 89 50 [~~40~~] percent of the state base salary paid to a district judge as set by the General Appropriations Act in accordance with Section 659.012(a)

90 or more 55 [~~45~~] percent of the state base salary paid to a district judge as set by the General Appropriations Act in accordance with Section 659.012(a)

SECTION \_\_\_\_\_. (a) Subject to Subsection (b) of this section, Section 659.012(b), Government Code, is amended to read as follows:

(b) A judge or justice for whom the amount of a state base salary is prescribed by Subsection (a) is entitled to an annual salary from the state in the amount equal to:

(1) 110 percent of the state base salary paid in accordance with Subsection (a) for the judge's or justice's position, beginning with the pay period that begins after the judge or justice accrues four years of:

(A) contributing service credit in the Judicial Retirement System of Texas Plan One or the Judicial Retirement System of Texas Plan Two;

(B) service as a judge of a statutory county court, multicounty statutory county court, or statutory probate court; or

(C) combined contributing service credit and service as provided by Paragraphs (A) and (B); ~~and~~

(2) 120 percent of the state base salary paid in accordance with Subsection (a) for the judge's or justice's position, beginning with the pay period that begins after the judge or justice accrues eight years of:

(A) contributing service credit in the Judicial Retirement System of Texas Plan One or the Judicial Retirement System of Texas Plan Two;

(B) service as a judge of a statutory county court, multicounty statutory county court, or statutory probate court; or

(C) combined contributing service credit and service as provided by Paragraphs (A) and (B); and



(3) 130 percent of the state base salary paid in accordance with Subsection (a) for the judge's or justice's position, beginning with the pay period that begins after the judge or justice accrues 12 years of:

(A) contributing service credit in the Judicial Retirement System of Texas Plan One or the Judicial Retirement System of Texas Plan Two;

(B) service as a judge or a full-time associate judge of a district court, statutory county court, multicounty statutory county court, or statutory probate court or as a district attorney, criminal district attorney, or county attorney; or

(C) combined contributing service credit and service as provided by Paragraphs (A) and (B).

(b) If H.B. No. 3474, Acts of the 88th Legislature, Regular Session, 2023, relating to the operation and administration of and practices and procedures regarding proceedings in the judicial branch of state government becomes law, Subsection (a) of this section takes effect on the effective date of this Act and Section 1 of this Act, also amending Section 659.012(b), Government Code, has no effect. If H.B. No. 3474 does not take effect, this section has no effect.

The amendment to **CSHB 2779** 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.

**CSHB 2779** as amended was passed to third reading by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to third reading.

### **COMMITTEE SUBSTITUTE HOUSE BILL 2779 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 **CSHB 2779** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

### **HOUSE BILL 3461 ON SECOND READING**

On motion of Senator Huffman and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 3461** at this time on its second reading:

**HB 3461**, Relating to the creation and re-creation of funds and accounts, the dedication and rededication of revenue and allocation of accrued interest on dedicated revenue, and the exemption of unappropriated money from use for general governmental purposes.

The bill was read second time.

Senator Huffman offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **HB 3461** (senate committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_. AMENDMENT OF SECTION 403.0956, GOVERNMENT CODE. Effective September 1, 2023, Section 403.0956, Government Code, is amended to read as follows:

Sec. 403.0956. REALLOCATION OF INTEREST ACCRUED ON CERTAIN DEDICATED REVENUE. Notwithstanding any other law, all interest or other earnings that accrue on all revenue held in an account in the general revenue fund any part of which Section 403.095 makes available for certification under Section 403.121 are available for any general governmental purpose, and the comptroller shall deposit the interest and earnings to the credit of the general revenue fund. This section does not apply to:

- (1) interest or earnings on revenue deposited in accordance with Section 51.008, Education Code;
- (2) an account that accrues interest or other earnings on deposits of state or federal money the diversion of which is specifically excluded by federal law;
- (3) the lifetime license endowment account;
- (4) the game, fish, and water safety account;
- (5) the coastal protection account;
- (6) the Alamo complex account; ~~[or]~~
- (7) the artificial reef account;
- (8) the sexual assault program fund; or
- (9) the deferred maintenance fund account.

SECTION \_\_\_\_. AMENDMENT OF SECTION 420.008, GOVERNMENT CODE. Effective September 1, 2023, Section 420.008(b), Government Code, is amended to read as follows:

(b) The fund consists of:

- (1) fees and fines collected under:
  - (A) Article 42A.653(a), Code of Criminal Procedure;
  - (B) Section 508.189, Government Code; and
  - (C) Subchapter B, Chapter 102, Business & Commerce Code, and deposited under Section 102.054 of that code; ~~[and]~~
- (2) administrative penalties collected under Section 51.258, Education Code; and
- (3) interest and other earnings on money in the fund.

SECTION \_\_\_\_. AMENDMENT OF SECTION 2165.403, GOVERNMENT CODE. Effective September 1, 2023, Section 2165.403(b), Government Code, is amended to read as follows:

(b) The fund consists of money appropriated, credited, or transferred to the fund by or at the direction of the legislature, including interest and other earnings on money in the fund.

SECTION \_\_\_\_. AMENDMENT OF SECTION 361.014, HEALTH AND SAFETY CODE. Effective September 1, 2023, Section 361.014(d), Health and Safety Code, is amended to read as follows:

(d) Revenues allocated to the commission for the purposes authorized by Subsection (a) or (b) shall be deposited to the credit of the waste management account. ~~[Revenues allocated to local and regional solid waste projects shall be deposited to the credit of an account in the general revenue fund known as the municipal solid waste disposal account.]~~

SECTION \_\_\_\_. ABOLISHMENT OF SOLID WASTE DISPOSAL FEES ACCOUNT. Effective September 1, 2023, the solid waste disposal fees account no. 5000 is abolished and the obligations of and unobligated account balances in the account are transferred to the waste management account no. 0549.

SECTION \_\_\_\_. ACCOUNTS IN GENERAL REVENUE FUND. Effective on the later of the effective date of the Act creating or re-creating the specified account or August 31, 2023, the following accounts, the revenue deposited to the credit of those accounts, and the revenue dedicated for deposit to the credit of those accounts are exempt from Section 2 of this Act and the accounts are created or re-created in the general revenue fund, if created or re-created by an Act of the 88th Legislature, Regular Session, 2023, that becomes law:

(1) the Lone Star Workforce of the Future Fund created as an account in the general revenue fund by House Bill No. 1755 or similar legislation;

(2) the gulf coast protection account created as an account in the general revenue fund by House Bill No. 2416 or similar legislation;

(3) the accounts created as accounts in the general revenue fund by House Bill No. 3323 or similar legislation;

(4) the program fund created as an account in the general revenue fund by House Bill No. 3771 or similar legislation;

(5) the accounts created in the general revenue fund by House Bill No. 4772 or similar legislation;

(6) the Texas Semiconductor Innovation Fund created as an account in the general revenue fund by House Bill No. 5174 or similar legislation;

(7) the program fund created as an account in the general revenue fund by Senate Bill No. 8 or similar legislation;

(8) the statewide water public awareness account created as an account in the general revenue fund by Senate Bill No. 28 or similar legislation;

(9) the renewable energy generation facility cleanup fund created as an account in the general revenue fund by Senate Bill No. 624 or similar legislation; and

(10) the port access account fund created as an account in the general revenue fund by Senate Bill No. 1499 or similar legislation.

SECTION \_\_\_\_. SEPARATE FUNDS. Effective on the later of the effective date of the Act creating or re-creating the specified fund or August 31, 2023, the following funds, if created or re-created by an Act of the 88th Legislature, Regular Session, 2023, the revenue deposited to the funds and the revenue dedicated for deposit to the funds are exempt from Section 2 of this Act, and the funds are created or re-created as separate funds inside or outside the state treasury, as specified by the Act creating or re-creating the fund:

(1) the open burn pit registry fund created as a fund in the state treasury by House Bill No. 1315 or similar legislation;

(2) the Texas Historical Commission retail operations fund created as a fund outside the state treasury by House Bill No. 2719 or similar legislation;

(3) the leaking water wells fund created as a fund in the state treasury by House Bill No. 4256 or similar legislation;

(4) the new water supply for Texas fund created as a fund in the state treasury by Senate Bill No. 28 or similar legislation;

(5) the Texas state buildings preservation endowment fund created as a fund outside the state treasury by Senate Bill No. 1333 or similar legislation;

(6) the Iwo Jima monument and museum fund created as a fund outside the state treasury by Senate Bill No. 2057 or similar legislation; and

(7) the Texas energy fund created as a fund in the state treasury by Senate Bill No. 2627 or similar legislation.

SECTION \_\_\_\_. REVENUE DEDICATIONS. Effective on the later of the effective date of the Act dedicating or rededicating the specified revenue or August 31, 2023, the following dedications or rededications of revenue collected for a particular purpose are exempt from Section 2 of this Act, if dedicated or rededicated by an Act of the 88th Legislature, Regular Session, 2023:

(1) the dedication of penalty revenue to the foundation school fund provided by House Bill No. 5 or similar legislation;

(2) the dedication of driver's license fees to the Texas mobility fund provided by House Bill No. 842 or similar legislation;

(3) the dedication of revenue provided by House Bill No. 1613 or similar legislation;

(4) the dedication of fee revenue to the public assurance account provided by House Bill No. 1998 or similar legislation;

(5) the dedication of boater education program and exam fees to the game, fish, and water safety account provided by House Bill No. 2755 or similar legislation;

(6) the dedication of revenue provided by House Bill No. 3290 or similar legislation;

(7) the dedication of revenue provided by House Bill No. 3297 or similar legislation;

(8) the dedication of revenue provided by House Bill No. 3345 or similar legislation;

(9) the dedication of revenue to the law enforcement officer standards and education fund account provided by House Bill No. 3539 or similar legislation;

(10) the dedication of revenue provided by House Bill No. 3582 or similar legislation;

(11) the dedication of revenue to the general revenue fund and the hotel occupancy tax for economic development account provided by House Bill No. 3727 or similar legislation;

(12) the dedication of rail safety fees to the state highway fund provided by House Bill No. 4015 or similar legislation;

(13) the dedication of revenue to the game, fish, and water safety account and the state parks account provided by House Bill No. 4018 or similar legislation;

(14) the dedication of revenue to the Texas Department of Insurance operating account provided by House Bill No. 4498 or similar legislation;

(15) the dedication of revenue provided by House Bill No. 4635 or similar legislation;

(16) the dedication of revenue to the Texas Department of Motor Vehicles fund and the general revenue fund provided by House Bill No. 5225 or similar legislation;

(17) the dedication of revenue to the state highway fund provided by House Bill No. 5342 or similar legislation;

(18) the dedication of revenue to the state highway fund provided by Senate Bill No. 505 or similar legislation;

(19) the dedication of unclaimed property deposits to the judicial fund provided by Senate Bill No. 658 or similar legislation;

(20) the dedication of revenue to the game, fish, and water safety account provided by Senate Bill No. 1032 or similar legislation;

(21) the dedication of revenue to the Texas physician health program account provided by Senate Bill No. 1086 or similar legislation;

(22) the dedication of revenue to the general revenue fund and the hotel occupancy tax for economic development account provided by Senate Bill No. 1167 or similar legislation;

(23) the dedication of revenue to the general revenue fund and the hotel occupancy tax for economic development account provided by Senate Bill No. 1420 or similar legislation; and

(24) the dedication of revenue as provided by Senate Bill No. 2102 or similar legislation.

The amendment to **HB 3461** 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.

**HB 3461** as amended was passed to third reading by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to third reading.

### **HOUSE BILL 3461 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 3461** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

### **HOUSE BILL 3991 ON SECOND READING**

On motion of Senator Alvarado and by unanimous consent, the regular order of business was suspended to take up for consideration **HB 3991** at this time on its second reading:

**HB 3991**, Relating to Texas Fruit and Vegetable Day in public schools.

The bill was read second time and was passed to third reading by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to third reading.

### **HOUSE BILL 3991 ON THIRD READING**

Senator Alvarado moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 3991** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 31, Nays 0.

The bill was read third time and was passed by the following vote: Yeas 31, Nays 0.

### **COMMITTEE SUBSTITUTE HOUSE BILL 1287 ON SECOND READING**

Senator Blanco moved to suspend the regular order of business to take up for consideration **CSHB 1287** at this time on its second reading:

**CSHB 1287**, Relating to the exclusion of certain resources in determining eligibility for the supplemental nutrition assistance program.

The motion prevailed.

Senators Hughes, King, Middleton, and Paxton asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time and was passed to third reading by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to third reading except as follows:

Nays: Hughes, King, Middleton, Paxton.

### **COMMITTEE SUBSTITUTE HOUSE BILL 1287 ON THIRD READING**

Senator Blanco moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 1287** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 27, Nays 4.

Yeas: Alvarado, Bettencourt, Birdwell, Blanco, Campbell, Creighton, Eckhardt, Flores, Gutierrez, Hall, Hancock, Hinojosa, Huffman, Johnson, Kolkhorst, LaMantia, Menéndez, Miles, Nichols, Parker, Perry, Schwertner, Sparks, Springer, West, Whitmire, Zaffirini.

Nays: Hughes, King, Middleton, Paxton.

The bill was read third time and was passed by the following vote: Yeas 27, Nays 4. (Same as previous roll call)

### **COMMITTEE SUBSTITUTE HOUSE BILL 2727 ON SECOND READING**

Senator Perry moved to suspend the regular order of business to take up for consideration **CSHB 2727** at this time on its second reading:

**CSHB 2727**, Relating to the provision of home telemonitoring services under Medicaid.

The motion prevailed.

Senators Hughes and Middleton asked to be recorded as voting "Nay" on suspension of the regular order of business.

The bill was read second time and was passed to third reading by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to third reading except as follows:

Nays: Hughes, Middleton.

### **COMMITTEE SUBSTITUTE HOUSE BILL 2727 ON THIRD READING**

Senator Perry moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 2727** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 2.

Yeas: Alvarado, Bettencourt, Birdwell, Blanco, Campbell, Creighton, Eckhardt, Flores, Gutierrez, Hall, Hancock, Hinojosa, Huffman, Johnson, King, Kolkhorst, LaMantia, Menéndez, Miles, Nichols, Parker, Paxton, Perry, Schwertner, Sparks, Springer, West, Whitmire, Zaffirini.

Nays: Hughes, Middleton.

The bill was read third time and was passed by the following vote: Yeas 29, Nays 2. (Same as previous roll call)

### **HOUSE BILL 4645 ON SECOND READING**

The Presiding Officer laid before the Senate **HB 4645** by Senator Zaffirini on its second reading. The bill had been read second time and further consideration postponed to a time certain of 5:00 p.m. today:

**CSSB 4645**, Relating to the exemption from ad valorem taxation of certain property used to provide low-income or moderate-income housing.

Question: Shall **HB 4645** be passed to third reading?

**HB 4645** was passed to third reading by the following vote: Yeas 24, Nays 7.

Yeas: Alvarado, Bettencourt, Birdwell, Blanco, Campbell, Eckhardt, Flores, Gutierrez, Hancock, Hinojosa, Huffman, Johnson, King, Kolkhorst, LaMantia, Menéndez, Miles, Nichols, Parker, Sparks, Springer, West, Whitmire, Zaffirini.

Nays: Creighton, Hall, Hughes, Middleton, Paxton, Perry, Schwertner.

### **HOUSE BILL 4645 ON THIRD READING**

Senator Zaffirini moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **HB 4645** be placed on its third reading and final passage.

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

Yeas: Alvarado, Bettencourt, Birdwell, Blanco, Campbell, Eckhardt, Flores, Gutierrez, Hancock, Hinojosa, Huffman, Johnson, King, Kolkhorst, LaMantia, Menéndez, Middleton, Miles, Nichols, Parker, Sparks, Springer, West, Whitmire, Zaffirini.

Nays: Creighton, Hall, Hughes, Paxton, Perry, Schwertner.

The bill was read third time and was passed by the following vote: Yeas 24, Nays 7.

Yeas: Alvarado, Bettencourt, Birdwell, Blanco, Campbell, Eckhardt, Flores, Gutierrez, Hancock, Hinojosa, Huffman, Johnson, King, Kolkhorst, LaMantia, Menéndez, Miles, Nichols, Parker, Sparks, Springer, West, Whitmire, Zaffirini.

Nays: Creighton, Hall, Hughes, Middleton, Paxton, Perry, Schwertner.

### LEAVE OF ABSENCE

On motion of Senator Whitmire, Senator Gutierrez was granted leave of absence for the remainder of the day on account of important business.

### COMMITTEE SUBSTITUTE HOUSE BILL 1500 ON SECOND READING

On motion of Senator Schwertner and by unanimous consent, the regular order of business was suspended to take up for consideration **CSHB 1500** at this time on its second reading:

**CSHB 1500**, Relating to the continuation and functions of the Public Utility Commission of Texas and the Office of Public Utility Counsel, and the functions of the independent organization certified for the ERCOT power region; increasing an administrative penalty.

The bill was read second time.

Senator Schwertner offered the following amendment to the bill:

#### Floor Amendment No. 1

Amend **CSHB 1500** (senate committee printing) in SECTION 11 of the bill as follows:

(1) In the recital, amending Section 39.1515, Utilities Code (page 5, line 57), strike "Subsection (f)" and substitute "Subsections (a) and (f)".

(2) Immediately following the recital, amending Section 39.1515, Utilities Code (page 5, between lines 58 and 59), insert the following:

(a) An independent organization certified under Section 39.151 shall contract with an entity selected by the commission to act as the commission's wholesale electric market monitor to detect and prevent market manipulation strategies, ~~and~~ recommend measures to enhance the efficiency of the wholesale market, and provide independent analysis of any material changes proposed to the wholesale market. The commission may not restrict the market monitor from appearing or speaking before or



providing analysis to the legislature. The independent organization may not substantially modify the market monitor's contract unless the modification is approved by a majority of the commissioners.

The amendment to **CSHB 1500** 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 except as follows:

Absent-excused: Gutierrez.

Senator Schwertner offered the following amendment to the bill:

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

Amend **CSHB 1500** (senate committee report) in SECTION 10 of the bill, adding Section 39.1514, Utilities Code, as follows:

(1) In added Subsection (a)(2) of the section (page 5, line 27), following the underlined semicolon, add "or".

(2) Strike added Subsections (a)(3) and (4) of the section (page 5, lines 28 and 29), and substitute the following:

(3) a memorandum or written order adopted by a majority vote.

(3) Immediately following added Subsection (a) of the section (page 5, between lines 29 and 30), insert the following:

(a-1) The commission must use a contested case or rulemaking process to direct an independent organization certified under Section 39.151 to take an official action that will create a new cost or fee, increase an existing cost or fee, or impose significant operational obligations on an entity.

(4) In added Subsection (b)(1) of the section (page 5, line 33), between "order" and the underlined semicolon, insert ", in accordance with Subsection (a-1)".

(5) Strike added Subsection (b)(2) of the section (page 5, lines 34 and 35), and renumber subsequent subdivisions of that subsection accordingly.

The amendment to **CSHB 1500** 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 except as follows:

Absent-excused: Gutierrez.

Senator Schwertner offered the following amendment to the bill:

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

Amend **CSHB 1500** (senate committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Subchapter A, Chapter 35, Utilities Code, is amended by adding Section 35.0022 to read as follows:

Sec. 35.0022. SERVICE INTERRUPTION NOTIFICATIONS. (a) This section applies only to a provider of electric generation service described by Section 35.0021(a).

(b) The commission by rule shall require a provider of electric generation service to provide to the independent organization certified under Section 39.151 for the ERCOT power region notice of each material unplanned service interruption within a reasonable time after the interruption of the service has impacted generation availability. Not later than the third business day after the service is restored, the independent organization shall summarize the notices provided under this subsection in a publicly available report.

(c) The report described by Subsection (b) shall state the reasons for the unplanned service interruption and may be published in any reasonable manner, including through an electronic interface on the Internet website of the independent organization certified under Section 39.151 for the ERCOT power region.

The amendment to **CSHB 1500** 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. 3 except as follows:

Absent-excused: Gutierrez.

Senator Schwertner offered the following amendment to the bill:

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

Amend **CSHB 1500** (senate committee printing) as follows:

(1) In SECTION 1 of the bill, in amended Section 12.005, Utilities Code (page 1, line 34), strike "2029" and substitute "2025".

(2) In SECTION 6 of the bill, in amended Section 13.002, Utilities Code (page 3, line 26), strike "2029" and substitute "2025".

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

SECTION \_\_\_\_\_. (a) The Sunset Advisory Commission shall conduct a special-purpose review for the 89th Legislature of the Public Utility Commission of Texas, the Office of Public Utility Counsel, and the independent organization certified under Section 39.151, Utilities Code, for the ERCOT power region. In conducting the special-purpose review under this subsection, the Sunset Advisory Commission staff evaluation and report must be limited to reviewing the implementation by the Public Utility Commission of Texas, the Office of Public Utility Counsel, and the independent organization certified under Section 39.151, Utilities Code, for the ERCOT power region of this Act and of the recommended management actions contained in the Sunset Advisory Commission Report for the Public Utility Commission of Texas, the Electric Reliability Council of Texas, and the Office of Public Utility Counsel, 88th Legislature, that were approved by the Sunset Advisory Commission. The Sunset Advisory Commission's recommendations to the 89th Legislature may include any recommendation the Sunset Advisory Commission considers appropriate based on the special-purpose review.

(b) This section expires September 1, 2025.

The amendment to **CSHB 1500** was read.

Senator Schwertner withdrew Floor Amendment No. 4.

Senator Schwertner offered the following amendment to the bill:

**Floor Amendment No. 5**

Amend **CSHB 1500** (senate committee printing) in SECTION 16 of the bill, in added Section 39.1594, Utilities Code (page 9, between lines 46 and 47), by inserting the following:

(e) If the commission adopts a program described by Subsection (a), the commission by rule shall prohibit a generator that receives credits through the program from decommissioning or removing from service while the generator participates in the program any dispatchable electric generating facility operated by the generator unless the decommissioning or removal from service begins after September 1, 2028, or the commission finds that the decommissioning or removal from service:

(1) is required by federal law; or

(2) would alleviate significant financial hardship for the generator.

The amendment to **CSHB 1500** was read and was adopted by the following vote: Yeas 20, Nays 10.

Yeas: Bettencourt, Birdwell, Campbell, Creighton, Eckhardt, Flores, Hall, Hancock, Huffman, Hughes, King, Kolkhorst, Middleton, Nichols, Parker, Paxton, Perry, Schwertner, Sparks, Springer.

Nays: Alvarado, Blanco, Hinojosa, Johnson, LaMantia, Menéndez, Miles, West, Whitmire, Zaffirini.

Absent-excused: Gutierrez.

Senator Schwertner offered the following amendment to the bill:

**Floor Amendment No. 6**

Amend **CSHB 1500** (senate committee printing) in SECTION 7 of the bill, in amended Section 15.023(f), Utilities Code (page 3, line 49), by striking "may" and substituting "must".

The amendment to **CSHB 1500** 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 except as follows:

Absent-excused: Gutierrez.

Senator Schwertner offered the following amendment to the bill:

**Floor Amendment No. 7**

Amend **CSHB 1500** (senate committee report) in SECTION 9 of the bill, in amended Section 39.1511(a), Utilities Code (page 5, line 5), between "address" and "a matter" by inserting "risk management or".

The amendment to **CSHB 1500** 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. 7 except as follows:

Absent-excused: Gutierrez.

Senator Schwertner offered the following amendment to the bill:

**Floor Amendment No. 8**

Amend **CSHB 1500** (senate committee report) in SECTION 16 of the bill, in added Section 39.1594(a), Utilities Code (page 8, line 39), between "annually" and the underlined semicolon, by inserting the following:

, less the cost of any interim or bridge solutions that are lawfully implemented, except that the commission may adjust the limit:

(A) proportionally according to the highest net peak demand year-over-year with a base year of 2026; and

(B) for inflation with a base year of 2026

The amendment to **CSHB 1500** 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 except as follows:

Absent-excused: Gutierrez.

**(President in Chair)**

Senator King offered the following amendment to the bill:

**Floor Amendment No. 9**

Amend **CSHB 1500** (senate committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_. Section 35.004, Utilities Code, is amended by amending Subsection (d) and adding Subsections (d-1), (d-2), and (d-3) to read as follows:

(d) The commission shall price wholesale transmission services within ERCOT based on the postage stamp method of pricing under which a transmission-owning utility's rate is based on the ERCOT utilities' combined annual costs of transmission, other than costs described by Subsections (d-2) and (d-3), divided by the total demand placed on the combined transmission systems of all such transmission-owning utilities within a power region. An electric utility subject to the freeze period imposed by Section 39.052 may treat transmission costs in excess of transmission revenues during the freeze period as an expense for purposes of determining annual costs in the annual report filed under Section 39.257. Notwithstanding Section 36.201, the commission may approve wholesale rates that may be periodically adjusted to ensure timely recovery of transmission investment. Notwithstanding Section 36.054(a), if the commission determines that conditions warrant the action, the commission may authorize the inclusion of construction work in progress in the rate base for transmission investment required by the commission under Section 39.203(e).

(d-1) The commission by rule shall establish a reasonable allowance for transmission-owning utility costs incurred to interconnect generation resources directly with the ERCOT transmission system at transmission voltage. The allowance must take into account:

(1) the potential to reduce the costs to consumers of generation interconnection;

(2) historical generation interconnection costs; and

(3) any other factor that the commission considers reasonable to accomplish the goal of this subsection.

(d-2) Costs in excess of the transmission-owning utility allowance provided by Subsection (d-1) incurred to interconnect generation resources with the ERCOT transmission system must be directly assigned to and collected from the generation resource interconnecting through the facilities.

(d-3) Not later than September 1 of every fifth year, the commission shall review and may adjust the allowance provided by Subsection (d-1) to account for inflation or supply chain issues.

SECTION \_\_. The Public Utility Commission of Texas is not required to conduct the first review of an allowance under Section 35.004(d-3), Utilities Code, as added by this Act, until the fifth year after the adoption of the rules required by Section 35.004(d-1), Utilities Code, as added by this Act.

Section \_\_. The Public Utility Commission of Texas shall adopt rules as necessary to implement the changes in law made by this Act to Section 35.004, Utilities Code, not later than the 180th day after the effective date of this Act.

SECTION \_\_. The changes in law made by this Act to Section 35.004, Utilities Code, apply only to an electric generation facility that executes a standard generator interconnection agreement with a transmission-owning utility after December 31, 2025.

The amendment to **CSHB 1500** was read and was adopted by the following vote: Yeas 21, Nays 9.

Yeas: Bettencourt, Birdwell, Campbell, Creighton, Flores, Hall, Hancock, Huffman, Hughes, Johnson, King, Kolkhorst, LaMantia, Middleton, Nichols, Parker, Paxton, Perry, Schwertner, Sparks, Springer.

Nays: Alvarado, Blanco, Eckhardt, Hinojosa, Menéndez, Miles, West, Whitmire, Zaffirini.

Absent-excused: Gutierrez.

Senator King offered the following amendment to the bill:

### **Floor Amendment No. 10**

Amend **CSHB 1500** (senate committee printing) as follows:

(1) In SECTION 17(b) of the bill, in added Section 39.166(b)(2)(B), Utilities Code (page 10, line 30), strike "39.904(k)" and substitute "39.9112".

(2) In SECTION 18(b) of the bill, in added Section 39.166(b)(2)(B), Utilities Code (page 11, line 16), strike "39.904(k)" and substitute "39.9112".

(3) In the recital to SECTION 19 of the bill, amending Section 39.203, Utilities Code (page 11, line 50), strike "Section 39.203(i), Utilities Code, is amended" and substitute "Sections 39.203(e) and (i), Utilities Code, are amended".

(4) In SECTION 19 of the bill, amending Section 39.203, Utilities Code (page 11, between lines 51 and 52), insert the following:

(e) The commission may require an electric utility or a transmission and distribution utility to construct or enlarge facilities to ensure safe and reliable service for the state's electric markets and to reduce transmission constraints within ERCOT in a cost-effective manner where the constraints are such that they are not being

resolved through Chapter 37 or the ERCOT transmission planning process. ~~[The commission shall require an electric utility or a transmission and distribution utility to construct or enlarge transmission or transmission related facilities for the purpose of meeting the goal for generating capacity from renewable energy technologies under Section 39.904(a).]~~ In any proceeding brought under Chapter 37, an electric utility or transmission and distribution utility ordered to construct or enlarge facilities under this subchapter need not prove that the construction ordered is necessary for the service, accommodation, convenience, or safety of the public and need not address the factors listed in Sections 37.056(c)(1)-(3) and (4)(E). Notwithstanding any other law, including Section 37.057, in any proceeding brought under Chapter 37 by an electric utility or a transmission and distribution utility related to an application for a certificate of public convenience and necessity to construct or enlarge transmission or transmission-related facilities under this subsection, the commission shall issue a final order before the 181st day after the date the application is filed with the commission. If the commission does not issue a final order before that date, the application is approved.

(5) Strike SECTION 24 of the bill, amending Section 39.904(k), Utilities Code (page 12, lines 12 through 21), and renumber subsequent SECTIONS of the bill accordingly.

(6) In SECTION 29(a) of the bill, repealing provisions of law, strike Subdivisions (4) and (5) (page 13, lines 5 and 6), and substitute the following:

(4) Section 39.904, Utilities Code;

(5) Section 39.916(g), Utilities Code; and

(6) Section 52.006, Utilities Code.

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

SECTION \_\_\_\_\_. Section 36.053(d), Utilities Code, is amended to read as follows:

(d) If the commission issues a certificate of convenience and necessity or if the commission, acting under the authority formerly provided by Section 39.203(e), ordered ~~[orders]~~ an electric utility or a transmission and distribution utility to construct or enlarge transmission or transmission-related facilities to facilitate meeting the goal for generating capacity from renewable energy technologies under former Section 39.904(a), the commission shall find that the facilities are used and useful to the utility in providing service for purposes of this section and are prudent and includable in the rate base, regardless of the extent of the utility's actual use of the facilities.

SECTION \_\_\_\_\_. Section 37.0541, Utilities Code, is amended to read as follows:

Sec. 37.0541. CONSOLIDATION OF CERTAIN PROCEEDINGS. The commission shall consolidate the proceeding on an application to obtain or amend a certificate of convenience and necessity for the construction of a transmission line with the proceeding on another application to obtain or amend a certificate of convenience and necessity for the construction of a transmission line if it is apparent from the applications or a motion to intervene in either proceeding that the transmission lines that are the subject of the separate proceedings share a common point of interconnection. ~~[This section does not apply to a proceeding on an~~

~~application for a certificate of convenience and necessity for a transmission line to serve a competitive renewable energy zone as part of a plan developed by the commission under Section 39.904(g)(2).]~~

SECTION \_\_\_\_\_. Sections 37.056(c) and (d), Utilities Code, are amended to read as follows:

(c) The commission shall grant each certificate on a nondiscriminatory basis after considering:

- (1) the adequacy of existing service;
- (2) the need for additional service;
- (3) the effect of granting the certificate on the recipient of the certificate and any electric utility serving the proximate area; and
- (4) other factors, such as:
  - (A) community values;
  - (B) recreational and park areas;
  - (C) historical and aesthetic values;
  - (D) environmental integrity; and
  - (E) the probable improvement of service or lowering of cost to consumers in the area if the certificate is granted, including any potential economic or reliability benefits associated with dual fuel and fuel storage capabilities in areas outside the ERCOT power region~~]; and~~

~~[(F) to the extent applicable, the effect of granting the certificate on the ability of this state to meet the goal established by Section 39.904(a) of this title].~~

(d) The commission by rule shall establish criteria, in addition to the criteria described by Subsection (c), for granting a certificate for a transmission project that serves the ERCOT power region ~~and~~<sup>and</sup> ~~that is not necessary to meet state or federal reliability standards, and that is not included in a plan developed under Section 39.904(g)].~~ The criteria must include a comparison of the estimated cost of the transmission project for consumers and the estimated congestion cost savings for consumers that may result from the transmission project, considering both current and future expected congestion levels and the transmission project's ability to reduce those congestion levels. The commission shall include with its decision on an application for a certificate to which this subsection applies findings on the criteria.

SECTION \_\_\_\_\_. Section 39.002, Utilities Code, as amended by Chapters 908 (H.B. 4492) and 950 (S.B. 1580), Acts of the 87th Legislature, Regular Session, 2021, is reenacted and amended to read as follows:

Sec. 39.002. APPLICABILITY. This chapter, other than Sections 39.151, 39.1516, 39.155, 39.157(e), 39.159, 39.160, 39.203, ~~[39.904,]~~ 39.9051, 39.9052, and 39.914(e), and Subchapters M and N, does not apply to a municipally owned utility or an electric cooperative. Sections 39.157(e) ~~and~~<sup>and</sup> 39.203 ~~and 39.904, however,~~ apply only to a municipally owned utility or an electric cooperative that is offering customer choice. If there is a conflict between the specific provisions of this chapter and any other provisions of this title, except for Chapters 40 and 41, the provisions of this chapter control.

SECTION \_\_\_\_\_. Section 39.402(a), Utilities Code, is amended to read as follows:

(a) Until the date on which an electric utility subject to this subchapter is authorized by the commission to implement customer choice, the rates of the utility shall be regulated under traditional cost of service regulation and the utility is subject to all applicable regulatory authority prescribed by this subtitle and Subtitle A, including Chapters 14, 32, 33, 36, and 37. Until the date on which an electric utility subject to this subchapter implements customer choice, the provisions of this chapter, other than this subchapter, Sections 39.1516~~[-39.904,]~~ and 39.905, and the provisions relating to the duty to obtain a permit from the Texas Commission on Environmental Quality for an electric generating facility and to reduce emissions from an electric generating facility, shall not apply to that utility. That portion of any commission order entered before September 1, 2001, to comply with this subchapter shall be null and void.

SECTION \_\_\_\_\_. Section 39.452(d), Utilities Code, is amended to read as follows:

(d) Until the date on which an electric utility subject to this subchapter implements customer choice:

(1) the provisions of this chapter do not apply to that electric utility, other than this subchapter, Sections 39.1516~~[-39.904,]~~ and 39.905, the provisions relating to the duty to obtain a permit from the Texas Commission on Environmental Quality for an electric generating facility and to reduce emissions from an electric generating facility, and the provisions of Subchapter G that pertain to the recovery and securitization of hurricane reconstruction costs authorized by Sections 39.458-39.463; and

(2) the electric utility is not subject to a rate freeze and, subject to the limitation provided by Subsection (b), may file for rate changes under Chapter 36 and for approval of one or more of the rate rider mechanisms authorized by Sections 39.454 and 39.455.

SECTION \_\_\_\_\_. Section 39.502(b), Utilities Code, is amended to read as follows:

(b) Until the date on which an electric utility subject to this subchapter implements customer choice, the provisions of this chapter, other than this subchapter and Sections 39.1516~~[-39.904,]~~ and 39.905, do not apply to that utility.

SECTION \_\_\_\_\_. Section 39.552(b), Utilities Code, is amended to read as follows:

(b) Until the date on which an electric utility subject to this subchapter implements customer choice, the provisions of this chapter, other than this subchapter and Sections 39.1516~~[-39.904,]~~ and 39.905, do not apply to that utility.

SECTION \_\_\_\_\_. Subchapter Z, Chapter 39, Utilities Code, is amended by adding Sections 39.9111, 39.9112, and 39.9113 to read as follows:

Sec. 39.9111. RULES RELATED TO RENEWABLE POWER FACILITIES. The commission may adopt rules requiring renewable power facilities to have reactive power control capabilities or any other feasible technology designed to reduce the facilities' effects on system reliability.

Sec. 39.9112. REPORT ON TRANSMISSION AND GENERATION CAPACITY. The commission and the independent organization certified under Section 39.151 for the ERCOT power region shall study the need for increased



transmission and generation capacity throughout this state and report to the legislature the results of the study and any recommendations for legislation. The report must be filed with the legislature not later than December 31 of each even-numbered year.

Sec. 39.9113. RENEWABLE ENERGY CREDITS. To facilitate voluntary contractual obligations and verify claims regarding environmental attributes of renewable energy production in this state, the independent organization certified under Section 39.151 for the ERCOT power region shall maintain an accreditation and banking system to award and track voluntary renewable energy credits generated by eligible facilities.

SECTION \_\_\_\_\_. Section 39.916(a), Utilities Code, is amended by amending Subdivision (1) and adding Subdivision (4) to read as follows:

(1) "Distributed renewable generation" means electric generation with a capacity of not more than 2,000 kilowatts provided by a renewable energy technology~~[, as defined by Section 39.904,]~~ that is installed on a retail electric customer's side of the meter.

(4) "Renewable energy technology" means any technology that relies exclusively on an energy source that is naturally regenerated over a short time and is derived from the sun directly or indirectly or from moving water or other natural movements or mechanisms of the environment. The term includes a technology that relies on energy derived from the sun directly, on wind, geothermal, hydroelectric, wave, or tidal energy, or on biomass or biomass-based waste products, including landfill gas. The term does not include a technology that relies on an energy resource derived from a fossil fuel, a waste product from a fossil fuel, or a waste product from an inorganic source.

SECTION \_\_\_\_\_. Section 40.001(a), Utilities Code, is amended to read as follows:

(a) Notwithstanding any other provision of law, except Sections 39.155, 39.157(e), and 39.203, ~~[and 39.904,]~~ this chapter governs the transition to and the establishment of a fully competitive electric power industry for municipally owned utilities. With respect to the regulation of municipally owned utilities, this chapter controls over any other provision of this title, except for sections in which the term "municipally owned utility" is specifically used.

SECTION \_\_\_\_\_. Section 40.004, Utilities Code, is amended to read as follows:

Sec. 40.004. JURISDICTION OF COMMISSION. Except as specifically otherwise provided in this chapter, the commission has jurisdiction over municipally owned utilities only for the following purposes:

(1) to regulate wholesale transmission rates and service, including terms of access, to the extent provided by Subchapter A, Chapter 35;

(2) to regulate certification of retail service areas to the extent provided by Chapter 37;

(3) to regulate rates on appeal under Subchapters D and E, Chapter 33, subject to Section 40.051(c);

(4) to establish a code of conduct as provided by Section 39.157(e) applicable to anticompetitive activities and to affiliate activities limited to structurally unbundled affiliates of municipally owned utilities, subject to Section 40.054;

(5) to establish terms and conditions for open access to transmission and distribution facilities for municipally owned utilities providing customer choice, as provided by Section 39.203;

(6) to administer ~~the renewable energy credits program under Section 39.904(b) and~~ the natural gas energy credits program under Section 39.9044(b);

(7) to require reports of municipally owned utility operations only to the extent necessary to:

(A) enable the commission to determine the aggregate load and energy requirements of the state and the resources available to serve that load; or

(B) enable the commission to determine information relating to market power as provided by Section 39.155; and

(8) to evaluate and monitor the cybersecurity preparedness of a municipally owned utility described by Section 39.1516(a)(3) or (4).

SECTION \_\_\_\_\_. Section 41.001, Utilities Code, is amended to read as follows:

Sec. 41.001. APPLICABLE LAW. Notwithstanding any other provision of law, except Sections 39.155, 39.157(e), and 39.203, ~~and 39.904,~~ this chapter governs the transition to and the establishment of a fully competitive electric power industry for electric cooperatives. Regarding the regulation of electric cooperatives, this chapter shall control over any other provision of this title, except for sections in which the term "electric cooperative" is specifically used.

SECTION \_\_\_\_\_. (a) Except as provided by Subsection (b) of this section, notwithstanding the repeal by this Act of Section 39.904, Utilities Code, the Public Utility Commission of Texas by rule shall adopt a program to apply that section as it existed immediately before the effective date of this Act, and to apply other statutes that referred to that section immediately before the effective date of this Act, as if that section had not been repealed by this Act and the other statutes that referred to that section had not been repealed or amended by this Act.

(b) Under Subsection (a) of this section, the statutes described in that subsection must be applied as if Section 39.904 were applicable only to renewable energy technologies that exclusively rely on an energy source that is naturally regenerated over a short time and derived directly from the sun.

(c) This section expires September 1, 2025, and the Public Utility Commission of Texas shall phase out the program required by Subsection (a) of this section so that it terminates on that date.

SECTION \_\_\_\_\_. It is the intent of the 88th Legislature, Regular Session, 2023, that the amendments made by this Act be harmonized with another Act of the 88th Legislature, Regular Session, 2023, relating to nonsubstantive additions to and corrections in enacted codes.

The amendment to **CSHB 1500** 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. 10 except as follows:

Nays: Eckhardt, Menéndez, Miles.

Absent-excused: Gutierrez.

Senator King offered the following amendment to the bill:

**Floor Amendment No. 11**

Amend **CSHB 1500** (senate committee printing) by adding the following appropriately numbered SECTIONS and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. The heading to Section 39.918, Utilities Code, is amended to read as follows:

Sec. 39.918. UTILITY FACILITIES FOR POWER RESTORATION AFTER SIGNIFICANT ~~[WIDESPREAD]~~ POWER OUTAGE.

SECTION \_\_\_\_\_. Section 39.918, Utilities Code, is amended by amending Subsections (a) and (b) and adding Subsection (a-1) to read as follows:

(a) In this section, "significant ~~["widespread"]~~ power outage" means an event that ~~[results in]~~:

(1) results in a loss of electric power that:

(A) affects a significant number of distribution customers of a transmission and distribution utility [ $\frac{1}{2}$ ] and

~~[(B)]~~ has lasted or is expected to last for at least six ~~[eight]~~ hours;

(B) affects distribution customers of a transmission and distribution utility in an area for which the governor has issued a disaster or emergency declaration;

(C) affects distribution customers served by a radial transmission or distribution facility, creates a risk to public health or safety, and has lasted or is expected to last for at least 12 hours; or

(D) creates ~~and~~

~~[(2)]~~ a risk to public health or safety because it affects a critical infrastructure facility that serves the public such as a hospital, health care facility, law enforcement facility, fire station, or water or wastewater facility; or

(2) causes the independent system operator to order a transmission and distribution utility to shed load.

(a-1) The Texas Division of Emergency Management, the independent organization certified under Section 39.151 for the ERCOT power region, or the executive director of the commission may determine that a power outage other than an outage described by Subsection (a) is a significant power outage for the purposes of this section.

(b) Notwithstanding any other provision of this subtitle, a transmission and distribution utility may:

(1) lease and operate facilities that provide temporary emergency electric energy to aid in restoring power to the utility's distribution customers during a significant ~~[widespread]~~ power outage in which:

(A) the independent system operator has ordered the utility to shed load; or

(B) the utility's distribution facilities are not being fully served by the bulk power system under normal operations; and

(2) procure, own, and operate, or enter into a cooperative agreement with other transmission and distribution utilities to procure, own, and operate jointly, transmission and distribution facilities that have a lead time of at least six months and

would aid in restoring power to the utility's distribution customers following a significant [widespread] power outage. In this section, long lead time facilities may not be electric energy storage equipment or facilities under Chapter 35, Utilities Code.

SECTION \_\_\_\_\_. Section 39.918(k), Utilities Code, is repealed.

The amendment to **CSHB 1500** 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. 11 except as follows:

Nays: Eckhardt.

Absent-excused: Gutierrez.

Senator Menéndez offered the following amendment to the bill:

### **Floor Amendment No. 12**

Amend **CSHB 1500** (senate committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 39.101(b), Utilities Code, is amended to read as follows:

(b) A customer is entitled:

(1) to be informed about rights and opportunities in the transition to a competitive electric industry;

(2) to choose the customer's retail electric provider consistent with this chapter, to have that choice honored, and to assume that the customer's chosen provider will not be changed without the customer's informed consent;

(3) to have access to providers of energy efficiency services, to on-site distributed generation, and to providers of energy generated by renewable energy resources;

(4) to be served by a provider of last resort that offers a commission-approved standard service package;

(5) to receive sufficient information to make an informed choice of service provider;

(6) to be protected from unfair, misleading, or deceptive practices, including protection from being billed for services that were not authorized or provided; ~~and~~

(7) to have an impartial and prompt resolution of disputes with its chosen retail electric provider and transmission and distribution utility;

(8) to participation in demand response programs through retail electric providers that offer demand response programs; and

(9) to receive notice from the retail electric provider that serves the customer when the independent organization certified under Section 39.151 for the ERCOT power region issues an emergency energy alert.

SECTION \_\_\_\_\_. Subchapter Z, Chapter 39, Utilities Code, is amended by adding Section 39.919 to read as follows:

Sec. 39.919. AVERAGE TOTAL RESIDENTIAL LOAD REDUCTION GOALS. (a) The commission by rule shall establish goals in the ERCOT power region to reduce the average total residential load.

(b) The rules adopted under Subsection (a) must provide for the adoption of a program that:

(1) provides demand response participation to residential customers where reasonably available;

(2) promotes the use of smart metering technology;

(3) is capable of responding to an emergency energy alert about low operating reserves issued by the independent organization certified under Section 39.151 for the ERCOT power region;

(4) provides opportunities for demand response providers to contract with retail electric providers to provide demand response services;

(5) ensures the program does not impact the critical needs of vulnerable populations;

(6) facilitates the widespread deployment of smart responsive appliances and devices in a manner that enables the customer's appliance or device to be enrolled as part of a demand response product or plan offered by a retail electric provider;

(7) establishes the method by which the components of the ratio described by Subsection (c) are calculated for purposes of determining whether the goals described by Subsection (a) have been achieved;

(8) provides for achievement of demand reductions within both summer and winter seasons; and

(9) allows a retail electric provider that offers a demand response program under this section to obtain funding for the demand response program through an energy efficiency incentive program established under Section 39.905.

(c) The goals described by Subsection (a) must be calculated as a ratio by dividing the amount of load reduced at peak demand by the total amount of demand, at the same time, of all residential customers who have responsive appliances or devices at their premises that reduce the electric consumption of the customers.

SECTION \_\_\_\_\_. The Public Utility Commission of Texas shall adopt rules as necessary for the adoption of a program to begin facilitating the widespread deployment of appliances and devices capable of being part of a demand response product or plan offered by a retail electric provider, as provided by Section 39.919(b)(6), Utilities Code, as added by this Act, before December 31, 2024.

The amendment to **CSHB 1500** 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. 12 except as follows:

Nays: Hancock.

Absent-excused: Gutierrez.

Senator Kolkhorst offered the following amendment to the bill:

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

Amend **CSHB 1500** (senate committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Chapter 35, Utilities Code, is amended by adding Subchapter F to read as follows:

SUBCHAPTER F. RENEWABLE ENERGY GENERATION FACILITY PERMITSec. 35.201. DEFINITIONS; APPLICABILITY. (a) In this subchapter:(1) "Historic site" means a site under the jurisdiction of the Texas Historical Commission, including under Chapter 442, Government Code.(2) "Permit holder" means a person who holds a permit issued under this subchapter.(3) "Person" includes an electric cooperative and a municipally owned utility.(4) "Renewable energy generation facility" means:(A) a wind power facility as defined by Section 301.0001; or(B) a solar power facility as defined by Section 302.0001.(b) This subchapter applies to a renewable energy generation facility regardless of whether the facility is the subject of a wind power facility agreement or solar power facility agreement entered into under Chapter 301 or 302.(c) This subchapter applies only to a renewable energy generation facility that is:(1) a wind power facility located less than 10 miles from a historic site, a river, or a natural area, state park, or wildlife management area described by Section 11.221, Parks and Wildlife Code; or(2) a solar power facility located:(A) outside the corporate boundaries of a home rule municipality; and(B) less than five miles from a historic site, a river, or a natural area, state park, or wildlife management area described by Section 11.221, Parks and Wildlife Code.Sec. 35.202. LEGISLATIVE POLICY AND PURPOSE. The conservation and development of all the natural resources of this state are declared to be public rights and duties. It is also declared that balancing private property rights, the need to increase electric generation, and the need to mitigate unreasonable impacts of renewable energy generation facilities on wildlife, water, and land in this state is in the public interest. In the exercise of the police power of this state, it is necessary and desirable to provide additional means so that the installation and removal of renewable energy generation facilities is placed under the authority and direction of the commission.Sec. 35.203. PERMIT REQUIRED; APPLICATION. (a) A person may not interconnect a renewable energy generation facility with a capacity of 10 megawatts or more to a transmission facility unless:(1) the person holds a permit to operate a renewable energy generation facility issued by the commission under this subchapter; or(2) the commission by order approves the construction.(b) A person may apply for a permit to operate a renewable energy generation facility by filing with the commission:(1) a description of the location of the facility;(2) a description of the type of facility;(3) a copy of any information filed with the Federal Energy Regulatory Commission in connection with registration with that commission;

(4) any assumed business or professional name of the applicant filed under Chapter 71, Business & Commerce Code; and

(5) any other information required by commission rule, provided that in requiring that information the commission shall protect the competitive process in a manner that ensures the confidentiality of competitively sensitive information.

Sec. 35.204. APPROVAL OR DENIAL OF APPLICATION. (a) The commission may approve an application only if the commission finds that issuance or amendment of the permit would not violate state or federal law or rule and would not interfere with the purpose of this subchapter.

(b) A permit holder does not have a vested right in a permit.

Sec. 35.205. CONDITIONS OF PERMIT. For each permit, the commission shall prescribe the conditions under which it is issued, including:

(1) the boundary of the permitted facility location;

(2) the maximum number of renewable energy generation facilities authorized by the permit; and

(3) any monitoring and reporting requirements prescribed by the commission for the permit holder.

Sec. 35.206. RENEWABLE ENERGY GENERATION FACILITY FUND. (a) The renewable energy generation facility fund is a dedicated account in the general revenue fund.

(b) The fund consists of:

(1) fees collected under this subchapter;

(2) gifts, grants, and donations; and

(3) legislative appropriations.

(c) Money in the fund may be used only by the commission to implement this subchapter.

Sec. 35.207. FEE. (a) An annual fee is imposed on each permit holder. Fees must be deposited in the renewable energy generation facility fund.

(b) The commission by rule shall adopt a fee schedule for determining the amount of the fee to be charged.

Sec. 35.208. POWER TO REGULATE AND SUPERVISE. (a) For purposes of this subchapter, a provision of Subchapter B or E, Chapter 14, that authorizes the commission to regulate a public utility also applies to a person required to obtain a permit under this subchapter, including an electric cooperative and a municipally owned utility.

(b) The commission may adopt and enforce rules reasonably required in the exercise of its powers under this subchapter.

Sec. 35.209. ENFORCEMENT AND PENALTIES. For the purposes of enforcing this subchapter, a reference in Chapter 15 to a person includes any person required to obtain a permit under this subchapter, including an electric cooperative and a municipally owned utility.

The amendment to **CSHB 1500** was read and was adopted by the following vote: Yeas 19, Nays 11.

Yeas: Bettencourt, Birdwell, Campbell, Creighton, Flores, Hall, Hancock, Huffman, Hughes, King, Kolkhorst, Middleton, Miles, Nichols, Parker, Paxton, Schwertner, Sparks, Springer.

Nays: Alvarado, Blanco, Eckhardt, Hinojosa, Johnson, LaMantia, Menéndez, Perry, West, Whitmire, Zaffirini.

Absent-excused: Gutierrez.

Senator Johnson offered the following amendment to the bill:

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

Amend **CSHB 1500** (senate committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_ . Section 31.002, Utilities Code, is amended by adding Subdivisions (2-a) and (4-c) and amending Subdivision (10) to read as follows:

(2-a) "Aggregated distributed energy resource" means a group of distributed energy resources joined together to be operated as a single distributed energy resource, where each individual resource in the aggregation produces not more than 1.5 megawatts of electricity, subject to an increase or decrease by commission rule if the commission determines that a different capacity size limit is appropriate and does not adversely affect the ERCOT power region or distribution system reliability.

(4-c) "Distributed energy resource" means a source of electricity connected at a voltage less than 60 kilovolts, including electric energy storage, distributed generation, distributed natural gas generation, or electric vehicles that provide electricity onto the distribution system. The term does not include a facility that provides temporary emergency electric energy under Section 39.918.

(10) "Power generation company" means a person~~, including a person who owns or operates a distributed natural gas generation facility,~~ that:

(A) generates electricity that is intended to be sold at wholesale, including the owner or operator of electric energy storage equipment or facilities to which Subchapter E, Chapter 35, applies;

(B) does not own a transmission or distribution facility in this state other than an essential interconnecting facility, a facility not dedicated to public use, or a facility otherwise excluded from the definition of "electric utility" under this section; and

(C) does not have a certificated service area, although its affiliated electric utility or transmission and distribution utility may have a certificated service area.

SECTION \_\_\_\_ . Subchapter H, Chapter 39, Utilities Code, is amended by adding Section 39.3515 to read as follows:

Sec. 39.3515. REGISTRATION OF DISTRIBUTED ENERGY RESOURCES. (a) An owner or operator of a distributed energy resource may provide energy or ancillary services in the wholesale market in the ERCOT power region through generating electricity and providing that electricity onto a distribution system only if:

(1) the owner or operator is registered with the commission as a power generation company under Section 39.351 and authorized by the independent organization certified under Section 39.151 for the ERCOT power region; or

(2) the distributed energy resource:



(A) is part of an aggregated distributed energy resource that is included in the registration of a power generation company under Section 39.351 and the independent organization certified under Section 39.151 for the ERCOT power region; and

(B) has complied with the interconnection requirements of the interconnecting transmission and distribution utility.

(b) The commission may establish simplified filing requirements to facilitate the registration of aggregated distributed energy resources. The filing requirements must require the registrant to disclose the name of the power generation company that operates the aggregated distributed energy resource.

(c) Notwithstanding any other provision of this chapter, a facility described by Section 39.914 or 39.916 may not be aggregated unless the facility is interconnected and operated in parallel with the distribution system, and:

(1) electricity from the facility provides energy or ancillary services in the wholesale market in the ERCOT power region in a manner described by this section; or

(2) the estimated annual amount of electricity to be produced by the facility is more than the retail electric customer's estimated annual electricity consumption at the time of the facility's installation or the actual amount of electricity produced by the facility was more than the retail electric customer's actual electricity consumption in the year prior to the facility's installation.

(d) The commission by rule shall:

(1) authorize the registrations described by Subsection (a); and

(2) adopt procedures for the creation of aggregated distributed energy resources.

SECTION \_\_\_\_ . Chapter 39, Utilities Code, is amended by adding Subchapter O to read as follows:

SUBCHAPTER O. INTERCONNECTION OF DISTRIBUTED ENERGY RESOURCES

Sec. 39.701. METERING EQUIPMENT AND INFORMATION. An interconnecting transmission and distribution utility is not required to provide an owner or operator of a distributed energy resource access to the utility's meter equipment if essential metering information is made available by the utility.

Sec. 39.702. INTEGRATION AND COST RECOVERY. (a) The commission by rule shall establish for the ERCOT power region:

(1) requirements for the dispatchability, reliability, and other characteristics of each type or classification of distributed energy resource;

(2) appropriate disclosure requirements and other customer protections for residential and small commercial customers of providers of aggregated distributed energy services;

(3) information an owner or operator of a distributed energy resource must provide to the interconnecting transmission and distribution utility to ensure the resource will not adversely affect the transmission or distribution system;

(4) interconnection guidelines that address:

(A) the determination of whether a given interconnection or combination of interconnections would exceed a transmission and distribution utility's system capacity in a particular location;

(B) considerations for feeder locations related to distributed energy resources;

(C) considerations of the size or capacity of a distributed energy resource;

(D) the assessment by the interconnecting transmission and distribution utility of potential impacts to other customers in the area of the distributed energy resource; and

(E) other operating parameters necessary for the transmission and distribution utility's reliable operation of its transmission and distribution system;

(5) a methodology for the appropriate allocation and recovery of the transmission and distribution utility's costs to interconnect a distributed energy resource; and

(6) requirements for the independent organization certified under Section 39.151 for the ERCOT power region to report to the commission periodically:

(A) the categories and generation levels of distributed energy resources allowed to participate in the ERCOT wholesale market;

(B) the categories and megawatt levels of aggregated distributed energy resources allowed to participate in the ERCOT wholesale market;

(C) performance metrics for distributed energy resources allowed to participate in the ERCOT wholesale market; and

(D) other information the commission may require.

(b) The commission shall authorize a transmission and distribution utility to:

(1) defer for recovery in a later ratemaking proceeding the incremental operations and maintenance expenses, or other expenses, and the return, not otherwise recovered in a rate proceeding, associated with the installation, modification, upgrade, or maintenance of its transmission or distribution facilities required by an interconnection with a distributed energy resource; and

(2) request recovery of the costs associated with an interconnection with a distributed energy resource, including any deferred expenses, through a proceeding under Section 35.004 or 36.210 or in another ratemaking proceeding regardless of whether the utility first requested recovery in a base-rate proceeding.

(c) Facilities required by an interconnection with a distributed energy resource are considered used and useful in providing service to the public and are prudent and includable in the rate base, regardless of the extent of the actual use of the facilities.

(d) This subchapter does not:

(1) require or authorize a distribution service provider to procure distributed energy resource services to enable the operation of the distribution system;

(2) require a distribution service provider to disclose to any third party, except as required by the independent system operator, the provider's system planning information, studies, models, critical infrastructure information, or other confidential information;

(3) diminish a distribution service provider's rights or obligations to own or operate its distribution system and provide electric delivery service to retail customers in the provider's certificated service area;

(4) obligate a distribution service provider to interconnect a distributed energy resource with a capacity equal to or greater than 10 megawatts; or

(5) prohibit an interconnecting distribution service provider from shedding a distributed energy resource, or otherwise obligate an interconnecting distribution service provider to provide preferential treatment to feeders with distributed energy resources or prevent a transmission and distribution utility from fulfilling its load shedding obligations during an involuntary load shedding event initiated by the independent system operator or a planned or unplanned outage of the distribution system.

Sec. 39.703. LIABILITY. An interconnecting transmission and distribution utility or retail electric provider providing service to a distributed energy resource to which this subchapter applies is not liable for:

(1) a violation of reliability or service metrics caused by distributed energy resource operations that violate its interconnection agreement; or

(2) a distributed energy resource's inability or failure to provide services that violate its interconnection agreement or a penalty for such inability or failure.

SECTION \_\_. (a) This section takes effect only if the Act of the 88th Legislature, Regular Session, 2023, relating to nonsubstantive additions to and corrections in enacted codes becomes law.

(b) Subchapter Z, Chapter 39, Utilities Code, is amended by adding Section 39.9166 to read as follows:

Sec. 39.9166. DISTRIBUTED ENERGY RESOURCES. (a) A customer who purchases or leases a distributed energy resource or enters into a power purchase agreement for a distributed energy resource in the ERCOT power region is entitled to the information and disclosures required under Chapter 115, Business & Commerce Code, and is entitled to protection from fraudulent, unfair, misleading, or deceptive practices.

(b) An owner or operator of a distributed energy resource may provide energy or ancillary services in the wholesale market in the ERCOT power region.

(c) A person who owns or operates a distributed energy resource in an area in which customer choice has been introduced and is part of an aggregated distributed energy resource, or has not individually registered with the commission as its own power generation company, must sell the surplus electricity that is produced by the distributed energy resource and not consumed by the owner's premise to the retail electric provider that serves the premise's load at a value agreed to between the distributed energy resource owner and the retail electric provider that serves the premise's load. The value may be an agreed value based on the clearing price of energy or ancillary service at the time of day that the electricity is made available to the grid.

(d) A person who operates an aggregated distributed energy resource in an area in which customer choice has been introduced is subject to customer protection rules established by the commission under Chapter 17 and this chapter.

(e) The independent organization certified under Section 39.151 for the ERCOT power region shall adopt procedures to ensure that the amount of electricity purchased from a distributed energy resource owner under this section is accounted for when settling the total load served by the retail electric provider that serves that premise owner's load.

(f) A distributed energy resource owner that requests net metering services for purposes of this section must have metering devices capable of providing measurements consistent with the independent organization's settlement requirements.

(g) A transmission and distribution utility may provide to customers educational information regarding the technical requirements for the interconnection of distributed energy resources to the distribution system. The provision of information under this subsection is not considered a competitive energy service.

(h) This section does not apply to a purchase or agreement entered into under Section 39.914 or 39.916.

SECTION \_\_\_\_ . (a) This section takes effect only if the Act of the 88th Legislature, Regular Session, 2023, relating to nonsubstantive additions to and corrections in enacted codes does not become law.

(b) Subchapter Z, Chapter 39, Utilities Code, is amended by adding Section 39.9166 to read as follows:

Sec. 39.9166. DISTRIBUTED ENERGY RESOURCES. (a) A customer who purchases or leases a distributed energy resource or enters into a power purchase agreement for a distributed energy resource in the ERCOT power region is entitled to the information and disclosures required under Chapter 113, Business & Commerce Code, as added by Chapter 561 (S.B. 398), Acts of the 87th Legislature, Regular Session, 2021, and is entitled to protection from fraudulent, unfair, misleading, or deceptive practices.

(b) An owner or operator of a distributed energy resource may provide energy or ancillary services in the wholesale market in the ERCOT power region.

(c) A person who owns or operates a distributed energy resource in an area in which customer choice has been introduced and is part of an aggregated distributed energy resource, or has not individually registered with the commission as its own power generation company, must sell the surplus electricity that is produced by the distributed energy resource and not consumed by the owner's premise to the retail electric provider that serves the premise's load at a value agreed to between the distributed energy resource owner and the retail electric provider that serves the premise's load. The value may be an agreed value based on the clearing price of energy or ancillary service at the time of day that the electricity is made available to the grid.

(d) A person who operates an aggregated distributed energy resource in an area in which customer choice has been introduced is subject to customer protection rules established by the commission under Chapter 17 and this chapter.

(e) The independent organization certified under Section 39.151 for the ERCOT power region shall adopt procedures to ensure that the amount of electricity purchased from a distributed energy resource owner under this section is accounted for when settling the total load served by the retail electric provider that serves that premise owner's load.

(f) A distributed energy resource owner that requests net metering services for purposes of this section must have metering devices capable of providing measurements consistent with the independent organization's settlement requirements.

(g) A transmission and distribution utility may provide to customers educational information regarding the technical requirements for the interconnection of distribute energy resources to the distribution system. The provision of information under this subsection is not considered a competitive energy service.

(h) This section does not apply to a purchase or agreement entered into under Section 39.914 or 39.916.

SECTION \_\_\_\_ . For the purposes of Section 39.3515(c)(2), Utilities Code, as added by this Act, a facility described by Section 39.914 or 39.916, Utilities Code, may be registered as an aggregated distributed energy resource with the Public Utility Commission of Texas if:

(1) the estimated annual amount of electricity to be produced by the facility was more than the retail electric customer's estimated annual electricity consumption at the time of installation, if the facility was installed not more than a year before the effective date of this Act; or

(2) the actual amount of electricity produced by the facility was more than the retail electric customer's actual electricity consumption in the year prior to the facility's installation, if the facility was installed more than a year before the effective date of this Act.

SECTION \_\_\_\_ . As soon as practicable after the effective date of this Act, the Public Utility Commission of Texas shall adopt rules necessary to implement the changes in law made by this Act in amending Section 31.002, Utilities Code, and adding Subchapter O, Chapter 39, and Sections 39.3515 and 39.9166, Utilities Code.

The amendment to **CSHB 1500** 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. 14 except as follows:

Absent-excused: Gutierrez.

**(Senator Flores in Chair)**

Senator Johnson offered the following amendment to the bill:

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

Amend **CSHB 1500** (senate committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_ . Subchapter D, Chapter 38, Utilities Code, is amended by adding Section 38.078 to read as follows:

Sec. 38.078. CIRCUIT SEGMENTATION STUDY AND COST RECOVERY.

(a) Not later than September 15, 2023, the commission shall direct each transmission and distribution utility to perform a circuit segmentation study.

(b) A circuit segmentation study must:

(1) use an engineering analysis to examine whether and how the transmission and distribution utility's transmission and distribution systems can be segmented and sectionalized to manage and rotate outages more evenly across all customers and circuits, while maintaining the protections offered to critical facilities;

(2) include an engineering analysis of the feasibility of using sectionalization, automated reclosers, and other technology to break up the circuits that host significant numbers of critical facilities into smaller segments for outage management purposes to enable more granular and flexible outage management;

(3) identify feeders with critical facilities that, if equipped with facility-specific backup power systems and segmentation, can enhance the utility's outage management flexibility; and

(4) include an estimate of the time, capital cost, and expected improvements to load-shed management associated with the circuit segmentation study.

(c) Each transmission and distribution utility shall submit a report of the conclusions of the utility's study to the commission not later than September 1, 2024.

(d) The commission shall review each circuit segmentation study not later than March 15, 2025.

(e) If the commission determines that the implementation of circuit segmentation engineering and investments as provided by a transmission and distribution utility's circuit segmentation study report would facilitate better outage management in the ERCOT power region, investments made by the utility for such purposes shall be presumed just, reasonable, and appropriate for rate-based cost recovery.

The amendment to **CSHB 1500** 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. 15 except as follows:

Absent-excused: Gutierrez.

Senator Eckhardt offered the following amendment to the bill:

**Floor Amendment No. 16**

Amend **CSHB 1500** (house engrossed version) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION \_\_\_\_\_. Section 39.905, Utilities Code, is amended by adding Subsection (a-1) to read as follows:

(a-1) In addition to meeting the demand goals provided by Subsection (a), the commission by rule shall provide a method to establish an annual energy savings goal of one percent not later than the 2030 calendar year for each electric utility. The method must be based on the existing and expected usage of electricity delivered in a utility's service area that is required to pay the annual energy efficiency cost recovery

fee. In adopting rules, the commission may provide for cost caps for the implementation of this subsection and provide good cause exceptions for a utility that is unable to meet the goal in a cost-effective manner.

SECTION \_\_\_\_\_. The Public Utility Commission of Texas shall adopt rules to implement the changes made by this Act to Section 39.905, Utilities Code, not later than December 31, 2023.

The amendment to **CSHB 1500** was read and failed of adoption by the following vote: Yeas 11, Nays 19.

Yeas: Alvarado, Blanco, Eckhardt, Hinojosa, Johnson, LaMantia, Menéndez, Miles, West, Whitmire, Zaffirini.

Nays: Bettencourt, Birdwell, Campbell, Creighton, Flores, Hall, Hancock, Huffman, Hughes, King, Kolkhorst, Middleton, Nichols, Parker, Paxton, Perry, Schwertner, Sparks, Springer.

Absent-excused: Gutierrez.

Senator Schwertner offered the following amendment to the bill:

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

Amend **CSHB 1500** (senate committee printing) as follows:

(1) In SECTION 16 of the bill, strike added Sections 39.1591, 39.1592, and 39.1593, Utilities Code (page 6, line 65 through page 8, line 30) and substitute the following:

Sec. 39.1591. REPORT ON DISPATCHABLE AND NON-DISPATCHABLE GENERATION FACILITIES. Not later than December 1 of each year, the commission shall file a report with the legislature that:

(1) includes:

(A) the estimated annual costs incurred by load serving entities under this subchapter associated with firming dispatchable and non-dispatchable electric generation facilities to guarantee that a firm amount of electric energy will be provided for the ERCOT power grid; and

(B) as calculated by the independent system operator, the cumulative annual costs that have been incurred in the ERCOT market to facilitate the transmission of dispatchable and non-dispatchable electricity to load and to interconnect transmission level loads, including a statement of the total cumulative annual costs and of the cumulative annual costs incurred for each type of activity described by this paragraph;

(2) documents the status of the implementation of this subchapter, including whether the rules and protocols adopted to implement this subchapter have materially improved the reliability, resilience, and transparency of the electricity market; and

(3) includes recommendations for any additional legislative measures needed to empower the commission to implement market reforms to ensure that market signals are adequate to preserve existing dispatchable generation and incentivize the construction of new dispatchable generation sufficient to maintain reliability standards for at least five years after the date the report is filed.

Sec. 39.1592. GENERATION RELIABILITY REQUIREMENTS FOR CERTAIN FACILITIES. (a) This section applies only to an electric generation facility that is interconnected in the ERCOT power region on or after January 1, 2026, has been in operation for at least one year, and is not a self-generator.

(b) Not later than December 1 of each year, the owner or operator of each electric generation facility, other than a battery energy storage resource, shall demonstrate to the commission the ability of the facility to operate or be available to operate when called on for dispatch at or above the facility's seasonal average generation capability during the highest net load hours, as determined by the commission. The facilities must be allowed to meet the performance requirements described by this subsection by supplementing or contracting with on-site or off-site resources, including battery energy storage resources. The commission shall determine each electric generation facility's average generation capability based on expected resource availability and seasonal-rated capacity on a standalone basis.

(c) The commission shall require the independent organization certified under Section 39.151 for the ERCOT power region to:

(1) enforce the requirements of Subsection (b) by imposing financial penalties for failing to comply with the performance requirements described by that subsection; and

(2) provide financial incentives for exceeding the performance requirements described by that subsection.

(d) The independent organization certified under Section 39.151 for the ERCOT power region may not impose penalties under Subsection (c):

(1) for resource unavailability due to planned maintenance outages or physical transmission outages; or

(2) on resources that are already subject to performance obligations under the day-ahead market rules or other reliability or ancillary services established by the commission or the independent organization.

Sec. 39.1593. COST ALLOCATION OF RELIABILITY SERVICES. (a) The commission shall hold hearings and perform an evaluation to determine whether allocating the costs of ancillary and reliability services, including those procured under Section 39.159, as added by Chapter 426 (S.B. 3), Acts of the 87th Legislature, Regular Session, 2021, using a methodology described by Subsection (b) would result in a net savings to consumers in the ERCOT power region compared to allocating all costs of ancillary and reliability services to load to ensure reliability associated with both operational and reserve capacity. The commission shall make the determination not later than December 1, 2026, and implement the cost allocation method that would result in the largest net savings to customers in the ERCOT power region as soon as practicable after that date.

(b) The commission shall evaluate whether to allocate the cost of ancillary services and reliability services:

(1) on a semiannual basis among generation facilities, non-dispatchable generation facilities, and load serving entities in proportion to their contribution to unreliability during the highest net load hours in the preceding season, as determined by the commission based on a number of hours adopted by the commission for that season; or



(2) using another method identified by the commission.

(c) A cost allocation method implemented under this section applies only to a generation facility or load serving entity that has participated in the ERCOT market for at least one year, including a load serving entity whose parent company or affiliate has participated in the ERCOT market for at least one year.

(d) A cost allocation method implemented under this section does not apply to electric energy storage.

(2) In SECTION 32 of the bill (page 13, lines 51 and 52), strike "the method of cost allocation provided by Section 39.1593(c)," and substitute "methods of cost allocation described by Section 39.1593,".

The amendment to **CSHB 1500** 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. 17 except as follows:

Absent-excused: Gutierrez.

**CSHB 1500** as amended was passed to third reading by a viva voce vote.

All Members are deemed to have voted "Yea" on the passage to third reading except as follows:

Absent-excused: Gutierrez.

### COMMITTEE SUBSTITUTE HOUSE BILL 1500 ON THIRD READING

Senator Schwertner moved that Senate Rule 7.18 and the Constitutional Rule requiring bills to be read on three several days be suspended and that **CSHB 1500** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 30, Nays 0.

Absent-excused: Gutierrez.

The bill was read third time and was passed by the following vote: Yeas 30, Nays 0. (Same as previous roll call)

(President in Chair)

### COMMITTEE SUBSTITUTE HOUSE BILL 44 ON SECOND READING

Senator Middleton moved to suspend the regular order of business to take up for consideration **CSHB 44** at this time on its second reading:

**CSHB 44**, Relating to provider discrimination against a Medicaid recipient or child health plan program enrollee based on immunization status.

The motion prevailed by the following vote: Yeas 18, Nays 12.

Yeas: Bettencourt, Birdwell, Blanco, Campbell, Creighton, Flores, Hall, Hancock, Huffman, Hughes, King, Kolkhorst, Middleton, Parker, Perry, Schwertner, Sparks, Springer.

Nays: Alvarado, Eckhardt, Hinojosa, Johnson, LaMantia, Menéndez, Miles, Nichols, Paxton, West, Whitmire, Zaffirini.

Absent-excused: Gutierrez.

The bill was read second time.

Senator Menéndez offered the following amendment to the bill:

**Floor Amendment No. 1**

Amend **CSHB 44** (senate committee report) in SECTION 1 of the bill, in added Section 531.02119, Government Code (page 1), by striking lines 26 through 35 and substituting the following:

Sec. 531.02119. DISCRIMINATION BASED ON VACCINATION OR IMMUNIZATION STATUS. (a) In this section, "COVID-19" means the 2019 novel coronavirus disease and any variants of the disease.

(a-1) A provider who participates in Medicaid or the child health plan program, including a provider participating in the provider network of a managed care organization that contracts with the commission to provide services under Medicaid or the child health plan program:

(1) may not refuse to provide health care services to a child who is a Medicaid recipient or child health plan program enrollee based solely on the child's refusal or failure to obtain a vaccination or immunization:

(A) for COVID-19; or

(B) that is required by law, including Section 161.004, Health and Safety Code, if the child is exempt from obtaining the vaccination or immunization under the applicable law based on reasons of conscience or because the vaccination or immunization is medically contraindicated; and

(2) may refuse to provide health care services to a child who is a Medicaid recipient or child health plan program enrollee if the child has not obtained a vaccination or immunization that is required by law, including Section 161.004, Health and Safety Code, other than a vaccination or immunization described by Subdivision (1).

The amendment to **CSHB 44** was read and failed of adoption by the following vote: Yeas 10, Nays 20.

Yeas: Alvarado, Eckhardt, Hinojosa, Johnson, LaMantia, Menéndez, Miles, West, Whitmire, Zaffirini.

Nays: Bettencourt, Birdwell, Blanco, Campbell, Creighton, Flores, Hall, Hancock, Huffman, Hughes, King, Kolkhorst, Middleton, Nichols, Parker, Paxton, Perry, Schwertner, Sparks, Springer.

Absent-excused: Gutierrez.

Senator Middleton, on behalf of Senator Perry, offered the following amendment to the bill:

**Floor Amendment No. 2**

Amend **CSHB 44** (senate committee report) in SECTION 1 of the bill as follows:

(1) Immediately following added Section 531.02119(a), Government Code (page 1, between lines 35 and 36), insert the following:

(a-1) Notwithstanding Subsection (a), a provider is not in violation of this section if the provider:

(1) adopts a policy requiring some or all of the provider's patients, including patients who are Medicaid recipients or child health plan program enrollees, to be vaccinated or immunized against a particular infections or communicable disease to receive health care services from the provider; and

(2) provides an exemption to the policy described by Subdivision (1) under which the provider accepts from a patient who is a Medicaid recipient or child health plan program enrollee an oral or written request for an exemption from each required vaccination or immunization based on:

(A) a reason of conscience, including a sincerely held religious belief, observance, or practice, that is incompatible with the administration of the vaccination or immunization; or

(B) a recognized medical condition for which the vaccinations or immunization is contraindicated.

(2) Strike added Section 531.02119(e), Government Code (page 1, lines 50 and 51), and substitute the following:

(e) The executive commissioner shall adopt rules necessary to implement this section, including rules establishing the right of a provider who is alleged to have violated this section to seek administrative and judicial review of the alleged violation.

The amendment to **CSHB 44** 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 except as follows:

Absent-excused: Gutierrez.

**CSHB 44** as amended was passed to third reading by the following vote: Yeas 18, Nays 12.

Yeas: Bettencourt, Blanco, Campbell, Creighton, Flores, Hall, Hancock, Huffman, Hughes, King, Kolkhorst, Middleton, Parker, Paxton, Perry, Schwertner, Sparks, Springer.

Nays: Alvarado, Birdwell, Eckhardt, Hinojosa, Johnson, LaMantia, Menéndez, Miles, Nichols, West, Whitmire, Zaffirini.

Absent-excused: Gutierrez.

### CONFERENCE COMMITTEE REPORT ON HOUSE BILL 1277

Senator West submitted the following Conference Committee Report:

Austin, Texas  
May 24, 2023

Honorable Dan Patrick  
President of the Senate

Honorable Dade Phelan  
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 1277** have had the same under consideration, and beg to report it back with the recommendation that it do pass.

WEST

KING

MILES

NICHOLS

PARKER

On the part of the Senate

CAIN

COLLIER

ISAAC

LUJAN

MANUEL

On the part of the House

The Conference Committee Report on **HB 1277** was filed with the Secretary of the Senate.

**CONFERENCE COMMITTEE REPORT ON  
SENATE BILL 30**

Senator Huffman submitted the following Conference Committee Report:

Austin, Texas

May 24, 2023

Honorable Dan Patrick  
President of the Senate

Honorable Dade Phelan  
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 **SB 30** 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.

HUFFMAN

CREIGHTON

KOLKHORST

NICHOLS

SCHWERTNER

On the part of the Senate

BONNEN

M. GONZÁLEZ

JETTON

VANDEAVER

WALLE

On the part of the House

**A BILL TO BE ENTITLED  
AN ACT**

relating to supplemental appropriations and reductions in appropriations and giving direction and adjustment authority regarding appropriations.

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

## ARTICLE 1. GENERAL PROVISIONS

SECTION 1.01. DEFINITION. In this Act, "ARPA fund" means 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.

## ARTICLE 2. GENERAL GOVERNMENT

SECTION 2.01. EMPLOYEES RETIREMENT SYSTEM: IMPLEMENTING PRIOR LEGISLATION. (a) The amount of \$165,600,000 is appropriated from the general revenue fund to the Employees Retirement System for the two-year period beginning on the effective date of this Act for the purpose of implementing the provisions of Chapter 940 (S.B. 321), Acts of the 87th Legislature, Regular Session, 2021.

(b) The appropriations made in this section are for the purpose of amortizing the Employees Retirement System Retirement Program's unfunded actuarial liabilities not later than the state fiscal year ending August 31, 2054, consistent with Chapter 940 (S.B. 321), Acts of the 87th Legislature, Regular Session, 2021.

SECTION 2.02. EMPLOYEES RETIREMENT SYSTEM: UNFUNDED ACTUARIAL LIABILITIES. The amount of \$900,000,000 is appropriated from the general revenue fund to the Employees Retirement System for the two-year period beginning on the effective date of this Act for the purpose of amortizing the Employees Retirement System Retirement Program's unfunded actuarial liabilities.

SECTION 2.03. FISCAL PROGRAMS - COMPTROLLER OF PUBLIC ACCOUNTS: OPIOID SETTLEMENT FUNDS. The amount of \$26,846,996.60 is appropriated from the general revenue fund to Fiscal Programs - Comptroller of Public Accounts for immediate deposit to the opioid abatement trust fund pursuant to Section 403.507(b)(2), Government Code, from money obtained under the statewide opioid settlement agreement in *State of Texas v. McKinsey & Company, Inc., United States*, No. D-1-GN-21-000551 (98th Dist. Ct., Travis County, Tex., Feb. 4, 2021).

SECTION 2.04. FISCAL PROGRAMS - COMPTROLLER OF PUBLIC ACCOUNTS: TEXAS GUARANTEED TUITION PLAN. The amount of \$243,800,000 is appropriated from the general revenue fund to Fiscal Programs - Comptroller of Public Accounts for the two-year period beginning on the effective date of this Act for the purpose of paying contract obligations and program expenses for the Guaranteed Tuition Plan/Texas Tomorrow Fund.

SECTION 2.05. COMPTROLLER OF PUBLIC ACCOUNTS: DEFERRED MAINTENANCE DEDICATION. Not later than August 31, 2023, the comptroller of public accounts shall transfer the amount of \$400,000,000 from the general revenue fund to the deferred maintenance account number 5166 to be used for the purpose of addressing future maintenance of state buildings as directed by the legislature.

SECTION 2.06. FACILITIES COMMISSION: LIBRARY AND ARCHIVES COMMISSION FACILITY. (a) The amount of \$210,300,000 is appropriated from the general revenue fund to the Texas Facilities Commission for the two-year period beginning on the effective date of this Act for the purpose of constructing a new facility to be used by the Library and Archives Commission for records and archive storage.

(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 commission to employ during that period, the Texas Facilities Commission may employ out of money appropriated by Subsection (a) of this section 4.0 full-time equivalent (FTE) employees.

(c) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the commission during that period, the Texas Facilities Commission may use \$210,000,000 in capital budget authority for the appropriation made under Subsection (a) of this section.

SECTION 2.07. APPROPRIATION REDUCTION: DEPARTMENT OF INFORMATION RESOURCES. The unencumbered appropriations from the ARPA fund and the related increase in capital budget authority made to the Department of Information Resources by Section 25, Chapter 10 (S.B. 8), Acts of the 87th Legislature, 3rd Called Session, 2021 (the Supplemental Appropriations Act), for cybersecurity projects are reduced by \$200,000,000.

SECTION 2.08. APPROPRIATION REDUCTION: PUBLIC FINANCE AUTHORITY. (a) The unencumbered appropriations from the general revenue fund to the Public Finance Authority made by Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), for use during the state fiscal biennium ending August 31, 2023, for bond debt service payments, including appropriations subject to Rider 3, page I-52, Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), to the bill pattern of the appropriations to the Public Finance Authority, are reduced by a total of \$34,250,443.

(b) The Public Finance Authority shall identify the strategies and objectives out of which the reduction in appropriations described by Subsection (a) of this section are to be made and the amount of the reduction for each of those strategies and objectives.

SECTION 2.09. TRUSTEED PROGRAMS WITHIN THE OFFICE OF THE GOVERNOR: TEXAS SEMICONDUCTOR INNOVATION CONSORTIUM. (a) Contingent on the enactment of H.B. 5174, S.B. 2288, or similar legislation by the 88th Legislature, Regular Session, 2023, relating to the establishment and administration of the Texas Semiconductor Innovation Consortium:

(1) the comptroller of public accounts shall immediately transfer the amount of \$698,300,000 from the general revenue fund to the Texas Semiconductor Innovation Fund; and

(2) the amount of \$698,300,000 is appropriated from the Texas Semiconductor Innovation Fund to the Trusteed Programs within the Office of the Governor for the two-year period beginning on the effective date of this Act for use for the purposes described by that legislation.

(b) Money appropriated by Subsection (a) of this section may be spent only with the prior approval of the Legislative Budget Board. A request for approval of an expenditure submitted by the Trusteed Programs within the Office of the Governor to the board is considered approved by the board unless the board objects to the request within 30 calendar days after the date the request is submitted to the board.

SECTION 2.10. STATE PRESERVATION BOARD: ENDOWMENT FUND. The amount of \$200,000,000 is appropriated from the general revenue fund to the comptroller of public accounts for the period beginning on the effective date of this Act and ending August 31, 2023, to be deposited before August 31, 2023, to the capital renewal trust fund and transferred by the comptroller of public accounts to the Texas state buildings preservation endowment fund in accordance with S.B. 1333, Acts of the 88th Legislature, Regular Session, 2023, for use by the State Preservation Board for the purposes described by that legislation.

SECTION 2.11. STATE PRESERVATION BOARD: MAINTENANCE FOR TEXAS STATE HISTORY MUSEUM. (a) The amount of \$2,975,000 is appropriated from the general revenue fund to the State Preservation Board for the two-year period beginning on the effective date of this Act for the purpose of replacing the roof and boiler system of the Texas State History Museum.

(b) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the board during that period, the State Preservation Board may use \$2,975,000 in capital budget authority for the appropriation made under Subsection (a) of this section.

SECTION 2.12. TEXAS HISTORICAL COMMISSION: FORT VELASCO HISTORICAL SITE. The amount of \$500,000 is appropriated from the general revenue fund to the Texas Historical Commission for the two-year period beginning on the effective date of this Act for the purpose of making a grant for the maintenance and improvement of the Fort Velasco Historic Site.

SECTION 2.13. TEXAS HISTORICAL COMMISSION: ENDOWMENT FUND. Contingent on the enactment of S.B. 1332, H.B. 3051, or similar legislation by the 88th Legislature, Regular Session, 2023, relating to the provision of funding to the Texas Historical Commission for state historic sites, the amount of \$300,000,000 is appropriated from the general revenue fund to the comptroller of public accounts for the period beginning on the effective date of this Act and ending August 31, 2023, to be deposited before August 31, 2023, to the endowment fund for use by the Texas Historical Commission for the purposes described by that legislation.

SECTION 2.14. TEXAS HISTORICAL COMMISSION: SAN JACINTO BATTLEGROUND STATE HISTORIC SITE. (a) The amount of \$102,700,000 is appropriated from the general revenue fund to the Texas Historical Commission for the two-year period beginning on the effective date of this Act for the purpose of restoring the San Jacinto Battleground State Historic Site and making improvements to the visitor center for the site.

(b) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the commission during that period, the Texas Historical Commission may use \$102,700,000 in capital budget authority for the appropriation made under Subsection (a) of this section.

SECTION 2.15. TEXAS HISTORICAL COMMISSION: BATTLESHIP TEXAS SITE RESTORATION. (a) The amount of \$40,000,000 is appropriated from the general revenue fund to the Texas Historical Commission for the two-year period beginning on the effective date of this Act for the purpose of restoring the Battleship Texas site, including demolishing the battleship's slip and accessory structures and restoring the historic appearance of the entire site.

(b) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the commission during that period, the Texas Historical Commission may use \$40,000,000 in capital budget authority for the appropriation made under Subsection (a) of this section.

SECTION 2.16. TEXAS HISTORICAL COMMISSION: OFFICE MAINTENANCE AND REPAIRS. (a) The amount of \$327,000 is appropriated from the general revenue fund to the Texas Historical Commission for the two-year period beginning on the effective date of this Act for the purpose of maintenance and repairs to the commission's complex in central Austin, Texas, including lead paint abatement and window repairs.

(b) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the commission during that period, the Texas Historical Commission may use \$327,000 in capital budget authority for the appropriation made under Subsection (a) of this section.

SECTION 2.17. TEXAS HISTORICAL COMMISSION: MAGOFFIN HOME STATE HISTORIC SITE. (a) The amount of \$4,144,000 is appropriated from the general revenue fund to the Texas Historical Commission for the two-year period beginning on the effective date of this Act for the purpose of stabilizing and rebuilding the Magoffin Home in the City of El Paso, Texas.

(b) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the commission during that period, the Texas Historical Commission may use \$4,144,000 in capital budget authority for the appropriation made under Subsection (a) of this section.

SECTION 2.18. TEXAS HISTORICAL COMMISSION: VARNER-HOGG PLANTATION STATE HISTORIC SITE. (a) The amount of \$825,000 is appropriated from the general revenue fund to the Texas Historical Commission for the two-year period beginning on the effective date of this Act for the purpose of remediating damage to the foundation of Varner-Hogg Plantation structures caused by decades of flood events occurring at the plantation.

(b) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the commission during that period, the Texas Historical Commission may use \$825,000 in capital budget authority for the appropriation made under Subsection (a) of this section.

SECTION 2.19. TEXAS HISTORICAL COMMISSION: MAINTENANCE AT VARIOUS STATE HISTORIC SITES. (a) The amount of \$2,875,000 is appropriated from the general revenue fund to the Texas Historical Commission for the two-year period beginning on the effective date of this Act for the purpose of undertaking maintenance projects at various state historic sites, which may include replacing roofs, stabilizing ruins, replacing heating, ventilation, and air conditioning (HVAC) systems, or other necessary maintenance projects.

(b) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the commission during that period, the Texas Historical Commission may use \$2,875,000 in capital budget authority for the appropriation made under Subsection (a) of this section.



SECTION 2.20. TEXAS HISTORICAL COMMISSION: COURTHOUSE GRANT PROGRAM. (a) The amount of \$45,000,000 is appropriated from the general revenue fund to the Texas Historical Commission for the two-year period beginning on the effective date of this Act for the purpose of the courthouse grant program, including grants for restorations and emergency planning projects.

(b) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the commission during that period, the Texas Historical Commission may use \$45,000,000 in capital budget authority for the appropriation made under Subsection (a) of this section.

SECTION 2.21. TEXAS HISTORICAL COMMISSION: LEVI JORDAN STATE HISTORIC SITE. (a) The amount of \$5,000,000 is appropriated from the general revenue fund to the Texas Historical Commission for the two-year period beginning on the effective date of this Act for the purpose of land acquisition to restore the boundaries of the Levi Jordan plantation and develop a visitor center and exhibits for the plantation site.

(b) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the commission during that period, the Texas Historical Commission may use \$5,000,000 in capital budget authority for the appropriation made under Subsection (a) of this section.

SECTION 2.22. TEXAS HISTORICAL COMMISSION: TRAVEL PUBLICATION REPRINTS. The amount of \$522,240 is appropriated from the general revenue fund to the Texas Historical Commission for the two-year period beginning on the effective date of this Act for the purpose of updating, reprinting, and distributing:

- (1) the statewide Heritage Travel Guide;
- (2) the African Americans in Texas travel guide;
- (3) the Hispanic Texans travel guide;
- (4) the Chisholm Trail guide; and
- (5) the Texas and the Great War guide.

SECTION 2.23. TEXAS HISTORICAL COMMISSION: NATIONAL MUSEUM OF THE PACIFIC WAR. (a) The amount of \$7,500,000 is appropriated from the general revenue fund to the Texas Historical Commission for the two-year period beginning on the effective date of this Act for the purpose of making updates and modifications to modernize the George H. W. Bush Gallery and exhibits at the National Museum of the Pacific War.

(b) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the commission during that period, the Texas Historical Commission may use \$7,500,000 in capital budget authority for the appropriation made under Subsection (a) of this section.

SECTION 2.24. TEXAS HISTORICAL COMMISSION: EISENHOWER BIRTHPLACE STATE HISTORIC SITE. (a) The amount of \$3,401,000 is appropriated from the general revenue fund to the Texas Historical Commission for the two-year period beginning on the effective date of this Act for the purpose of making site upgrades at the Eisenhower Birthplace State Historic Site, including a new visitor center, landscaping improvements, improved entry to the site, and enhancement to the overall appearance of the Eisenhower statue.

(b) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the commission during that period, the Texas Historical Commission may use \$3,401,000 in capital budget authority for the appropriation made under Subsection (a) of this section.

SECTION 2.25. TEXAS HISTORICAL COMMISSION: MONUMENT HILL STATE HISTORIC SITE. (a) The amount of \$4,300,000 is appropriated from the general revenue fund to the Texas Historical Commission for the two-year period beginning on the effective date of this Act for the purpose of building a new visitor center and incorporating an open-air pavilion at the Monument Hill State Historic Site.

(b) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the commission during that period, the Texas Historical Commission may use \$4,300,000 in capital budget authority for the appropriation made under Subsection (a) of this section.

SECTION 2.26. TRUSTEED PROGRAMS WITHIN THE OFFICE OF THE GOVERNOR: VICTIMS OF CRIME. The amount of \$115,000,000 is appropriated from the general revenue fund to the Truusted Programs within the Office of the Governor for the two-year period beginning on the effective date of this Act for the purpose of providing funding for grants for victims of crime.

SECTION 2.27. OFFICE OF THE ATTORNEY GENERAL: CRIME VICTIMS' COMPENSATION. Contingent on the enactment of H.B. 2877, S.B. 2298, or similar legislation by the 88th Legislature, Regular Session, 2023, relating to crime victims' compensation:

(1) the comptroller of public accounts shall immediately transfer the amount of \$5,000,000 from the general revenue fund to the compensation to victims of crime account number 0469; and

(2) the amount of \$5,000,000 is appropriated from the compensation to victims of crime account number 0469 to the office of the attorney general for the two-year period beginning on the effective date of this Act for the purpose of implementing that legislation.

SECTION 2.28. TRUSTEED PROGRAMS WITHIN THE OFFICE OF THE GOVERNOR: MOVING IMAGE INDUSTRY INCENTIVE PROGRAM. The amount of \$155,000,000 is appropriated from the general revenue fund to the Truusted Programs within the Office of the Governor for use during the two-year period beginning on the effective date of this Act for the moving image industry incentive program under Section 485.022, Government Code.

SECTION 2.29. APPROPRIATION REDUCTION: FACILITIES COMMISSION. (a) The unencumbered appropriations from the general revenue fund made to the Texas Facilities Commission by Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), for use during the state fiscal biennium ending August 31, 2023, for lease payments are reduced by \$59,878,401.

(b) The Texas Facilities Commission shall identify the strategies and objectives out of which the reduction in appropriations described by Subsection (a) of this section are to be made and the amount of the reduction for each of those strategies and objectives.

SECTION 2.30. TRUSTEED PROGRAMS WITHIN THE OFFICE OF THE GOVERNOR: CHILDREN'S RIGHTS LITIGATION. The amount of \$6,000,000 is appropriated from the general revenue fund to the Trusteed Programs within the Office of the Governor for the two-year period beginning on the effective date of this Act for the purpose of paying legal counsel to represent the trusteed programs in litigation involving children's rights in the case of *M.D., et al. v. Abbott, et al.*

SECTION 2.31. TRUSTEED PROGRAMS WITHIN THE OFFICE OF THE GOVERNOR: BORDER OPERATIONS. The amount of \$300,000,000 is appropriated from the general revenue fund to the Trusteed Programs within the Office of the Governor for the two-year period beginning on the effective date of this Act for border operations.

SECTION 2.32. TRUSTEED PROGRAMS WITHIN THE OFFICE OF THE GOVERNOR: TEXAS ENTERPRISE FUND. (a) The comptroller of public accounts shall immediately transfer the amount of \$150,000,000 from the general revenue fund to the Texas Enterprise Fund account number 5107.

(b) The amount of \$150,000,000 is appropriated from the Texas Enterprise Fund account number 5107 to the Trusteed Programs within the Office of the Governor for the two-year period beginning on the effective date of this Act for the purposes of economic development initiatives as provided by Section 481.078, Government Code.

SECTION 2.33. TRUSTEED PROGRAMS WITHIN THE OFFICE OF THE GOVERNOR: TAIWAN OFFICE. The amount of \$800,000 is appropriated from the general revenue fund to the Trusteed Programs within the Office of the Governor for the two-year period beginning on the effective date of this Act to provide funding to support an economic development office in Taiwan.

SECTION 2.34. STATE PRESERVATION BOARD: SENATE FACILITY IMPROVEMENT PROJECTS. (a) The amount of \$65,000,000 is appropriated from the general revenue fund to the State Preservation Board for the two-year period beginning on the effective date of this Act for the purpose of making improvements to senate facilities. The board may spend money appropriated under this subsection only with the prior approval of the lieutenant governor.

(b) For purposes of the appropriation made by Subsection (a) of this section, the State Preservation Board is exempt from the competitive bidding process under Section 2269.101, Government Code.

SECTION 2.35. STATE PRESERVATION BOARD: HOUSE OF REPRESENTATIVES FACILITY IMPROVEMENT PROJECTS. (a) The amount of \$65,000,000 is appropriated from the general revenue fund to the State Preservation Board for the two-year period beginning on the effective date of this Act for the purpose of making improvements to house of representatives facilities. The board may spend money appropriated under this subsection only with the prior approval of the speaker of the house of representatives.

(b) For purposes of the appropriation made by Subsection (a) of this section, the State Preservation Board is exempt from the competitive bidding process under Section 2269.101, Government Code.

## ARTICLE 3. HEALTH AND HUMAN SERVICES

SECTION 3.01. HEALTH AND HUMAN SERVICES COMMISSION: MEDICAID SHORTFALL. (a) The amount of \$2,525,100,000 is appropriated from the general revenue fund, and the amount of \$4,700,000,000 is appropriated from federal funds, to the Health and Human Services Commission for the state fiscal year ending August 31, 2023, for the purpose of Medicaid client services under Goal A, Medicaid Client Services, as listed in Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act).

(b) Of the amount appropriated from the general revenue fund under Subsection (a) of this section, the Health and Human Services Commission shall transfer \$5,000,000 from Goal A, Medicaid Client Services, to Strategy D.2.5, Behavioral Health Waiver and Plan Amendment, as listed in Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), for the Home and Community-Based Services - Adult Mental Health program.

## SECTION 3.02. HEALTH AND HUMAN SERVICES COMMISSION: NEW CAPACITY FOR MENTAL HEALTH SERVICES AND INPATIENT FACILITIES.

(a) The following amounts totaling \$2,154,376,606 are appropriated from the following sources to the Health and Human Services Commission for the two-year period beginning on the effective date of this Act for the following strategies as listed in Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act):

(1) Uvalde Behavioral Health Campus: \$33,600,000 from the general revenue fund for Strategy G.4.2, Facility Capital Repairs and Renovation, for the construction of a behavioral health campus in Uvalde, Texas;

(2) Grants Management System: \$21,400,000 from the general revenue fund for Strategy L.1.2, Information Technology Capital Projects Oversight & Program Support, for a grants management system for improving mental health outcomes;

(3) Dallas State Hospital: \$101,890,000 from the general revenue fund for Strategy G.4.2, Facility Capital Repairs and Renovation, for additional construction funding for the 200-bed adult unit at the new state hospital in Dallas, Texas, with at least 75 percent of the beds to be used for forensic purposes;

(4) State Hospitals Electronic Health Record System Upgrade:

(A) \$38,772,184 from the general revenue fund for Strategy L.1.2, Information Technology Capital Projects Oversight & Program Support, for an electronic health record system upgrade for state hospitals; and

(B) \$100,870 from the general revenue fund and \$48,206 from federal funds for Strategy L.2.1, Central Program Support, for an electronic health record system upgrade for state hospitals;

(5) Deferred Maintenance Needs for State Facilities: \$50,000,000 from the general revenue fund for Strategy G.4.2, Facility Capital Repairs and Renovation, for deferred maintenance for state facilities;

(6) Emergency Facility Repairs: \$14,000,000 from the general revenue fund for Strategy G.4.2, Facility Capital Repairs and Renovation, for emergency repairs for state facilities;

(7) Lubbock Campus: \$121,000,000 from the general revenue fund for Strategy G.4.2, Facility Capital Repairs and Renovation, to construct a 50-bed state hospital maximum security facility on the existing state supported living center campus in Lubbock, Texas;

(8) San Antonio State Hospital: \$15,000,000 from the general revenue fund for Strategy G.4.2, Facility Capital Repairs and Renovation, to rehabilitate the Alamo Unit at the San Antonio State Hospital campus into a 40-bed state hospital maximum security facility;

(9) Amarillo State Hospital: \$159,000,000 from the general revenue fund for Strategy G.4.2, Facility Capital Repairs and Renovation, to construct a 75-bed state hospital in Amarillo, Texas, with at least 50 forensic beds;

(10) Rio Grande Valley Facility: \$120,000,000 from the general revenue fund for Strategy G.4.2, Facility Capital Repairs and Renovation, to construct a 50-bed state hospital maximum security facility in the Rio Grande Valley;

(11) Terrell State Hospital: \$573,000,000 from the general revenue fund for Strategy G.4.2, Facility Capital Repairs and Renovation, to construct a 250-bed replacement campus for Terrell State Hospital, including 50 maximum security beds, 140 forensic beds, 35 adolescent beds, and 25 civil beds;

(12) North Texas State Hospital - Wichita Falls: \$452,000,000 from the general revenue fund for Strategy G.4.2, Facility Capital Repairs and Renovation, to construct a 200-bed replacement for North Texas State Hospital - Wichita Falls, including 24 maximum security beds, 136 forensic beds, 24 adolescent beds, and 16 civil beds;

(13) El Paso State Hospital: \$50,000,000 from the general revenue fund for Strategy G.4.2, Facility Capital Repairs and Renovation, for pre-planning, planning, land acquisition, and initial construction of a new 50-bed El Paso State Hospital, with 50 percent of the beds to be forensic;

(14) Sunrise Canyon Facility in Lubbock: \$45,000,000 from the general revenue fund for Strategy G.4.2, Facility Capital Repairs and Renovation, to construct 30 additional beds at the Sunrise Canyon facility in Lubbock, Texas, with at least 50 percent of the beds having forensic capacity;

(15) Community Mental Health Grant Program: \$100,000,000 from the general revenue fund for Strategy D.2.6, Community Mental Health Grant Programs, to establish a one-time community mental health program for county-based collaboratives with the following conditions:

(A) a grant awarded under the program may only be used to construct jail diversion facilities, step-down facilities, permanent supportive housing, crisis stabilization units, and crisis respite units, not including office space; and

(B) the grantee must provide a local match at least equal to the highest of the following applicable amounts:

(i) 25 percent of the grant amount if the collaborative includes a county with a population of less than 100,000;

(ii) 50 percent of the grant amount if the collaborative includes a county with a population of at least 100,000 but less than 250,000; or

(iii) 100 percent of the grant amount if the collaborative includes a county with a population of 250,000 or more;

(16) Mental Health Inpatient Facility Grant Program: \$175,000,000 from the general revenue fund for Strategy G.4.2, Facility Capital Repairs and Renovation, to establish a one-time grant program to construct or expand a mental health inpatient facility to have at least 50 percent forensic capacity, using only donated land, to increase inpatient bed availability for forensic patients ordered to a state hospital for competency restoration as follows:

(A) \$85,000,000 for construction of up to 100 inpatient beds by a hospital located in the Rio Grande Valley region that, as of June 1, 2023, meets the following criteria:

- (i) is licensed as a general hospital;
- (ii) has a Level 1 trauma designation;
- (iii) is located in a county with a population of more than 300,000;

and

- (iv) has fewer than 100 licensed psychiatric beds;

(B) \$50,000,000 for construction of no more than 100 inpatient beds by Montgomery County to expand the existing Montgomery County Mental Health Facility; and

(C) \$40,000,000 for construction of up to 60 inpatient beds by Victoria County;

(17) Psychiatric Residential Youth Treatment Facility Voluntary Quality Standards Implementation: \$4,712,356 from the general revenue fund for Strategy H.2.1, Child Care Regulation, to make necessary enhancements in Child Care Licensing Automated Support Systems (CLASS) required by Chapter 1032 (H.B. 3121), Acts of the 87th Legislature, Regular Session, 2021;

(18) Beaumont Baptist Hospital: \$64,000,000 from the general revenue fund for Strategy G.4.2, Facility Capital Repairs and Renovation, to construct 72 beds, with 36 forensic beds and 36 civil beds, at the Baptist Hospital in Beaumont, Texas; and

(19) Children's Hospitals Construction Grant Program: \$15,852,990 from the general revenue fund for Strategy D.2.6, Community Mental Health Grant Programs, to establish a one-time children's hospitals construction grant program with the following conditions:

(A) a grant awarded under the program may only be used to construct inpatient mental health beds for children; and

(B) the grantee must provide a local match at least equal to:

- (i) 25 percent of the grant amount for construction in a county with a population of less than 100,000;
- (ii) 50 percent of the grant amount for construction in a county with a population of at least 100,000 but less than 250,000; or
- (iii) 100 percent of the grant amount for construction in a county with a population of 250,000 or more.

(b) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the commission during that period, the Health and Human Services Commission may use \$2,154,376,606 in capital budget authority for the appropriations made under Subsection (a) of this section.

SECTION 3.03. FACILITIES COMMISSION: PERMIAN BASIN BEHAVIORAL HEALTH CENTER. (a) The amount of \$86,700,000 is appropriated from the general revenue fund to the Texas Facilities Commission for the two-year period beginning on the effective date of this Act for the purpose of constructing a 100-bed comprehensive behavioral health center, with 40 forensic beds, to serve the Permian Basin region.

(b) On completion of construction of the comprehensive behavioral health center described by Subsection (a) of this section, ownership of the building must 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.

(d) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the commission during that period, the Texas Facilities Commission may use \$86,700,000 in capital budget authority for the appropriation made in Subsection (a) of this section.

SECTION 3.04. TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES: BUDGET SHORTFALLS. (a) Notwithstanding any transfer limitation provided by Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), the Texas Department of Family and Protective Services may transfer an amount not to exceed \$29,000,000 from federal Temporary Assistance for Needy Families (TANF) funds appropriated for Strategy B.1.9, Foster Care Payments, or Strategy B.1.11, Relative Caregiver Payments, as listed in that Act, to Strategy B.1.1, CPS Direct Delivery Staff, as listed in that Act.

(b) Notwithstanding Rider 27, page II-14, Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), to the bill pattern of the appropriations to the Texas Department of Family and Protective Services, the department may use \$2,161,880 appropriated from the general revenue fund to the department for Strategy B.1.1, CPS Direct Delivery Staff, as listed in that Act, for any purpose to address child protective program needs.

(c) The amount of \$30,841,631 is appropriated from the general revenue fund to the Texas Department of Family and Protective Services for the state fiscal year ending August 31, 2023, to address a budget shortfall associated with Strategy B.1.1, CPS Direct Delivery Staff, as listed in Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act).

(d) The amount of \$1,894,220 is appropriated from the general revenue fund to the Texas Department of Family and Protective Services for the state fiscal year ending August 31, 2023, for the payment of court monitor fees.

(e) The amount of \$6,877,357 is appropriated from the general revenue fund to the Texas Department of Family and Protective Services for the state fiscal year ending August 31, 2023, for data center services.

(f) Notwithstanding any transfer limitation provided by Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), the Texas Department of Family and Protective Services may transfer an amount not to exceed \$530,489 from general revenue funds appropriated to the department for a seat management capital budget project for use for data center consolidation.

(g) The capital budget authority of the Texas Department of Family and Protective Services in Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), is increased by the amount of the appropriation made under Subsection (e) of this section.

(h) Notwithstanding any transfer limitation provided by Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), the Texas Department of Family and Protective Services may transfer an amount not to exceed \$1,349,540 from general revenue funds appropriated for Strategy D.1.1, APS Direct Delivery Staff, as listed in that Act, to other strategies under Goal D, Adult Protective Services, as listed in that Act, as follows:

(1) an amount not to exceed \$84,022 to Strategy D.1.2, APS Program Support; and

(2) an amount not to exceed \$1,265,518 to Strategy D.1.3, APS Purchased Emergency Client Services.

SECTION 3.05. TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES: INFORMATION TECHNOLOGY. (a) The amount of \$250,000 is appropriated from the general revenue fund to the Texas Department of Family and Protective Services for the two-year period beginning on the effective date of this Act to pay for information technology costs for the collection by children's advocacy centers of information from state agencies.

(b) The capital budget authority of the Texas Department of Family and Protective Services in Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), is increased by \$250,000 for the appropriation made under Subsection (a) of this section.

SECTION 3.06. DEPARTMENT OF STATE HEALTH SERVICES: FEDERALLY QUALIFIED HEALTH CENTERS. (a) The amount of \$40,000,000 is appropriated from the general revenue fund to the Department of State Health Services for use during the two-year period beginning on the effective date of this Act for the Federally Qualified Health Center Incubator Program.

(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 department to employ during that period, the Department of State Health Services may employ out of money appropriated by Subsection (a) of this section 4.0 full-time equivalent (FTE) employees.

SECTION 3.07. DEPARTMENT OF STATE HEALTH SERVICES: COVID-19 SHORTFALL. The amount of \$50,000,000 is appropriated from the general revenue fund to the Department of State Health Services for the state fiscal biennium ending August 31, 2023, for the purpose of closing out COVID-19 response costs not reimbursed by the Federal Emergency Management Agency.



SECTION 3.08. DEPARTMENT OF STATE HEALTH SERVICES: LABORATORY BUILDING REPAIR. (a) Notwithstanding any transfer limitation provided by Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), the Department of State Health Services may use \$5,000,000 appropriated from the newborn screening preservation account number 5183 to the department as follows:

(1) \$3,000,000 for the purpose of repairing and rehabilitating the department's laboratory building; and

(2) \$2,000,000 for the purpose of purchasing laboratory equipment.

(b) Any unexpended and unobligated balances remaining as of August 31, 2023, from the amount described by Subsection (a) of this section are appropriated to the Department of State Health Services for the state fiscal biennium beginning September 1, 2023, for the purpose described by that subsection.

(c) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the department during that period, the Department of State Health Services may use:

(1) \$5,000,000 in capital budget authority for the purpose described by Subsection (a) of this section; and

(2) the amount of the appropriation made under Subsection (b) of this section in capital budget authority for that appropriation.

SECTION 3.09. HEALTH AND HUMAN SERVICES COMMISSION: ALTERNATIVES TO ABORTION. The amount of \$25,000,000 is appropriated from the general revenue fund to the Health and Human Services Commission for the two-year period beginning on the effective date of this Act for the purpose of pregnancy support services as an alternative to abortion under Strategy D.1.2, Alternatives to Abortion, as listed in Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), and H.B. 1, Acts of the 88th Legislature, Regular Session, 2023 (the General Appropriations Act).

SECTION 3.10. HEALTH AND HUMAN SERVICES COMMISSION: MEDICAID ENHANCED RATE AUTHORIZATION. Notwithstanding the Special Provisions Relating to All Health and Human Services Agencies or other provisions of Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), the Health and Human Services Commission may use money appropriated to the commission for Goal A, Medicaid Client Services, as listed in that Act, to maintain the emergency add-on reimbursement rate increase for nursing facilities originally implemented for the duration of the federally declared COVID-19 public health emergency for the period from the date on which that declaration ended and the end of the state fiscal year ending August 31, 2023.

SECTION 3.11. HEALTH AND HUMAN SERVICES COMMISSION: TRANSFER AUTHORITY. (a) Notwithstanding any transfer limitation provided by Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), the Health and Human Services Commission may transfer unexpended balances of money appropriated by that Act during the state fiscal year ending August 31, 2023, and during the state fiscal year ending August 31, 2022, that is moved forward to the state fiscal year ending August 31, 2023:

(1) from strategies in goals other than Goal A, Medicaid Client Services, as listed in that Act, to strategies in Goal A, Medicaid Client Services; and

(2) between strategies in Goal A, Medicaid Client Services, as listed in that Act.

(b) Not later than October 1, 2023, the Health and Human Services Commission shall report to the Legislative Budget Board and the office of the governor regarding the use of any money transferred under Subsection (a) of this section.

**SECTION 3.12. TEXAS DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES: CONNECTING TECHNOLOGY SERVICES.** The amount of \$1,000,000 is appropriated from the general revenue fund to the Texas Department of Family and Protective Services for the two-year period beginning on the effective date of this Act to continue and expand the department's contract with an organization that provides connecting technology for children and families in this state. The technology services must include providing community partners the opportunity to address the needs of children and families in their community.

**SECTION 3.13. HEALTH AND HUMAN SERVICES COMMISSION: INDIGENT AND LOW-INCOME HEALTH.** The amount of \$1,000,000 is appropriated from the general revenue fund to the Health and Human Services Commission for the two-year period beginning on the effective date of this Act for the purpose of awarding a grant to an organization that provides low-cost preventative and primary medical, dental, diagnostic, specialty, and children's health services to the indigent community in the Houston area.

#### ARTICLE 4. EDUCATION

**SECTION 4.01. APPROPRIATION REDUCTION: TEXAS EDUCATION AGENCY.** (a) The unencumbered appropriations from the Foundation School Fund No. 193 made to the Texas Education Agency by Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), for use during the state fiscal biennium ending August 31, 2023, for Strategy A.1.1, Foundation School Program - Equalized Operations, as listed in that Act, are reduced by \$8,416,615,108.

(b) Notwithstanding Rider 3, page III-5, Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), to the bill pattern of the appropriations to the Texas Education Agency, the sum-certain appropriation to the Foundation School Program for the state fiscal year ending August 31, 2023, is \$23,901,066,584.

**SECTION 4.02. TEXAS EDUCATION AGENCY: SCHOOL SAFETY.** The amount of \$1,100,000,000 is appropriated from the general revenue fund to the Texas Education Agency for use during the two-year period beginning on the effective date of this Act for Strategy B.2.2, Health and Safety, as listed in Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), and H.B. 1, Acts of the 88th Legislature, Regular Session, 2023 (the General Appropriations Act), to award grants to assist school districts in implementing school safety initiatives.

SECTION 4.03. TEXAS EDUCATION AGENCY: INFORMATION TECHNOLOGY DEFERRED MAINTENANCE. The amount of \$11,251,170 is appropriated from the general revenue fund to the Texas Education Agency for the two-year period beginning on the effective date of this Act for the purpose of addressing information technology deferred maintenance.

SECTION 4.04. TEXAS SCHOOL FOR THE BLIND AND VISUALLY IMPAIRED: CAMPUS INFRASTRUCTURE UPGRADES. The amount of \$3,200,000 is appropriated from the general revenue fund to the Texas School for the Blind and Visually Impaired for the two-year period beginning on the effective date of this Act for the purpose of campus infrastructure and security upgrades.

SECTION 4.05. SCHOOL FOR THE BLIND AND VISUALLY IMPAIRED: SALARY ADJUSTMENTS. The amount of \$936,061 is appropriated from the general revenue fund to the School for the Blind and Visually Impaired for the period beginning on the effective date of this Act and ending August 31, 2024, for staff salary increases provided in the state fiscal year ending August 31, 2022, to address staffing shortfalls, to be allocated as follows to the following strategies as listed in Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), or H.B. 1, Acts of the 88th Legislature, Regular Session, 2023 (the General Appropriations Act), as applicable:

- (1) Strategy A.1.1, Classroom Instruction, \$146,856;
- (2) Strategy A.1.2, Residential Program, \$237,279;
- (3) Strategy A.1.3, Short-term Programs, \$18,134;
- (4) Strategy A.1.4, Related and Support Services, \$343,206;
- (5) Strategy B.1.1, Technical Assistance, \$47,170;
- (6) Strategy B.1.2, Professional Education in Visual Impairment, \$2,322;
- (7) Strategy D.1.1, Central Administration, \$120,380; and
- (8) Strategy D.1.2, Other Support Services, \$20,714.

SECTION 4.06. TEXAS SCHOOL FOR THE DEAF: MASTER PLAN PHASE 3 CONSTRUCTION. (a) The following amounts totaling \$56,783,113 are appropriated from the general revenue fund to the Texas School for the Deaf for the two-year period beginning on the effective date of this Act for student housing, classroom expansion, and renovation for the Adult Curriculum for Community, Employment, and Social Skills (ACCESS) program, as described in the Texas Facilities Commission's campus master plan for the school, as follows:

- (1) \$47,006,809 for new student housing units;
- (2) \$9,273,656 for classroom expansion and renovation; and
- (3) \$502,648 for campus security entrance renovations.

(b) Pursuant to Section 30.052(h-1), Education Code, and Section 2165.007, Government Code, the Texas School for the Deaf shall transfer the amounts appropriated under Subsection (a) of this section to the Texas Facilities Commission to be used as provided by that subsection.

SECTION 4.07. HIGHER EDUCATION COORDINATING BOARD: B-ON-TIME BALANCES. (a) All unexpended and unobligated balances remaining as of August 31, 2024, in the Texas B-On-time student loan account number 5103 (estimated to be \$141,460,191) are appropriated to eligible institutions, as defined by Section 56.0092, Education Code, based on the formula adopted by the Higher

Education Coordinating Board as provided by Section 56.0092(e), Education Code. The comptroller of public accounts shall transfer the money appropriated under this subsection to the coordinating board for prompt distribution to the eligible institutions.

(b) Any payments received from Texas B-On-time student loans by the Higher Education Coordinating Board on or after September 1, 2024, are appropriated to the coordinating board for the state fiscal year beginning September 1, 2024, for Strategy A.1.2, Student Loan Programs, as listed in H.B. 1, Acts of the 88th Legislature, Regular Session, 2023 (the General Appropriations Act).

**SECTION 4.08. HIGHER EDUCATION COORDINATING BOARD: DATA SECURITY AND MODERNIZATION.** (a) The amount of \$15,000,000 is appropriated from the general revenue fund to the Higher Education Coordinating Board for the two-year period beginning on the effective date of this Act for the purposes of data modernization, technology infrastructure, cybersecurity, and application modernization.

(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 coordinating board to employ during that period, the Higher Education Coordinating Board may employ out of money appropriated by Subsection (a) of this section 4.0 full-time equivalent (FTE) employees.

(c) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the coordinating board during that period, the Higher Education Coordinating Board may use \$9,700,000 in capital budget authority for the appropriation made under Subsection (a) of this section.

**SECTION 4.09. HIGHER EDUCATION COORDINATING BOARD: CYBERSECURITY AND APPLICATION MODERNIZATION.** (a) The amount of \$5,000,000 is appropriated from the general revenue fund to the Higher Education Coordinating Board for the two-year period beginning on the effective date of this Act for the purposes of cybersecurity and application modernization.

(b) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the coordinating board during that period, the Higher Education Coordinating Board may use \$5,000,000 in capital budget authority for the appropriation made under Subsection (a) of this section.

**SECTION 4.10. HIGHER EDUCATION COORDINATING BOARD: ADDITIONAL CAPITAL BUDGET AUTHORITY.** (a) The capital budget authority of the Higher Education Coordinating Board in Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), is increased by \$2,500,000 for expenses related to the Texas OnCourse program.

(b) The capital budget authority of the Higher Education Coordinating Board in Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), includes the authority to spend money appropriated to the coordinating board from money received by:

(1) this state from the Governor's Emergency Education Relief (GEER) Fund under the Coronavirus Aid, Relief, and Economic Security (CARES) Act (15 U.S.C. Section 9001 et seq.) or the Coronavirus Response and Relief Supplemental Appropriations Act, 2021 (Div. M, Pub. L. No. 116-260); or

(2) the coordinating board under the student loan program established under Chapter 52, Education Code.

SECTION 4.11. TEXAS A&M AGRILIFE RESEARCH: VERNON CENTER.

(a) The amount of \$15,000,000 is appropriated from the general revenue fund to Texas A&M AgriLife Research for the two-year period beginning on the effective date of this Act for the purposes of cleanup, replacement of lost equipment, and repair and renovation of infrastructure at the Texas A&M AgriLife Research and Extension Center at Vernon and Texas A&M AgriLife Foundation Seed facility ("Vernon Center") resulting from tornado damage.

(b) The legislature finds that there is a demonstrated need for the appropriation of general revenue funds for the purposes described by Subsection (a) of this section. The appropriation made by this section is contingent on approval by two-thirds of each chamber of the legislature, as required under Section 18(i), Article VII, Texas Constitution.

SECTION 4.12. TEXAS A&M FOREST SERVICE: NATURAL DISASTERS.

The amount of \$146,080,058 is appropriated from the general revenue fund to the Texas A&M Forest Service for the two-year period beginning on the effective date of this Act for the purpose of responding to previously occurring and future natural disasters, including responding through the mobilization of ground and aviation resources for fire suppression.

SECTION 4.13. UNIVERSITY OF TEXAS AT AUSTIN: TEXAS MEMORIAL MUSEUM. (a) The amount of \$8,000,000 is appropriated from the general revenue fund to The University of Texas at Austin for the two-year period beginning on the effective date of this Act for the purpose of renovating the Texas Memorial Museum.

(b) The legislature finds that there is a demonstrated need for the appropriation of general revenue funds for the purpose of renovating the Texas Memorial Museum. The appropriation made by this section is contingent on approval by two-thirds of each chamber of the legislature, as required under Section 18(i), Article VII, Texas Constitution.

SECTION 4.14. LAMAR INSTITUTIONS: DISASTER MITIGATION AND RENOVATIONS. (a) The following amounts totaling \$25,500,000 are appropriated from the general revenue fund to the following institutions for the two-year period beginning on the effective date of this Act for the purpose of mitigating storm damage and making renovations at those institutions:

- (1) Lamar University: \$10,000,000;
- (2) Lamar State College - Port Arthur: \$5,000,000;
- (3) Lamar Institute of Technology: \$4,000,000; and
- (4) Lamar State College - Orange: \$6,500,000.

(b) The legislature finds that there is a demonstrated need for the appropriation of general revenue funds for the purpose described by Subsection (a) of this section. The appropriation made by this section is contingent on approval by two-thirds of each chamber of the legislature, as required by Section 17(j), Article VII, Texas Constitution.

SECTION 4.15. THE UNIVERSITY OF TEXAS SOUTHWESTERN MEDICAL CENTER: PERFORMANCE BASED RESEARCH OPERATIONS. The amount of \$15,105,328 is appropriated from the general revenue fund to The University of Texas Southwestern Medical Center for the two-year period beginning on the effective date of this Act for Strategy B.1.2, Performance Based Research Operations, as listed in H.B. 1, Acts of the 88th Legislature, Regular Session, 2023 (the General Appropriations Act).

SECTION 4.16. THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON: PERFORMANCE BASED RESEARCH OPERATIONS. The amount of \$7,783,389 is appropriated from the general revenue fund to The University of Texas Health Science Center at Houston for the two-year period beginning on the effective date of this Act for Strategy B.1.2, Performance Based Research Operations, as listed in H.B. 1, Acts of the 88th Legislature, Regular Session, 2023 (the General Appropriations Act).

SECTION 4.17. THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT SAN ANTONIO: PERFORMANCE BASED RESEARCH OPERATIONS. The amount of \$7,995,279 is appropriated from the general revenue fund to The University of Texas Health Science Center at San Antonio for the two-year period beginning on the effective date of this Act for Strategy B.1.2, Performance Based Research Operations, as listed in H.B. 1, Acts of the 88th Legislature, Regular Session, 2023 (the General Appropriations Act).

SECTION 4.18. TEXAS A&M UNIVERSITY SYSTEM HEALTH SCIENCE CENTER: PERFORMANCE BASED RESEARCH OPERATIONS. The amount of \$12,692,293 is appropriated from the general revenue fund to the Texas A&M University System Health Science Center for the two-year period beginning on the effective date of this Act for Strategy B.1.2, Performance Based Research Operations, as listed in H.B. 1, Acts of the 88th Legislature, Regular Session, 2023 (the General Appropriations Act).

SECTION 4.19. TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER: PERFORMANCE BASED RESEARCH OPERATIONS. The amount of \$1,456,457 is appropriated from the general revenue fund to the Texas Tech University Health Sciences Center for the two-year period beginning on the effective date of this Act for Strategy B.1.2, Performance Based Research Operations, as listed in H.B. 1, Acts of the 88th Legislature, Regular Session, 2023 (the General Appropriations Act).

SECTION 4.20. THE UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON: HEALTH SYSTEM OPERATIONS. The amount of \$8,951,493 is appropriated from the general revenue fund to The University of Texas Medical Branch at Galveston for the two-year period beginning on the effective date of this Act for Strategy A.1.7, Health System Operations, as listed in H.B. 1, Acts of the 88th Legislature, Regular Session, 2023 (the General Appropriations Act).

SECTION 4.21. THE UNIVERSITY OF TEXAS M.D. ANDERSON CANCER CENTER: CANCER CENTER OPERATIONS. The amount of \$8,212,583 is appropriated from the general revenue fund to The University of Texas M.D. Anderson Cancer Center for the two-year period beginning on the effective date of this Act for Strategy A.2.1, Cancer Center Operations, as listed in H.B. 1, Acts of the 88th Legislature, Regular Session, 2023 (the General Appropriations Act).

SECTION 4.22. THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT TYLER: CHEST DISEASE CENTER OPERATIONS. The amount of \$1,818,533 is appropriated from the general revenue fund to The University of Texas Health Science Center at Tyler for the two-year period beginning on the effective date of this Act for Strategy A.1.4, Chest Disease Center Operations, as listed in H.B. 1, Acts of the 88th Legislature, Regular Session, 2023 (the General Appropriations Act).

SECTION 4.23. TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER AT EL PASO: PERFORMANCE BASED BORDER HEALTH OPERATIONS. The amount of \$804,249 is appropriated from the general revenue fund to the Texas Tech University Health Sciences Center at El Paso for the two-year period beginning on the effective date of this Act for Strategy A.1.6, Performance Based Border Health Operations, as listed in H.B. 1, Acts of the 88th Legislature, Regular Session, 2023 (the General Appropriations Act).

SECTION 4.24. COMPTROLLER OF PUBLIC ACCOUNTS: HIGHER EDUCATION ENDOWMENT FUNDING. The amount of \$3,000,000,000 is appropriated from the general revenue fund to the comptroller of public accounts for the two-year period beginning on the effective date of this Act for deposit to the credit of the Texas University Fund. Contingent on enactment of H.B. 1595 and H.J.R. 3, or similar legislation, by the 88th Legislature, Regular Session, 2023, and approval of H.J.R. 3 or similar legislation by the voters, the comptroller shall immediately deposit the money appropriated by this section to the credit of the Texas University Fund.

SECTION 4.25. TEXAS A&M UNIVERSITY - CENTRAL TEXAS: INSTRUCTIONAL PROGRAMMING. The amount of \$1,800,000 is appropriated from the general revenue fund to the Texas A&M University - Central Texas for the two-year period beginning on the effective date of this Act to deliver instructional programming at the East Williamson County Higher Education Center.

SECTION 4.26. THE UNIVERSITY OF TEXAS AT SAN ANTONIO: LIFE SCIENCES RESEARCH. The amount of \$2,000,000 is appropriated from the general revenue fund to The University of Texas at San Antonio for the two-year period beginning on the effective date of this Act for life sciences research.

SECTION 4.27. TEXAS A&M FOREST SERVICE: EMERGENCY RESPONSE. (a) The amount of \$7,795,500 is appropriated from the general revenue fund, and the amount of \$13,879,500 is appropriated from the Texas Department of Insurance operating account number 0036, to the Texas A&M Forest Service for the two-year period beginning on the effective date of this Act for emergency response capability.

(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 forest service to employ during that period, the Texas A&M Forest Service may employ out of money appropriated by Subsection (a) of this section 75 full-time equivalent (FTE) employees.

SECTION 4.28. TEXAS A&M FOREST SERVICE: LOCAL FIREFIGHTING. The amount of \$10,049,891 is appropriated from the volunteer fire department assistance account number 5064, and the amount of \$3,000,000 is appropriated from the Texas Department of Insurance operating account number 0036, to the Texas A&M Forest Service for the two-year period beginning on the effective date of this Act for local firefighting capability.

SECTION 4.29. TEXAS A&M AGRILIFE EXTENSION SERVICE. (a) The amount of \$24,222,155 is appropriated from the general revenue fund to the Texas A&M AgriLife Extension Service for the two-year period beginning on the effective date of this Act for the extension agent network.

(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 extension to employ during that period, the Texas A&M AgriLife Extension Service may employ out of money appropriated by Subsection (a) of this section 40.5 full-time equivalent (FTE) employees.

SECTION 4.30. TEXAS A&M VETERINARY MEDICAL DIAGNOSTIC LABORATORY: DETECTION OF DISEASE THREATS. (a) The amount of \$3,697,500 is appropriated from the general revenue fund to the Texas A&M Veterinary Medical Diagnostic Laboratory for the two-year period beginning on the effective date of this Act for the rapid detection of human and animal disease threats.

(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 laboratory to employ during that period, the Texas A&M Veterinary Medical Diagnostic Laboratory may employ out of money appropriated by Subsection (a) of this section 8.3 full-time equivalent (FTE) employees.

SECTION 4.31. TEXAS A&M ENGINEERING EXTENSION SERVICE: EDUCATION, RESPONSE, RECRUITMENT, AND RETENTION. (a) The amount of \$19,500,000 is appropriated from the general revenue fund to the Texas A&M Engineering Extension Service for the two-year period beginning on the effective date of this Act for education, response, recruitment, and retention.

(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 extension service to employ during that period, the Texas A&M Engineering Extension Service may employ out of money appropriated by Subsection (a) of this section 7.0 full-time equivalent (FTE) employees.

SECTION 4.32. TEXAS DIVISION OF EMERGENCY MANAGEMENT: WORKFORCE DEVELOPMENT. (a) The amount of \$14,550,000 is appropriated from the general revenue fund to the Texas Division of Emergency Management for the two-year period beginning on the effective date of this Act for workforce development.



(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 division to employ during that period, the Texas Division of Emergency Management may employ out of money appropriated by Subsection (a) of this section 44.0 full-time equivalent (FTE) employees.

SECTION 4.33. THE UNIVERSITY OF TEXAS AT AUSTIN: TEXAS INSTITUTE OF ELECTRONICS. (a) The amount of \$440,000,000 is appropriated from the general revenue fund to The University of Texas at Austin for the two-year period beginning on the effective date of this Act for research on forward-looking technologies, the operation and establishment of a research and development fabrication facility, a fabrication facility with security clearance requirements to support the defense electronics sector, and a leading edge shared fabrication facility to support United States technological and economic advantages and fabricate small run productions for breakthroughs in advanced packaging.

(b) The legislature finds that there is a demonstrated need for the appropriation of general revenue funds for the purpose described by Subsection (a) of this section. The appropriation made by this section is contingent on approval by two-thirds of each chamber of the legislature, as required under Section 18(i), Article VII, Texas Constitution.

SECTION 4.34. TEXAS A&M UNIVERSITY SYSTEM: ADVANCED TECHNOLOGIES. (a) The amount of \$226,400,000 is appropriated from the general revenue fund to the Texas A&M University System for the two-year period beginning on the effective date of this Act for the following purposes:

(1) \$200,000,000 for quantum and artificial intelligence chip fabrication; and

(2) \$26,400,000 for the Center for Microdevices and Systems.

(b) The legislature finds that there is a demonstrated need for the appropriation of general revenue funds for the purpose described by Subsection (a) of this section. The appropriation made by this section is contingent on approval by two-thirds of each chamber of the legislature, as required under Section 18(i), Article VII, Texas Constitution.

SECTION 4.35. TEXAS EDUCATION AGENCY: LIBRARY REGULATION. Contingent on enactment of H.B. 900 or similar legislation by the 88th Legislature, Regular Session, 2023, relating to the regulation of library materials sold to or included in public school libraries, the amount of \$2,000,000 is appropriated from the general revenue fund to the Texas Education Agency for the two-year period beginning on the effective date of this Act to implement that legislation.

SECTION 4.36. TEXAS TECH UNIVERSITY HEALTH SCIENCES CENTER AT EL PASO: COMPREHENSIVE CANCER CENTER. (a) The amount of \$65,000,000 is appropriated from the general revenue fund to the Texas Tech University Health Sciences Center at El Paso for the two-year period beginning on the effective date of this Act to support the development of a comprehensive oncology center partnership.

(b) The legislature finds that there is a demonstrated need for the appropriation of general revenue funds for the purpose described by Subsection (a) of this section. The appropriation made by this section is contingent on approval by two-thirds of each chamber of the legislature, as required under Section 17(j), Article VII, Texas Constitution.

**SECTION 4.37. THE UNIVERSITY OF TEXAS AT TYLER: INPATIENT FACILITY.** (a) The amount of \$7,000,000 is appropriated from the general revenue fund to The University of Texas at Tyler for the two-year period beginning on the effective date of this Act to renovate a facility to add an additional 44 forensic and civil complex medical needs inpatient beds.

(b) The legislature finds that there is a demonstrated need for the appropriation of general revenue funds for the purpose described by Subsection (a) of this section. The appropriation made by this section is contingent on approval by two-thirds of each chamber of the legislature, as required under Section 18(i), Article VII, Texas Constitution.

**SECTION 4.38. THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON: HARRIS COUNTY PSYCHIATRIC HOSPITAL.** (a) The amount of \$7,971,600 is appropriated from the general revenue fund to The University of Texas Health Science Center at Houston for the two-year period beginning on the effective date of this Act for purposes of indigent inpatient care, renovation of patient areas, deferred maintenance, and building renovation at the Harris County Psychiatric Hospital.

(b) The legislature finds that there is a demonstrated need for the appropriation of general revenue funds for the purpose described by Subsection (a) of this section. The appropriation made by this section is contingent on approval by two-thirds of each chamber of the legislature, as required under Section 18(i), Article VII, Texas Constitution.

#### ARTICLE 5. PUBLIC SAFETY AND CRIMINAL JUSTICE

**SECTION 5.01. TEXAS DEPARTMENT OF CRIMINAL JUSTICE: AGENCY OPERATIONS.** (a) The amount of \$237,200,000 is appropriated from the general revenue fund to the Texas Department of Criminal Justice for the two-year period beginning on the effective date of this Act for the purpose of correctional security operations, staffing adjustments, resumption of services at the Bradshaw State Jail, and other agency operations expenses.

(b) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the department during that period, the Texas Department of Criminal Justice may use \$25,916,345 in capital budget authority for the appropriation made under Subsection (a) of this section.

**SECTION 5.02. TEXAS DEPARTMENT OF CRIMINAL JUSTICE: CORRECTIONAL MANAGED HEALTH CARE.** The amount of \$141,770,855 is appropriated from the general revenue fund to the Texas Department of Criminal Justice for use during the state fiscal year ending August 31, 2023, for correctional managed health care under Strategy C.1.9, Hospital and Clinical Care, as listed in Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act).

SECTION 5.03. TEXAS DEPARTMENT OF CRIMINAL JUSTICE: DEFERRED MAINTENANCE SECURITY PROJECTS. (a) The amount of \$23,762,000 is appropriated from the general revenue fund to the Texas Department of Criminal Justice for the two-year period beginning on the effective date of this Act for the purpose of addressing previously deferred maintenance of correctional facilities' security.

(b) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the department during that period, the Texas Department of Criminal Justice may use \$23,762,000 in capital budget authority for the appropriation made under Subsection (a) of this section.

SECTION 5.04. TEXAS DEPARTMENT OF CRIMINAL JUSTICE: TRAINING FACILITY. (a) The amount of \$35,000,000 is appropriated from the general revenue fund to the Texas Department of Criminal Justice for the two-year period beginning on the effective date of this Act for the purpose of constructing a training facility on land owned by the department.

(b) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the department during that period, the Texas Department of Criminal Justice may use \$35,000,000 in capital budget authority for the appropriation made under Subsection (a) of this section.

SECTION 5.05. TEXAS DEPARTMENT OF CRIMINAL JUSTICE: VOCATIONAL TRAINING PROGRAM. The amount of \$600,000 is appropriated from the general revenue fund to the Texas Department of Criminal Justice for the two-year period beginning on the effective date of this Act for the purpose of implementing the provisions of Chapter 1014 (H.B. 2352), Acts of the 87th Legislature, Regular Session, 2021, relating to an educational and vocational training pilot program to assist certain offenders in finding jobs on release from incarceration or community supervision.

SECTION 5.06. TEXAS DEPARTMENT OF PUBLIC SAFETY: BORDER SECURITY. The amount of \$47,300,000 is appropriated from the general revenue fund to the Texas Department of Public Safety for the two-year period beginning on the effective date of this Act for the purpose of supporting the border security deployment for Operation Lone Star.

SECTION 5.07. TEXAS JUVENILE JUSTICE DEPARTMENT: REIMBURSEMENT TO COUNTIES. The amount of \$15,173,886 is appropriated from the general revenue fund to the Texas Juvenile Justice Department for the two-year period beginning on the effective date of this Act for the purpose of reimbursing counties for the costs of holding juveniles for whom the department does not have adequate capacity.

SECTION 5.08. TEXAS JUVENILE JUSTICE DEPARTMENT: TRANSFER AUTHORITY. Notwithstanding any transfer limitation provided by Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), the Texas Juvenile Justice Department may transfer money appropriated to the department from the following strategies as listed in that Act in the following amounts:

(1) Strategy B.1.5, Halfway House Operations, in an amount not to exceed \$2,331,849; and

(2) Strategy B.1.9, Contract Residential Placements, in an amount not to exceed \$1,751,693.

SECTION 5.09. TEXAS DEPARTMENT OF PUBLIC SAFETY: EQUINE FACILITY. (a) The amount of \$3,000,000 is appropriated from the general revenue fund to the Texas Department of Public Safety for the two-year period beginning on the effective date of this Act for an equine facility.

(b) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the department during that period, the Texas Department of Public Safety may use \$3,000,000 in capital budget authority for the appropriation made under Subsection (a) of this section.

#### ARTICLE 6. NATURAL RESOURCES

SECTION 6.01. COMMISSION ON ENVIRONMENTAL QUALITY: HAZARDOUS AND SOLID WASTE REMEDIATION. (a) Rider 24, page VI-24, Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), to the bill pattern of the appropriations to the Commission on Environmental Quality is amended to read as follows:

24. Appropriations and Unexpended Balances: [~~from~~] Cost Recovery for Site Remediation and Cleanups. (a) In addition to amounts appropriated above, any unobligated and unexpended balances as of August 31, 2021, (estimated to be \$0) remaining in the Hazardous and Solid Waste Remediation Fee Account No. 550 which were received from responsible parties as cost recovery payments for site remediation and cleanups undertaken by the Commission on Environmental Quality (TCEQ) are appropriated to the TCEQ for the biennium beginning September 1, 2021. The funds shall be used to pay the cost of site cleanups and remediation during the biennium.

(b) In addition to amounts appropriated above, any additional revenues generated from cost recovery fees (Revenue Object Code 3802) during the biennium beginning September 1, 2021, are appropriated from the Hazardous and Solid Waste Remediation Fee Account No. 550 to the TCEQ for that biennium for site remediation and cleanups.

(c) In addition to amounts appropriated above, \$3,755,606 is appropriated from Hazardous and Solid Waste Remediation Fee Account No. 550 to the TCEQ for the biennium beginning September 1, 2021, for site remediation and cleanups.

(b) Any unobligated and unexpended balances remaining as of August 31, 2023, from appropriations made under Rider 24, page VI-24, Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), to the bill pattern of the appropriations to the Commission on Environmental Quality are appropriated to the commission for the same purpose for the two-year period beginning on the effective date of this Act.

SECTION 6.02. RAILROAD COMMISSION: PIPELINE TRANSPORTATION AND STORAGE OF NATURAL AND OTHER GASES. (a) The amount of \$541,000 is appropriated from the general revenue fund to the Railroad Commission for the two-year period beginning on the effective date of this Act for Strategy B.1.1, Ensure Pipeline Safety, as listed in Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), and H.B. 1, Acts of the 88th Legislature, Regular Session, 2023 (the General

Appropriations Act), to implement rule changes adopted by the United States Department of Transportation Pipeline and Hazardous Materials Safety Administration.

(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 commission to employ during that period, the Railroad Commission may employ out of money appropriated by Subsection (a) of this section 10.0 full-time equivalent (FTE) employees.

**SECTION 6.03. PARKS AND WILDLIFE DEPARTMENT: PARK ACQUISITION.** (a) The amount of \$125,000,000 is appropriated from the general revenue fund to the Parks and Wildlife Department for the two-year period beginning on the effective date of this Act for Strategy D.1.2, Land Acquisition, as listed in Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), and H.B. 1, Acts of the 88th Legislature, Regular Session, 2023 (the General Appropriations Act), to acquire real property for use as state parks.

(b) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the department during that period, the Parks and Wildlife Department may use \$125,000,000 in capital budget authority for the appropriation made under Subsection (a) of this section.

**SECTION 6.04. WATER DEVELOPMENT BOARD: FLOOD MITIGATION AND WATER PROJECT FUNDING.** (a) The amount of \$624,949,080 is appropriated from the general revenue fund to the comptroller of public accounts for the two-year period beginning on the effective date of this Act for immediate deposit to the credit of the flood infrastructure fund number 194.

(b) The amount of \$624,949,080 is appropriated from the flood infrastructure fund number 194 to the Water Development Board for the two-year period beginning on the effective date of this Act for Strategy B.1.1, State and Federal Financial Assistance Programs, as listed in Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), and Strategy C.1.1, State and Federal Financial Assistance Programs, as listed in H.B. 1, Acts of the 88th Legislature, Regular Session, 2023 (the General Appropriations Act), for infrastructure projects related to drainage, flood mitigation, or flood control.

(c) The amount of \$51,132,249 is appropriated from the general revenue fund to the comptroller of public accounts for the two-year period beginning on the effective date of this Act for immediate deposit to the credit of the Clean Water State Revolving Fund No. 0651.

(d) The amount of \$73,918,671 is appropriated from the general revenue fund to the comptroller of public accounts for the two-year period beginning on the effective date of this Act for immediate deposit to the credit of the Drinking Water State Revolving Fund No. 0951.

(e) It is the intent of the legislature that the money appropriated under Subsections (c) and (d) of this section be used by the Water Development Board to draw down federal matching funds under the Infrastructure Investments and Jobs Act (Pub. L. No. 117-58, 135 Stat. 1351) and other available federal programs. Not later

than August 31, 2025, the Water Development Board shall submit to the Legislative Budget Board a report showing the disposition of that money and the amount of federal matching funds that were drawn down with that money.

**SECTION 6.05. WATER DEVELOPMENT BOARD: DATA CENTER SERVICES.** (a) The amount of \$1,501,282 is appropriated from the general revenue fund to the Water Development Board for the two-year period beginning on the effective date of this Act for Strategy D.1.2, Information Resources, as listed in Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), and Strategy E.1.2, Information Resources, as listed in H.B. 1, Acts of the 88th Legislature, Regular Session, 2023 (the General Appropriations Act), for data center services.

(b) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the board during that period, the Water Development Board may use \$1,501,282 in capital budget authority for the appropriation made under Subsection (a) of this section.

**SECTION 6.06. COMMISSION ON ENVIRONMENTAL QUALITY: CAPITAL BUDGET AUTHORITY.** The capital budget authority of the Commission on Environmental Quality in Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), is increased by \$415,000 for the purchase of three ethylene oxide (EtO) gas analyzers, peripheral equipment, and supplies.

**SECTION 6.07. PARKS AND WILDLIFE DEPARTMENT: BATTLESHIP TEXAS.** The amount of \$25,000,000 is appropriated from the general revenue fund to the Parks and Wildlife Department for the two-year period beginning on the effective date of this Act for the purpose of making a grant for the benefit of the Battleship Texas.

**SECTION 6.08. COMPTROLLER OF PUBLIC ACCOUNTS: TEXAS WATER FUND.** The amount of \$1,000,000,000 is appropriated from the general revenue fund to the comptroller of public accounts for the two-year period beginning on the effective date of this Act for deposit to the credit of the Texas water fund. Contingent on enactment of S.B. 28 and S.J.R. 75, or similar legislation, by the 88th Legislature, Regular Session, 2023, and the approval of S.J.R. 75 or similar legislation by the voters, the comptroller shall immediately deposit the amount appropriated by this section to the credit of the Texas water fund.

**SECTION 6.09. DEPARTMENT OF AGRICULTURE: BRIGHTER BITES.** The amount of \$1,000,000 is appropriated from the general revenue fund to the Department of Agriculture for the two-year period beginning on the effective date of this Act for the Brighter Bites program.

## **ARTICLE 7. BUSINESS AND ECONOMIC DEVELOPMENT**

**SECTION 7.01. DEPARTMENT OF TRANSPORTATION: CERTAIN RIDERS.** (a) Section 17.43, Article IX, Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), is repealed.

(b) Consistent with the repeal of Section 17.43, Article IX, Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), by Subsection (a) of this section, the Department of Transportation may use the

\$15,000,000 that was required to be allocated for a particular purpose under Section 17.43, Article IX, of that Act for any purpose consistent with Strategy C.5.1, Aviation Services, as listed in that Act.

SECTION 7.02. DEPARTMENT OF TRANSPORTATION: PORTS. (a) Contingent on enactment of legislation by the 88th Legislature, Regular Session, 2023, creating the port access account fund:

(1) the comptroller of public accounts shall immediately transfer the amount of \$200,000,000 from the general revenue fund to the port access account fund; and

(2) the amount of \$200,000,000 is appropriated from the port access account fund to the Department of Transportation for the two-year period beginning on the effective date of this Act for maritime port capital improvement projects.

(b) If the contingent appropriation made by Subsection (a) of this section does not take effect, the amount of \$200,000,000 is appropriated from the general revenue fund to the Department of Transportation for the two-year period beginning on the effective date of this Act for maritime port capital improvement projects.

(c) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the department during that period, the Department of Transportation may use \$200,000,000 in capital budget authority for the appropriation made under Subsection (a) or (b) of this section, as applicable.

SECTION 7.03. DEPARTMENT OF MOTOR VEHICLES: DATA CENTER SERVICES. (a) The amount of \$1,589,218 is appropriated from the Texas Department of Motor Vehicles fund number 0010 to the Department of Motor Vehicles for the two-year period beginning on the effective date of this Act for data center services under Strategy C.1.2, Information Resources, as listed in Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act).

(b) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the department during that period, the Department of Motor Vehicles may use \$1,589,218 in capital budget authority for the appropriation made under Subsection (a) of this section.

SECTION 7.04. TEXAS RACING COMMISSION: SALARIES AND PURCHASES. (a) The following amounts totaling \$727,168 are appropriated from the Texas Racing Commission account number 0597 to the Texas Racing Commission for the period beginning on the effective date of this Act and ending August 31, 2023, for the following purposes:

(1) \$457,568 for salary shortfalls; and

(2) \$269,600 for Strategy D.1.2, Information Resources, as listed in Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), for SQL Server administration, Oracle data file transition, and legal files interim solution implementation, installation, hardware, and software requirements, including two contract staff.

(b) The capital budget authority of the Texas Racing Commission in Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), is increased by \$269,600 for the appropriation made under Subsection (a)(2) of this section.

SECTION 7.05. DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS: HOMELESS HOUSING. The amount of \$1,000,000 is appropriated from the general revenue fund to the Texas Department of Housing and Community Affairs for the two-year period beginning on the effective date of this Act for Strategy C.1.2, Programs for Homelessness, as listed in H.B. 1, Acts of the 88th Legislature, Regular Session, 2023 (the General Appropriations Act), for providing youth and young adult homeless housing and services through a contract for services or otherwise in Fort Bend County.

#### ARTICLE 8. UNEXPENDED AND UNOBLIGATED BALANCES

SECTION 8.01. PENSION REVIEW BOARD: DATA MIGRATION BALANCES. All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 35(c)(2), Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular Session, 2021 (the Supplemental Appropriations Act), from the general revenue fund to the Pension Review Board for the purpose of migration of the board's data from multiple servers to the cloud and the creation of a new web-based interface for the current internal databases (estimated to be \$0) are appropriated to the board for the same purpose for the two-year period beginning on the effective date of this Act.

SECTION 8.02. PENSION REVIEW BOARD: SELF-SERVICE PORTAL. (a) All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 35(c)(3), Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular Session, 2021 (the Supplemental Appropriations Act), from the general revenue fund to the Pension Review Board for the purpose of the creation of a self-service portal to allow retirement systems to access a secure reporting portal to upload reports and view compliance status in real time (estimated to be \$276,000) are appropriated to the board for the same purpose for the two-year period beginning on the effective date of this Act.

(b) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the board during that period, the Pension Review Board may use the amount of the appropriation made under Subsection (a) of this section in capital budget authority for that appropriation.

SECTION 8.03. FACILITIES COMMISSION: CAPITOL COMPLEX PHASE I. (a) All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 3, Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular Session, 2021 (the Supplemental Appropriations Act), from the economic stabilization fund to the Texas Facilities Commission for the purpose of providing interior finish out of new facilities included in Phase I of the Capitol Complex construction projects, costs associated with moving agencies into the new facilities, and security services for the new facilities for Strategy A.2.1, Facilities Design and Construction, and Strategy B.2.1, Facilities Operation, as listed in Chapter 1353 (H.B. 1), Acts of the 86th Legislature, Regular Session, 2019 (the General Appropriations Act), and for full-time equivalent positions for building an information modeling and management system (estimated to be \$22,816,298) are appropriated to the commission for the same purpose for the two-year period beginning on the effective date of this Act.



(b) Any additional full-time equivalent (FTE) employees the Texas Facilities Commission may require to achieve the purpose for which the appropriation under Subsection (a) of this section was made are reflected in the total full-time equivalent (FTE) employees authorized for the commission in H.B. 1, Acts of the 88th Legislature, Regular Session, 2023 (the General Appropriations Act).

(c) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the commission during that period, the Texas Facilities Commission may use the amount of the appropriation made under Subsection (a) of this section in capital budget authority for that appropriation.

**SECTION 8.04. FACILITIES COMMISSION: FLEX-SPACE BUILDING PROJECT.** (a) All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 43, Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular Session, 2021 (the Supplemental Appropriations Act), from the economic stabilization fund to the Texas Facilities Commission for the purchase of land and the construction of a flexible space multi-purpose building for use as short-term storage or temporary office space (estimated to be \$40,000,000) are appropriated to the commission for the same purpose for the two-year period beginning on the effective date of this Act.

(b) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the commission during that period, the Texas Facilities Commission may use the amount of the appropriation made under Subsection (a) of this section in capital budget authority for that appropriation.

**SECTION 8.05. FACILITIES COMMISSION: DEFERRED SAFETY AND MAINTENANCE TO STATE BUILDINGS.** (a) All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 55(a)(1), Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular Session, 2021 (the Supplemental Appropriations Act), from the general revenue fund to the Texas Facilities Commission for the purpose of health and safety improvements and remediation of deferred maintenance of state buildings (estimated to be \$62,147,713) are appropriated to the commission for the same purpose for the two-year period beginning on the effective date of this Act.

(b) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the commission during that period, the Texas Facilities Commission may use the amount of the appropriation made under Subsection (a) of this section in capital budget authority for that appropriation.

**SECTION 8.06. FACILITIES COMMISSION: PERMIAN BASIN BEHAVIORAL HEALTH CENTER.** (a) Subject to Subsection (b) of this section, all unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 26, Chapter 10 (S.B. 8), Acts of the 87th Legislature, 3rd Called Session, 2021 (the Supplemental Appropriations Act), from the ARPA fund to the Texas Facilities Commission for the purpose of constructing a

100-bed comprehensive behavioral health center to serve the Permian Basin region (estimated to be \$40,000,000) are appropriated to the commission for the same purpose for the two-year period beginning on the effective date of this Act.

(b) 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 and Midland County Hospital Districts guaranteeing the ongoing operations of the comprehensive behavioral health center described by that subsection to ensure the construction and operation of the health center will provide a continuing benefit to the residents of this state.

(c) Subject to Subsection (b) of this section, all gifts or grants made to the Texas Facilities Commission to support the construction of the comprehensive behavioral health center described by Subsection (a) of this section (estimated to be \$50,000,000) are appropriated to the commission for the two-year period beginning on the effective date of this Act for the construction of the center.

(d) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the commission during that period, the Texas Facilities Commission may use the amount of the appropriations made under this section in capital budget authority for those appropriations.

**SECTION 8.07. COMMISSION ON STATE EMERGENCY COMMUNICATIONS: NEXT GENERATION 9-1-1 SERVICE FUND.** All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 30, Chapter 10 (S.B. 8), Acts of the 87th Legislature, 3rd Called Session, 2021 (the Supplemental Appropriations Act), from the ARPA fund 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 (estimated to be \$136,025,272.41), are appropriated to the commission for the same purpose for the two-year period beginning on the effective date of this Act.

**SECTION 8.08. TEXAS HISTORICAL COMMISSION: DEFERRED MAINTENANCE.** All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 6, Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular Session, 2021 (the Supplemental Appropriations Act), from the economic stabilization fund to the Texas Historical Commission for deferred maintenance projects under Strategy A.1.4, Historic Sites, as listed in Chapter 605 (S.B. 1), Acts of the 85th Legislature, Regular Session, 2017 (the General Appropriations Act), (estimated to be \$0) are appropriated to the commission for the same purposes for the two-year period beginning on the effective date of this Act.

**SECTION 8.09. TEXAS HISTORICAL COMMISSION: DEFERRED MAINTENANCE.** All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 55(a)(2), Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular Session, 2021 (the Supplemental Appropriations Act), from the general revenue fund to the Texas Historical

Commission for remediation of deferred maintenance of state buildings (estimated to be \$0) are appropriated to the commission for the same purpose for the two-year period beginning on the effective date of this Act.

SECTION 8.10. TEXAS HISTORICAL COMMISSION: NATIONAL MUSEUM OF THE PACIFIC WAR. All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 4(b), Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular Session, 2021 (the Supplemental Appropriations Act), from the economic stabilization fund to the Texas Historical Commission for capital projects at the National Museum of the Pacific War as described by Subsection (a) of that section (estimated to be \$0) are appropriated to the commission for the same purpose for the two-year period beginning on the effective date of this Act.

SECTION 8.11. TEXAS HISTORICAL COMMISSION: COURTHOUSE PRESERVATION GRANTS. (a) All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 5(a), Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular Session, 2021 (the Supplemental Appropriations Act), from amounts previously appropriated by Section 8, Chapter 465 (S.B. 500), Acts of the 86th Legislature, Regular Session, 2019 (the Supplemental Appropriations Act), from the economic stabilization fund to the Texas Historical Commission for the purpose of making courthouse preservation grants under Strategy A.1.3, Courthouse Preservation, as listed in Chapter 605 (S.B. 1), Acts of the 85th Legislature, Regular Session, 2017 (the General Appropriations Act), (estimated to be \$107,764) are appropriated to the commission for the same purpose for the two-year period beginning on the effective date of this Act.

(b) All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 5(b), Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular Session, 2021 (the Supplemental Appropriations Act), from the economic stabilization fund to the Texas Historical Commission for courthouse preservation grants (estimated to be \$300,218) are appropriated to the commission for the same purpose for the two-year period beginning on the effective date of this Act.

(c) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the commission during that period, the Texas Historical Commission may use the amounts of the appropriations made under this section in capital budget authority for those appropriations.

SECTION 8.12. TEXAS HISTORICAL COMMISSION: WASHINGTON-ON-THE-BRAZOS STATE HISTORIC SITE. All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 23, Chapter 10 (S.B. 8), Acts of the 87th Legislature, 3rd Called Session, 2021 (the Supplemental Appropriations Act), from the ARPA fund to the Texas Historical Commission for the purpose of providing funding for the commission's capital plan project for the Washington-on-the-Brazos State Historic Site (estimated to be \$0) are appropriated to the commission for the same purpose for the two-year period beginning on the effective date of this Act.

SECTION 8.13. TEXAS HISTORICAL COMMISSION: LEVI JORDAN STATE HISTORIC SITE. All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 7, Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular Session, 2021 (the Supplemental Appropriations Act), from the economic stabilization fund to the Texas Historical Commission for the purpose of continuing development of the Levi Jordan State Historic Site, including architectural, engineering, interpretive, and site survey services and collections conservation and acquisition to develop museum exhibits, as provided by Strategy A.1.4, Historic Sites, as listed in Chapter 605 (S.B. 1), Acts of the 85th Legislature, Regular Session, 2017 (the General Appropriations Act), (estimated to be \$0) are appropriated to the commission for the same purpose for the two-year period beginning on the effective date of this Act.

SECTION 8.14. STATE PRESERVATION BOARD: CAPITOL AND EXTENSION. (a) All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 9(a), Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular Session, 2021 (the Supplemental Appropriations Act), from the economic stabilization fund to the State Preservation Board for the purpose of performing renovations to the Texas Capitol and the Capitol Extension, including the replacement of the Capitol's historic roof, phase 1 of an exterior waterproofing project for the Capitol and Capitol Extension, and other repairs and renovations to the Capitol, Capitol Extension, Capitol Visitors Center, Capitol grounds, and Governor's Mansion, (estimated to be \$33,605,000) are appropriated to the board for the same purpose for the two-year period beginning on the effective date of this Act.

(b) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the board during that period, the State Preservation Board may use the amount of the appropriation made under Subsection (a) of this section in capital budget authority for that appropriation.

SECTION 8.15. STATE PRESERVATION BOARD: TEXAS STATE HISTORY MUSEUM. (a) All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 9(b), Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular Session, 2021 (the Supplemental Appropriations Act), from the economic stabilization fund to the State Preservation Board for the purpose of performing repairs and renovations to the Texas State History Museum (estimated to be \$2,465,000) are appropriated to the board for the same purpose for the two-year period beginning on the effective date of this Act.

(b) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the board during that period, the State Preservation Board may use the amount of the appropriation made under Subsection (a) of this section in capital budget authority for that appropriation.

SECTION 8.16. STATE PRESERVATION BOARD: STATE CEMETERY MASTER PLAN. All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 55(a)(3), Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular Session, 2021 (the Supplemental Appropriations Act), from the general revenue fund to the State Preservation Board

for the state cemetery master plan (estimated to be \$0) are appropriated to the board for the same purpose for the two-year period beginning on the effective date of this Act.

SECTION 8.17. STATE PRESERVATION BOARD: MAINTENANCE AND CAPITAL IMPROVEMENT PROJECTS. (a) All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 47, Chapter 10 (S.B. 8), Acts of the 87th Legislature, 3rd Called Session, 2021 (the Supplemental Appropriations Act), from the ARPA fund to the State Preservation Board for the purpose of maintenance and capital improvement projects (estimated to be \$10,352,200) are appropriated to the board for the same purpose for the two-year period beginning on the effective date of this Act.

(b) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the board during that period, the State Preservation Board may use the amount of the appropriation made under Subsection (a) of this section in capital budget authority for that appropriation.

SECTION 8.18. SECRETARY OF STATE: LEGACY SYSTEM MODERNIZATION. All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 35(a)(4), Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular Session, 2021 (the Supplemental Appropriations Act), from the general revenue fund to the Secretary of State for the legacy system modernization project (estimated to be \$0) are appropriated to the Secretary of State for the same purpose for the two-year period beginning on the effective date of this Act.

SECTION 8.19. DEPARTMENT OF INFORMATION RESOURCES: ENDPOINT DETECTION AND RESPONSE. (a) All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 35(e)(9), Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular Session, 2021 (the Supplemental Appropriations Act), from the general revenue fund to the Department of Information Resources for cybersecurity endpoint detection and response (estimated to be \$11,302,238) are appropriated to the department for the same purpose for the two-year period beginning on the effective date of this Act.

(b) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the department during that period, the Department of Information Resources may use the amount of the appropriation made under Subsection (a) of this section in capital budget authority for that appropriation.

SECTION 8.20. DEPARTMENT OF INFORMATION RESOURCES: ENDPOINT DETECTION AND RESPONSE. (a) All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 12(a)(1), Chapter 7 (H.B. 5), Acts of the 87th Legislature, 2nd Called Session, 2021 (the Supplemental Appropriations Act), from the general revenue fund to the Department of Information Resources for the purpose of providing cybersecurity enhancements for the state, specifically for endpoint detection and response, (estimated to be \$6,534,350) are appropriated to the department for the same purpose for the two-year period beginning on the effective date of this Act.

(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 department to employ during that period, the Department of Information Resources may employ out of money appropriated by Subsection (a) of this section one full-time equivalent (FTE) employee for endpoint detection and response.

(c) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the department during that period, the Department of Information Resources may use the amount of the appropriation made under Subsection (a) of this section in capital budget authority for that appropriation.

**SECTION 8.21. DEPARTMENT OF INFORMATION RESOURCES: SECURITY OPERATIONS CENTER.** (a) All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 12(a)(2), Chapter 7 (H.B. 5), Acts of the 87th Legislature, 2nd Called Session, 2021 (the Supplemental Appropriations Act), from the general revenue fund to the Department of Information Resources for the purpose of providing cybersecurity enhancements for the state, specifically for the security operations center, (estimated to be \$2,670,231) are appropriated to the department for the same purpose for the two-year period beginning on the effective date of this Act.

(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 department to employ during that period, the Department of Information Resources may employ out of money appropriated by Subsection (a) of this section seven full-time equivalent (FTE) employees for the security operations center.

(c) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the department during that period, the Department of Information Resources may use the amount of the appropriation made under Subsection (a) of this section in capital budget authority for that appropriation.

**SECTION 8.22. DEPARTMENT OF INFORMATION RESOURCES: MULTIFACTOR AUTHENTICATION EXPANSION.** (a) All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 12(a)(3), Chapter 7 (H.B. 5), Acts of the 87th Legislature, 2nd Called Session, 2021 (the Supplemental Appropriations Act), from the general revenue fund to the Department of Information Resources for the purpose of providing cybersecurity enhancements for the state, specifically for multifactor authentication expansion, (estimated to be \$3,690,438) are appropriated to the department for the same purpose for the two-year period beginning on the effective date of this Act.

(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 department to employ during that period, the Department of Information Resources may employ out of money appropriated by Subsection (a) of this section one full-time equivalent (FTE) employee for the multifactor authentication expansion.

(c) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the department during that period, the Department of Information Resources may use the amount of the appropriation made under Subsection (a) of this section in capital budget authority for that appropriation.

SECTION 8.23. DEPARTMENT OF STATE HEALTH SERVICES: RIO GRANDE VALLEY LABORATORY. All unexpended and unobligated balances remaining as of the effective date of this Act from the appropriations made by Section 16, Chapter 10 (S.B. 8), Acts of the 87th Legislature, 3rd Called Session, 2021 (the Supplemental Appropriations Act), from the ARPA fund to the Department of State Health Services for the purpose of upgrading existing laboratory facilities associated with a level 1 trauma facility in Hidalgo County and new laboratory infrastructure in Starr County (estimated to be \$0) are appropriated to the department for the same purpose for the two-year period beginning on the effective date of this Act.

SECTION 8.24. HEALTH AND HUMAN SERVICES COMMISSION: BUILDING. (a) All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 10, Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular Session, 2021 (the Supplemental Appropriations Act), from master lease purchase revenue bonds to the Health and Human Services Commission to address deferred maintenance needs at state supported living centers and state hospitals as described by that section (estimated to be \$23,675,095) are appropriated to the commission for the same purpose for the two-year period beginning on the effective date of this Act.

(b) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the commission during that period, the Health and Human Services Commission may use the amount of the appropriation made under Subsection (a) of this section in capital budget authority for that appropriation.

SECTION 8.25. HEALTH AND HUMAN SERVICES COMMISSION: CONSTRUCTION OF STATE HOSPITALS. All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 11, Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular Session, 2021 (the Supplemental Appropriations Act), from the economic stabilization fund to the Health and Human Services Commission for projects that have been approved under the provisions of Rider 221, page II-110, Chapter 605 (S.B. 1), Acts of the 85th Legislature, Regular Session, 2017 (the General Appropriations Act), to the bill pattern of the appropriations to the commission and appropriated again by Chapter 1353 (H.B. 1), Acts of the 86th Legislature, Regular Session, 2019 (the General Appropriations Act), (estimated to be \$0) are appropriated to the commission for the same purpose for the two-year period beginning on the effective date of this Act.

SECTION 8.26. HEALTH AND HUMAN SERVICES COMMISSION: MIGRATION OF CERTAIN SYSTEMS. (a) All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 35(a)(6), Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular Session, 2021 (the Supplemental Appropriations Act), from the general revenue fund to the Health and Human Services Commission for the migration of CLASS, CLASSMATE,

and Public and Provider systems from the Texas Department of Family and Protective Services to the commission (estimated to be \$5,324,542) are appropriated to the commission for the same purpose for the two-year period beginning on the effective date of this Act.

(b) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the commission during that period, the Health and Human Services Commission may use the amount of the appropriation made under Subsection (a) of this section in capital budget authority for that appropriation.

**SECTION 8.27. HEALTH AND HUMAN SERVICES COMMISSION: MANAGEMENT INFORMATION SYSTEMS MODERNIZATION AND PROCUREMENT AND TRANSITION PHASE 1.** (a) All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 35(a)(7), Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular Session, 2021 (the Supplemental Appropriations Act), from the general revenue fund and federal funds to the Health and Human Services Commission for phase 1 of the management information systems modernization and procurement and transition (estimated to be an aggregate of \$258,322,269, of which \$29,708,530 is estimated to be from the general revenue fund and \$228,613,739 is estimated to be from federal funds) are appropriated to the commission for the same purpose for the two-year period beginning on the effective date of this Act.

(b) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the commission during that period, the Health and Human Services Commission may use the amount of the appropriation made under Subsection (a) of this section in capital budget authority for that appropriation.

**SECTION 8.28. HEALTH AND HUMAN SERVICES COMMISSION: VENDOR DRUG PROGRAM PHARMACY BENEFITS SERVICES MODERNIZATION.** (a) All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 35(a)(8), Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular Session, 2021 (the Supplemental Appropriations Act), from the general revenue fund and federal funds to the Health and Human Services Commission for the vendor drug program pharmacy benefits services modernization (estimated to be an aggregate of \$25,213,488, of which \$2,928,372 is estimated to be from the general revenue fund and \$22,285,116 is estimated to be from federal funds) are appropriated to the commission for the same purpose for the two-year period beginning on the effective date of this Act.

(b) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the commission during that period, the Health and Human Services Commission may use the amount of the appropriation made under Subsection (a) of this section in capital budget authority for that appropriation.

**SECTION 8.29. HEALTH AND HUMAN SERVICES COMMISSION: HYBRID CLOUD SYSTEM.** (a) All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 35(a)(9), Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular Session, 2021



(the Supplemental Appropriations Act), from the general revenue fund and federal funds to the Health and Human Services Commission for the development of a system to identify, preserve, collect, analyze, and produce all documents and information including electronically stored information in a hybrid cloud solution (estimated to be an aggregate of \$7,038,000, of which \$4,777,553 is estimated to be from the general revenue fund and \$2,260,447 is estimated to be from federal funds) are appropriated to the commission for the same purpose for the two-year period beginning on the effective date of this Act.

(b) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the commission during that period, the Health and Human Services Commission may use the amount of the appropriation made under Subsection (a) of this section in capital budget authority for that appropriation.

SECTION 8.30. HEALTH AND HUMAN SERVICES COMMISSION: SYSTEMWIDE BUSINESS ENABLEMENT PLATFORM PROJECT. (a) All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 35(c)(5), Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular Session, 2021 (the Supplemental Appropriations Act), from the general revenue fund and federal funds to the Health and Human Services Commission for the systemwide business enablement platform project (estimated to be an aggregate of \$9,616,099, of which \$6,037,560 is estimated to be from the general revenue fund and \$3,578,539 is estimated to be from federal funds) are appropriated to the commission for the same purpose for the two-year period beginning on the effective date of this Act.

(b) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the commission during that period, the Health and Human Services Commission may use the amount of the appropriation made under Subsection (a) of this section in capital budget authority for that appropriation.

SECTION 8.31. HEALTH AND HUMAN SERVICES COMMISSION: END-OF-LIFE/END-OF-SUPPORT INFRASTRUCTURE REPLACEMENT. (a) All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 35(c)(6), Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular Session, 2021 (the Supplemental Appropriations Act), from the general revenue fund and federal funds to the Health and Human Services Commission for replacement of the end-of-life/end-of-support network infrastructure, including routers, switches, perimeter security protection equipment, firewalls, wireless local area networks, and uninterruptible power supplies, (estimated to be an aggregate of \$24,760,758, of which \$17,825,269 is estimated to be from the general revenue fund and \$6,935,489 is estimated to be from federal funds) are appropriated to the commission for the same purpose for the two-year period beginning on the effective date of this Act.

(b) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the commission during that period, the Health and Human Services Commission may use the amount of the appropriation made under Subsection (a) of this section in capital budget authority for that appropriation.

**SECTION 8.32. HEALTH AND HUMAN SERVICES COMMISSION: RESTORING REDUCTIONS FOR CERTAIN INFORMATION TECHNOLOGY PROJECTS.** (a) All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 35(c)(7), Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular Session, 2021 (the Supplemental Appropriations Act), from the general revenue fund and federal funds to the Health and Human Services Commission to restore reductions for certain information technology projects (estimated to be \$5,135,578 from the general revenue fund) are appropriated to the commission for the same purpose for the two-year period beginning on the effective date of this Act.

(b) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the commission during that period, the Health and Human Services Commission may use the amount of the appropriation made under Subsection (a) of this section in capital budget authority for that appropriation.

**SECTION 8.33. HEALTH AND HUMAN SERVICES COMMISSION: FIBER AND CABLING PROJECT UPGRADES AT STATE HOSPITALS AND STATE SUPPORTED LIVING CENTERS.** (a) All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 35(c)(8), Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular Session, 2021 (the Supplemental Appropriations Act), from the general revenue fund to the Health and Human Services Commission for infrastructure upgrades to fiber and cabling projects at state hospitals and state supported living centers (estimated to be \$3,106,672) are appropriated to the commission for the same purpose for the two-year period beginning on the effective date of this Act.

(b) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the commission during that period, the Health and Human Services Commission may use the amount of the appropriation made under Subsection (a) of this section in capital budget authority for that appropriation.

**SECTION 8.34. HEALTH AND HUMAN SERVICES COMMISSION: DATA CENTER CONSOLIDATION.** (a) All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 35(d)(5), Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular Session, 2021 (the Supplemental Appropriations Act), from the general revenue fund and federal funds to the Health and Human Services Commission to provide for data center consolidation (estimated to be an aggregate of \$4,519,412, of which \$2,595,271 is estimated to be from the general revenue fund and \$1,924,141 is estimated to be from federal funds) are appropriated to the commission for the same purpose for the two-year period beginning on the effective date of this Act.

(b) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the commission during that period, the Health and Human Services Commission may use the amount of the appropriation made under Subsection (a) of this section in capital budget authority for that appropriation.

SECTION 8.35. HEALTH AND HUMAN SERVICES COMMISSION: DATA CENTER CONSOLIDATION. (a) All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 35(d)(6), Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular Session, 2021 (the Supplemental Appropriations Act), from the general revenue fund, interagency contract receipts, and federal funds to the Health and Human Services Commission to provide for data center consolidation (estimated to be an aggregate of \$24,947,262, of which \$12,666,241 is estimated to be from the general revenue fund, \$1,660,625 is estimated to be from interagency contract receipts, and \$10,620,396 is estimated to be from federal funds) are appropriated to the commission for the same purpose for the two-year period beginning on the effective date of this Act.

(b) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the commission during that period, the Health and Human Services Commission may use the amount of the appropriation made under Subsection (a) of this section in capital budget authority for that appropriation.

SECTION 8.36. HEALTH AND HUMAN SERVICES COMMISSION: MOTOR VEHICLES. (a) All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 37(a)(1), Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular Session, 2021 (the Supplemental Appropriations Act), from the general revenue fund to the Health and Human Services Commission for the purchase of motor vehicles (estimated to be \$7,060,888) are appropriated to the commission for the same purpose for the two-year period beginning on the effective date of this Act.

(b) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the commission during that period, the Health and Human Services Commission may use the amount of the appropriation made under Subsection (a) of this section in capital budget authority for that appropriation.

SECTION 8.37. HEALTH AND HUMAN SERVICES COMMISSION: CROSS-BIENNIA TRANSFERS FOR STATE HOSPITAL CONSTRUCTION. All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 54, Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular Session, 2021 (the Supplemental Appropriations Act), from the economic stabilization fund to the Health and Human Services Commission for continuing improvements to state hospital facilities (estimated to be \$0) are appropriated to the commission for the same purpose for the two-year period beginning on the effective date of this Act.

SECTION 8.38. HEALTH AND HUMAN SERVICES COMMISSION: WINTERS DATA CENTER. (a) All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 55(a)(4),

Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular Session, 2021 (the Supplemental Appropriations Act), from the general revenue fund to the Health and Human Services Commission for the Winters Data Center (estimated to be \$755,896) are appropriated to the commission for the same purpose for the two-year period beginning on the effective date of this Act.

(b) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the commission during that period, the Health and Human Services Commission may use the amount of the appropriation made under Subsection (a) of this section in capital budget authority for that appropriation.

SECTION 8.39. HEALTH AND HUMAN SERVICES COMMISSION: WINTERS DATA CENTER. (a) All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 55(b)(1), Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular Session, 2021 (the Supplemental Appropriations Act), from federal funds to the Health and Human Services Commission for the Winters Data Center (estimated to be \$744,104) are appropriated to the commission for the same purpose for the two-year period beginning on the effective date of this Act.

(b) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the commission during that period, the Health and Human Services Commission may use the amount of the appropriation made under Subsection (a) of this section in capital budget authority for that appropriation.

SECTION 8.40. HEALTH AND HUMAN SERVICES COMMISSION: AUSTIN STATE HOSPITAL. (a) All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 64(1), Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular Session, 2021 (the Supplemental Appropriations Act), from the economic stabilization fund to the Health and Human Services Commission to finish construction of a 240-bed replacement campus of the Austin State Hospital (estimated to be \$9,599,400) are appropriated to the commission for the same purpose for the two-year period beginning on the effective date of this Act.

(b) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the commission during that period, the Health and Human Services Commission may use the amount of the appropriation made under Subsection (a) of this section in capital budget authority for that appropriation.

SECTION 8.41. HEALTH AND HUMAN SERVICES COMMISSION: SAN ANTONIO STATE HOSPITAL. (a) All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 64(2), Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular Session, 2021 (the Supplemental Appropriations Act), from the economic stabilization fund to the Health and Human Services Commission to finish construction of a 300-bed replacement campus of the San Antonio State Hospital (estimated to be \$152,400,000) are appropriated to the commission for the same purpose for the two-year period beginning on the effective date of this Act.

(b) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the commission during that period, the Health and Human Services Commission may use the amount of the appropriation made under Subsection (a) of this section in capital budget authority for that appropriation.

SECTION 8.42. HEALTH AND HUMAN SERVICES COMMISSION: DALLAS-FORT WORTH HOSPITAL. (a) All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 64(3), Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular Session, 2021 (the Supplemental Appropriations Act), from the economic stabilization fund to the Health and Human Services Commission to begin preplanning and planning efforts of a new state hospital in the Dallas-Fort Worth metropolitan area, including the acquisition of land for that purpose (estimated to be \$4,475,000), are appropriated to the commission for the same purpose for the two-year period beginning on the effective date of this Act.

(b) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the commission during that period, the Health and Human Services Commission may use the amount of the appropriation made under Subsection (a) of this section in capital budget authority for that appropriation.

SECTION 8.43. HEALTH AND HUMAN SERVICES COMMISSION: DALLAS-FORT WORTH HOSPITAL. (a) All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 11, Chapter 10 (S.B. 8), Acts of the 87th Legislature, 3rd Called Session, 2021 (the Supplemental Appropriations Act), from the ARPA fund to the Health and Human Services Commission for the purpose of construction of a state hospital in Dallas (estimated to be \$22,800,000) are appropriated to the commission for the two-year period beginning on the effective date of this Act for the purpose of construction of a new state hospital in the Dallas-Fort Worth metropolitan area.

(b) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the commission during that period, the Health and Human Services Commission may use the amount of the appropriation made under Subsection (a) of this section in capital budget authority for that appropriation.

SECTION 8.44. HEALTH AND HUMAN SERVICES COMMISSION: OVERSIGHT OF CERTAIN CONSTRUCTION PROJECTS. (a) All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 64(4), Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular Session, 2021 (the Supplemental Appropriations Act), from the general revenue fund to the Health and Human Services Commission for one full-time equivalent (FTE) employee to oversee the construction projects described by Subdivisions (1), (2), and (3) of that section (estimated to be \$0) are appropriated to the commission for the same purpose for the two-year period beginning on the effective date of this Act.

(b) Any additional full-time equivalent (FTE) employees the Health and Human Services Commission may require to achieve the purpose for which the appropriation under Subsection (a) of this section was made are reflected in the total number of full-time equivalent (FTE) employees authorized for the commission in H.B. 1, Acts of the 88th Legislature, Regular Session, 2023 (the General Appropriations Act).

SECTION 8.45. HEALTH AND HUMAN SERVICES COMMISSION: RURAL HOSPITALS. All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 12, Chapter 10 (S.B. 8), Acts of the 87th Legislature, 3rd Called Session, 2021 (the Supplemental Appropriations Act), from the ARPA fund to the Health and Human Services Commission for the purpose of providing funding for grants to support rural hospitals that have been affected by the COVID-19 pandemic (estimated to be \$0) are appropriated to the commission for the same purpose for the two-year period beginning on the effective date of this Act.

SECTION 8.46. HEALTH AND HUMAN SERVICES COMMISSION: INTERNET PORTAL. All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 13, Chapter 10 (S.B. 8), Acts of the 87th Legislature, 3rd Called Session, 2021 (the Supplemental Appropriations Act), from the ARPA fund to the Health and Human Services Commission for the purpose of providing funding for the creation of a consolidated Internet portal for Medicaid and the Children's Health Insurance Program medical services provider data (estimated to be \$0) are appropriated to the commission for the same purpose for the two-year period beginning on the effective date of this Act.

SECTION 8.47. HEALTH AND HUMAN SERVICES COMMISSION: TECHNOLOGY UPDATES. All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 14, Chapter 10 (S.B. 8), Acts of the 87th Legislature, 3rd Called Session, 2021 (the Supplemental Appropriations Act), from the ARPA fund to the Health and Human Services Commission for the purpose of providing funding for technology updates to the Medicaid eligibility computer system (estimated to be \$0) are appropriated to the commission for the same purpose for the two-year period beginning on the effective date of this Act.

SECTION 8.48. HEALTH AND HUMAN SERVICES COMMISSION: TEXAS CIVIL COMMITMENT OFFICE. All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 15, Chapter 10 (S.B. 8), Acts of the 87th Legislature, 3rd Called Session, 2021 (the Supplemental Appropriations Act), from the ARPA fund to the Health and Human Services Commission for the purpose of providing funding for COVID-19 related expenses incurred by the Texas Civil Commitment Office related to consumable supplies and travel (estimated to be \$0) are appropriated to the commission for the same purpose for the two-year period beginning on the effective date of this Act.

SECTION 8.49. HEALTH AND HUMAN SERVICES COMMISSION: SUNRISE CANYON HOSPITAL. All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 22, Chapter 10 (S.B. 8), Acts of the 87th Legislature, 3rd Called Session, 2021 (the Supplemental Appropriations Act), from the ARPA fund to the Health and Human

Services Commission for the purpose of providing funding for the expansion of capacity of Sunrise Canyon Hospital (estimated to be \$14,843,738) are appropriated to the commission for the same purpose for the two-year period beginning on the effective date of this Act.

SECTION 8.50. HEALTH AND HUMAN SERVICES COMMISSION: STAFFING NEEDS. (a) All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 33, Chapter 10 (S.B. 8), Acts of the 87th Legislature, 3rd Called Session, 2021 (the Supplemental Appropriations Act), from the ARPA fund to the Health and Human Services Commission for the purpose of providing funding to administer one-time grants related to providing critical staffing needs resulting from frontline health care workers affected by COVID-19 as described by that section (estimated to be \$0) are appropriated to the commission for the same purpose for the two-year period beginning on the effective date of this Act.

(b) Money appropriated by Subsection (a) of this section is subject to all the restrictions, reporting requirements, and statements of legislative intent provided by Section 33, Chapter 10 (S.B. 8), Acts of the 87th Legislature, 3rd Called Session, 2021 (the Supplemental Appropriations Act).

SECTION 8.51. TEXAS A&M UNIVERSITY AT GALVESTON: MARITIME INFRASTRUCTURE PROJECT. (a) All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 59, Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular Session, 2021 (the Supplemental Appropriations Act), from the general revenue fund to Texas A&M University at Galveston for dock and other infrastructure improvements needed to accept new and larger vessels from the United States Department of Transportation and the United States Maritime Administration (MARAD) (estimated to be \$43,000,000) are appropriated to the university for the same purpose for the two-year period beginning on the effective date of this Act.

(b) The legislature finds that there is a demonstrated need for the appropriation of general revenue funds for the purpose described by Subsection (a) of this section. The appropriation made by this section is contingent on approval by two-thirds of each chamber of the legislature, as required by Section 18(i), Article VII, Texas Constitution.

SECTION 8.52. HIGHER EDUCATION COORDINATING BOARD: TEXAS CHILD MENTAL HEALTH CARE CONSORTIUM. (a) All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 8, Chapter 10 (S.B. 8), Acts of the 87th Legislature, 3rd Called Session, 2021 (the Supplemental Appropriations Act), from the ARPA fund to the Higher Education Coordinating Board for the purpose of supporting the operations and expansion of the Texas Child Mental Health Care Consortium to expand mental health initiatives for children, pregnant women, and women who are up to one year postpartum (estimated to be \$56,541,442) are appropriated to the coordinating board for the same purpose for the two-year period beginning on the effective date of this Act.

(b) At the direction of the Texas Child Mental Health Care Consortium, the Higher Education Coordinating Board shall transfer money appropriated under Subsection (a) of this section to health-related institutions of higher education through interagency contracts for:

- (1) enhancements and expansion of the Child Psychiatry Access Network;
- (2) enhancements and expansion of the Texas Child Access Through Telemedicine program;
- (3) expansion of the child and adolescent mental health workforce; and
- (4) administrative expenses.

(c) The Texas Child Mental Health Care Consortium may transfer money allocated for a purpose described by Subsection (b)(1), (2), or (3) of this section to any other purpose described by those subdivisions, except that a transfer of more than 10 percent of the money allocated for one of those purposes may be made only with the prior approval for the transfer and expenditure from the Legislative Budget Board. A request for approval of the transfer and expenditure by the consortium is considered approved unless the Legislative Budget Board issues a written disapproval within 10 business days of the receipt and review of the request by the Legislative Budget Board.

(d) Out of money appropriated by Subsection (a) of this section, the Texas Child Mental Health Care Consortium may enhance the Child Psychiatry Access Network to improve perinatal mental health services.

**SECTION 8.53. TEXAS DIVISION OF EMERGENCY MANAGEMENT: STATE OPERATIONS CENTER.** All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 9, Chapter 10 (S.B. 8), Acts of the 87th Legislature, 3rd Called Session, 2021 (the Supplemental Appropriations Act), from the ARPA fund to the Texas Division of Emergency Management for the purpose of the acquisition of land for, and construction of, a state operations center (estimated to be \$0) are appropriated to the division for the same purpose for the two-year period beginning on the effective date of this Act.

**SECTION 8.54. THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON: TEXAS EPIDEMIC PUBLIC HEALTH INSTITUTE.** All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 17, Chapter 10 (S.B. 8), Acts of the 87th Legislature, 3rd Called Session, 2021 (the Supplemental Appropriations Act), from the ARPA fund to The University of Texas Health Science Center at Houston for the purpose of operating the Texas Epidemic Public Health Institute (estimated to be \$12,275,876) are appropriated to the center for the same purpose for the two-year period beginning on the effective date of this Act.

**SECTION 8.55. TEXAS TECH UNIVERSITY: INSTITUTIONAL ENHANCEMENTS.** All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 40(1), Chapter 10 (S.B. 8), Acts of the 87th Legislature, 3rd Called Session, 2021 (the Supplemental Appropriations Act), from the ARPA fund to Texas Tech University for institutional enhancement (estimated to be \$12,000,000) are appropriated to the university for the same purpose for the two-year period beginning on the effective date of this Act.



SECTION 8.56. HIGHER EDUCATION COORDINATING BOARD: RURAL VETERINARIANS GRANT PROGRAM. All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 46, Chapter 10 (S.B. 8), Acts of the 87th Legislature, 3rd Called Session, 2021 (the Supplemental Appropriations Act), from the ARPA fund to the Higher Education Coordinating Board for the purpose of providing funding for the rural veterinarians grant program (estimated to be \$1,000,000) are appropriated to the coordinating board for the same purpose for the two-year period beginning on the effective date of this Act.

SECTION 8.57. TEXAS EDUCATION AGENCY: MAINTENANCE OF STATE FINANCIAL SUPPORT FOR SPECIAL EDUCATION. (a) In addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2023, the amount of \$74,626,551 is appropriated from the general revenue fund to the Texas Education Agency for the two-year period beginning on the effective date of this Act to offset federal funds withheld or expected to be withheld as a result of a failure to maintain adequate state financial support for special education under federal law (20 U.S.C. Section 1412(a)(18)(A) and 34 C.F.R. Section 300.163(a)), during the state fiscal years ending August 31, 2017, and August 31, 2018.

(b) Money appropriated by Subsection (a) of this section must be used:

(1) in the same manner and for the same purposes as the withheld federal funds would have been used; or

(2) to assist students eligible for special education services in this state with education needs.

(c) The unencumbered appropriations from the general revenue fund to the Texas Education Agency made by Section 13(a)(2), Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular Session, 2021 (the Supplemental Appropriations Act), are reduced by \$74,626,551.

SECTION 8.58. TEXAS EDUCATION AGENCY: PROGRAM ENHANCEMENTS. All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 44, Chapter 10 (S.B. 8), Acts of the 87th Legislature, 3rd Called Session, 2021 (the Supplemental Appropriations Act), from the ARPA fund to the Texas Education Agency for the purpose of providing funding for the big brothers and big sisters program technological staff enhancements (estimated to be \$0) are appropriated to the agency for the same purpose for the two-year period beginning on the effective date of this Act.

SECTION 8.59. TEXAS EDUCATION AGENCY: CERTAIN PUBLIC SCHOOL CURRICULUM. All unexpended and unobligated balances remaining as of the effective date of this Act from the appropriations made by Section 10, Chapter 7 (H.B. 5), Acts of the 87th Legislature, 2nd Called Session, 2021 (the Supplemental Appropriations Act), from the general revenue fund to the Texas Education Agency for the purpose of implementing the provisions of Chapter 9 (S.B. 3), 87th Legislature, 2nd Called Session, 2021, (estimated to be \$0) are appropriated to the agency for the same purpose for the two-year period beginning on the effective date of this Act.

SECTION 8.60. OFFICE OF COURT ADMINISTRATION, TEXAS JUDICIAL COUNCIL: BOND LEGISLATION. (a) All unexpended and unobligated balances remaining as of the effective date of this Act from the appropriations made by Section 14, Chapter 7 (H.B. 5), Acts of the 87th Legislature, 2nd Called Session, 2021 (the Supplemental Appropriations Act), from the general revenue fund and the General Revenue-Dedicated Statewide Electronic Filing System Account No. 5157 to the Office of Court Administration, Texas Judicial Council for the purpose of implementing the provisions of Chapter 11 (S.B. 6), 87th Legislature, 2nd Called Session, 2021, (estimated to be \$0 from the general revenue fund and \$0 from the General Revenue-Dedicated Statewide Electronic Filing System Account No. 5157) are appropriated to the office for the same purpose for the two-year period beginning on the effective date of this Act.

(b) Any additional full-time equivalent (FTE) employees the Office of Court Administration, Texas Judicial Council may require to achieve the purpose for which the appropriation under Subsection (a) of this section was made are reflected in the total number of full-time equivalent (FTE) employees authorized for the office in H.B. 1, Acts of the 88th Legislature, Regular Session, 2023 (the General Appropriations Act).

SECTION 8.61. OFFICE OF COURT ADMINISTRATION, TEXAS JUDICIAL COUNCIL. (a) All unexpended and unobligated balances remaining as of the effective date of this Act from the appropriations made by Section 1(a), Chapter 8 (H.B. 9), Acts of the 87th Legislature, 2nd Called Session, 2021 (the Supplemental Appropriations Act), from the general revenue fund to the Office of Court Administration, Texas Judicial Council for the purpose of providing funding for indigent legal representation, foreign language interpreters for courts, increased staff functions, equipment purchases, and program administration costs (estimated to be \$116,453) are appropriated to the office for the same purpose for the two-year period beginning on the effective date of this Act.

(b) Any additional full-time equivalent (FTE) employees the Office of Court Administration, Texas Judicial Council may require to achieve the purpose for which the appropriation under Subsection (a) of this section was made are reflected in the total number of full-time equivalent (FTE) employees authorized for the office in H.B. 1, Acts of the 88th Legislature, Regular Session, 2023 (the General Appropriations Act).

(c) Consistent with Section 8, Chapter 8 (H.B. 9), Acts of the 87th Legislature, 2nd Called Session, 2021 (the Supplemental Appropriations Act), the Office of Court Administration, Texas Judicial Council shall report all budgeted and expended amounts and performance indicator results for border security relating to the appropriation made under Subsection (a) of this section to the Legislative Budget Board.

SECTION 8.62. COMPTROLLER OF PUBLIC ACCOUNTS, JUDICIARY SECTION: APPROPRIATIONS FOR SHORTFALL IN COURT FEES. All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 29(a)(1), Chapter 10 (S.B. 8), Acts of the 87th Legislature, 3rd Called Session, 2021 (the Supplemental Appropriations Act), from the ARPA fund to the Comptroller of Public Accounts, Judiciary Section for the

purpose of addressing the backlog in court cases, including to pay for visiting judges and support staff (estimated to be \$7,000,000), are appropriated to the judiciary section for the same purpose for the two-year period beginning on the effective date of this Act.

**SECTION 8.63. OFFICE OF COURT ADMINISTRATION, TEXAS JUDICIAL COUNCIL: APPROPRIATIONS FOR SHORTFALL IN COURT FEES.**

(a) All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 29(a)(2)(A), Chapter 10 (S.B. 8), Acts of the 87th Legislature, 3rd Called Session, 2021 (the Supplemental Appropriations Act), from the ARPA fund to the Office of Court Administration, Texas Judicial Council for the purpose of addressing the backlog in court cases, including information technology support, (estimated to be \$1,520,000) are appropriated to the office for the same purpose for the two-year period beginning on the effective date of this Act.

(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 out of money appropriated by Subsection (a) of this section eight full-time equivalent (FTE) employees.

(c) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the office during that period, the Office of Court Administration, Texas Judicial Council may use the amount of the appropriation made under Subsection (a) of this section in capital budget authority for that appropriation.

**SECTION 8.64. OFFICE OF COURT ADMINISTRATION, TEXAS JUDICIAL COUNCIL: APPROPRIATIONS FOR SHORTFALL IN COURT FEES.**

All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 29(a)(2)(B), Chapter 10 (S.B. 8), Acts of the 87th Legislature, 3rd Called Session, 2021 (the Supplemental Appropriations Act), from the ARPA fund to the Office of Court Administration, Texas Judicial Council 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 (estimated to be \$0), are appropriated to the office for the same purpose for the two-year period beginning on the effective date of this Act.

**SECTION 8.65. OFFICE OF CAPITAL AND FORENSIC WRITS: APPROPRIATIONS FOR SHORTFALL IN COURT FEES.**

(a) All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 29(a)(3), Chapter 10 (S.B. 8), Acts of the 87th Legislature, 3rd Called Session, 2021 (the Supplemental Appropriations Act), from the ARPA fund to the Office of Capital and Forensic Writs for the purpose of addressing the backlog in court cases and paying costs related to the coronavirus disease pandemic (estimated to be \$15,000) are appropriated to the office for the same purpose for the two-year period beginning on the effective date of this Act.

(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 Capital and Forensic Writs may employ out of money appropriated by Subsection (a) of this section one full-time equivalent (FTE) employee.

**SECTION 8.66. RAILROAD COMMISSION: MAINFRAME TRANSFORMATION.** All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 62, Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular Session, 2021 (the Supplemental Appropriations Act), from the general revenue fund and the Oil and Gas Regulation and Cleanup Account No. 5155 to the Railroad Commission for the purpose of phase two of an information technology mainframe computer transformation project (estimated to be \$10,737,824) are appropriated to the commission for the same purpose for the two-year period beginning on the effective date of this Act.

**SECTION 8.67. DEPARTMENT OF AGRICULTURE: NUTRITION ASSISTANCE.** All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 28, Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular Session, 2021 (the Supplemental Appropriations Act), from the general revenue fund to the Department of Agriculture to be used for Texans Feeding Texans - Home Delivered Meals Program and Texans Feeding Texans - Surplus Agricultural Products Grant Program (estimated to be \$0) are appropriated to the department for the same purpose for the two-year period beginning on the effective date of this Act.

**SECTION 8.68. GENERAL LAND OFFICE: ALAMO.** All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 29, Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular Session, 2021 (the Supplemental Appropriations Act), from the economic stabilization fund to the General Land Office for the purposes authorized by Subchapter I, Chapter 31, Natural Resources Code, (estimated to be \$50,000,000) are appropriated to the office for the same purpose for the two-year period beginning on the effective date of this Act.

**SECTION 8.69. PARKS AND WILDLIFE DEPARTMENT: LOCAL PARK GRANTS.** All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 36, Chapter 10 (S.B. 8), Acts of the 87th Legislature, 3rd Called Session, 2021 (the Supplemental Appropriations Act), from the ARPA fund to the Parks and Wildlife Department for the purpose of providing funding for grants throughout this state as authorized by other law and consistent with Strategy B.2.1, Local Park Grants, as listed in Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), (estimated to be \$40,000,000) are appropriated to the department for the same purpose for the two-year period beginning on the effective date of this Act.

**SECTION 8.70. COMMISSION ON ENVIRONMENTAL QUALITY: ENVIRONMENTAL REMEDIATION AT CLOSED BATTERY RECYCLING FACILITY.** All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), from the

hazardous and solid waste remediation fee account number 0550 to the Commission on Environmental Quality for environmental remediation at a closed battery recycling facility site located in a municipality (estimated to be \$3,000,000) are appropriated to the commission for the same purpose for the two-year period beginning on the effective date of this Act.

SECTION 8.71. DEPARTMENT OF TRANSPORTATION: PRESIDIO CUSTOMS INSPECTION STATION. All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 31, Chapter 10 (S.B. 8), Acts of the 87th Legislature, 3rd Called Session, 2021 (the Supplemental Appropriations Act), from the ARPA fund to the Department of Transportation for the purpose of providing funding for a customs inspection station on the South Orient Rail Line in Presidio, Texas (estimated to be \$0), are appropriated to the department for the same purpose for the two-year period beginning on the effective date of this Act.

SECTION 8.72. DEPARTMENT OF MOTOR VEHICLES: ACCOUNTS RECEIVABLE SYSTEM PROJECT. All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 35(c)(11), Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular Session, 2021 (the Supplemental Appropriations Act), from the Texas Department of Motor Vehicles fund to the Department of Motor Vehicles for the Accounts Receivable System Project (estimated to be \$0) are appropriated to the department for the same purpose for the two-year period beginning on the effective date of this Act.

SECTION 8.73. DEPARTMENT OF AGRICULTURE: FOOD BANKS. All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 7, Chapter 10 (S.B. 8), Acts of the 87th Legislature, 3rd Called Session, 2021 (the Supplemental Appropriations Act), from the ARPA fund to the Department of Agriculture for the purpose of providing supplemental funding to food banks in response to the coronavirus pandemic (estimated to be \$72,600,000) are appropriated to the department for the purpose of providing supplemental funding to food banks for the two-year period beginning on the effective date of this Act.

SECTION 8.74. OFFICE OF THE ATTORNEY GENERAL: SEXUAL ASSAULT PROGRAM ACCOUNT. All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 27, Chapter 10 (S.B. 8), Acts of the 87th Legislature, 3rd Called Session, 2021 (the Supplemental Appropriations Act), from the ARPA fund 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 (estimated to be \$20,851,248) are appropriated to the office for the same purpose for the two-year period beginning on the effective date of this Act.

SECTION 8.75. OFFICE OF THE ATTORNEY GENERAL: LEGAL CASE LEGACY MODERNIZATION PROJECT. All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 35(a)(1), Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular Session, 2021 (the Supplemental Appropriations Act), from the general revenue fund and interagency contract proceeds to the Office of the Attorney General for the legal case

legacy modernization project (estimated to be an aggregate of \$711,370, of which \$690,314 is estimated to be from the general revenue fund and \$21,056 is estimated to be from interagency contract proceeds) are appropriated to the office for the same purpose for the two-year period beginning on the effective date of this Act.

**SECTION 8.76. OFFICE OF THE ATTORNEY GENERAL: SYSTEM MODERNIZATION PROJECT PHASE 1.** All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 35(a)(2), Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular Session, 2021 (the Supplemental Appropriations Act), from appropriated receipts and federal funds to the Office of the Attorney General for the system modernization project phase 1 (estimated to be an aggregate of \$2,477,235, of which \$842,260 is estimated to be from appropriated receipts and \$1,634,975 is estimated to be from federal funds) are appropriated to the office for the same purpose for the two-year period beginning on the effective date of this Act.

**SECTION 8.77. OFFICE OF THE ATTORNEY GENERAL: SYSTEM MODERNIZATION PROJECT PHASE 2.** All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 35(a)(3), Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular Session, 2021 (the Supplemental Appropriations Act), from the general revenue fund and federal funds to the Office of the Attorney General for the system modernization project phase 2 (estimated to be an aggregate of \$6,204,308, of which \$2,109,465 is estimated to be from the general revenue fund and \$4,094,843 is estimated to be from federal funds) are appropriated to the office for the same purpose for the two-year period beginning on the effective date of this Act.

**SECTION 8.78. TRUSTEED PROGRAMS WITHIN THE OFFICE OF THE GOVERNOR: VICTIMS OF CRIME.** All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 24, Chapter 10 (S.B. 8), Acts of the 87th Legislature, 3rd Called Session, 2021 (the Supplemental Appropriations Act), from the ARPA fund to the Trusteed Programs within the Office of the Governor for the purpose of providing funding for grants for victims of crime (estimated to be \$0) are appropriated to the trusteed programs for the same purpose for the two-year period beginning on the effective date of this Act.

**SECTION 8.79. TEXAS DEPARTMENT OF CRIMINAL JUSTICE: CORRECTIONAL MANAGED HEALTH CARE.** All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 35(c)(9), Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular Session, 2021 (the Supplemental Appropriations Act), from the general revenue fund to the Texas Department of Criminal Justice for a technology component for inmate health care (estimated to be \$0) are appropriated to the department for the same purpose for the two-year period beginning on the effective date of this Act.

**SECTION 8.80. TEXAS DEPARTMENT OF CRIMINAL JUSTICE: CORRECTIONS INFORMATION TECHNOLOGY SYSTEM PROJECT.** All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 23, Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular Session, 2021 (the Supplemental Appropriations Act), from the economic stabilization fund to the Texas Department of Criminal Justice to be used

for corrections information technology system projects as provided under Strategy G.1.4, Information Resources, as listed in Chapter 605 (S.B. 1), Acts of the 85th Legislature, Regular Session, 2017 (the General Appropriations Act), (estimated to be \$0) are appropriated to the department for the same purpose for the two-year period beginning on the effective date of this Act.

SECTION 8.81. PARKS AND WILDLIFE DEPARTMENT: VETERANS MEMORIAL PARK AND FLAG PARK. All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), from the sporting goods sales tax transfer to the Texas recreation and parks account number 0467 to the Parks and Wildlife Department to provide a grant for Veterans Memorial Park and Flag Park (estimated to be \$7,000,000) are appropriated to the department for the same purpose for the two-year period beginning on the effective date of this Act.

SECTION 8.82. PARKS AND WILDLIFE DEPARTMENT: CARRYFORWARD AUTHORITY FOR SUPPLY CHAIN DELAYS. (a) All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 63, Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular Session, 2021 (the Supplemental Appropriations Act), from the general revenue fund, the state parks account number 0064, and the game, fish, and water safety account number 0009 to the Parks and Wildlife Department for the purpose of purchasing capital transportation and motor vehicles (estimated to be \$0) are appropriated to the department for the same purpose for the two-year period beginning on the effective date of this Act.

(b) In the event that amounts appropriated by Section 63, Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular Session, 2021 (the Supplemental Appropriations Act), to the Parks and Wildlife Department for the purpose of purchasing capital transportation and motor vehicles that are encumbered on the effective date of this Act and become unencumbered after that date due to manufacturer cancellation or similar circumstance, those amounts are appropriated to the department for the same purpose for the two-year period beginning on the effective date of this Act.

SECTION 8.83. TRUSTEED PROGRAMS WITHIN THE OFFICE OF THE GOVERNOR: TOURISM, TRAVEL, AND HOSPITALITY RECOVERY GRANTS. (a) All unexpended and unobligated balances remaining as of the effective date of this Act from appropriations made by Section 2, Chapter 10 (S.B. 8), Acts of the 87th Legislature, 3rd Called Session, 2021 (the Supplemental Appropriations Act), from the ARPA fund to the Trusteed Programs within the Office of the Governor for the purpose of providing funding for grants for tourism, travel, and hospitality industry recovery, to the extent the grants are authorized by other law, (estimated to be \$0) are appropriated to the trusteed programs for the same purpose for the two-year period beginning on the effective date of this Act.

(b) 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 does not exceed \$250,000.

## ARTICLE 9. MISCELLANEOUS PROVISIONS

SECTION 9.01. SALARY INCREASE FOR STATE EMPLOYEES. (a) In this section, "salary increase" means:

(1) a 5.0 percent increase in monthly salary with a minimum increase of \$250 per month, effective July 1, 2023; and

(2) any related employee benefits costs associated with the salary increase described by Subdivision (1) of this subsection, including contributions required by Sections 17.03, page IX-79, and 17.06, page IX-80, Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act).

(b) The amount necessary to pay for a salary increase for all employee positions for state agencies paid according to the Classification Salary Schedules listed in Section 2.01, Article IX, Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), including employee positions for the Higher Education Coordinating Board, Texas A&M University System service agencies, the Teacher Retirement System, the Texas Permanent School Fund Corporation, and agencies funded under Article X of that Act, for the period beginning July 1, 2023, and ending August 31, 2023 (estimated to be an aggregate of \$99,157,791, of which \$63,860,952 is estimated to be from the general revenue fund, \$5,713,926 is estimated to be from general revenue dedicated accounts, \$11,390,274 is estimated to be from other state funds and accounts, and \$18,192,639 is estimated to be from federal funds), is appropriated to the comptroller of public accounts for that period for the purpose of making those salary increases.

(c) The amount appropriated under Subsection (b) of this section includes money from the general revenue fund, general revenue dedicated accounts, and other funds that is intended to provide the salary increase described by that subsection for certain employee positions currently paid from federal funds that are not available for this purpose.

(d) Money appropriated under Subsection (b) of this section may not be used to provide a salary increase for statewide elected officials, justices or judges of the appellate and district courts, district attorneys, criminal district attorneys, county attorneys performing the duties of a district attorney, line item exempt (non-classified) employees, employees of institutions of higher education (other than employees of the Higher Education Coordinating Board or a Texas A&M University System service agency), or the compensatory per diem of board or commission members.

(e) The provisions of Section 6.08, Article IX, Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), requiring salaries and benefits to be paid proportionally from each source of funding are incorporated into this section by reference and apply to the appropriation made under Subsection (b) of this section. Each agency shall pay the salary increase described by that subsection from funds held in the state treasury and from local funds in the same proportion as the employee's regular compensation is paid, unless the employee's salary is paid from federal funds that are not available for that purpose.

(f) The comptroller of public accounts shall allocate money appropriated under Subsection (b) of this section to each agency and to the appropriate employee benefit appropriation items.



(g) A state agency, including a Texas A&M University System service agency, that receives money appropriated under Subsection (b) of this section may not increase fees or taxes to offset the appropriation. The amount necessary to provide the salary increase described by that subsection for employees of a Texas A&M University System service agency or of a state agency subject to a provision in Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), limiting the amount appropriated to the agency to revenues collected by the agency, is included in the amount appropriated under that subsection. This subsection does not apply to the Texas Department of Insurance.

(h) The salary increase provided under Subsection (b) of this section applies to part-time employees hired pursuant to Section 658.009, Government Code. For purposes of this section, in computing the salary increase described by Subsection (b) of this section for those part-time employees, the amount provided for each employee must be proportional to the number of hours the employee works per week as compared to a 40-hour work week.

(i) This section:

(1) applies to:

(A) all staff positions at the Windham School District and the Texas Juvenile Justice Department; and

(B) the non-instructional staff positions at the School for the Deaf and the School for the Blind and Visually Impaired; and

(2) does not apply to the instructional staff positions at the School for the Deaf and the School for the Blind and Visually Impaired whose salaries are statutorily tied to the salary schedule at the Austin Independent School District.

(j) Notwithstanding the Classification Salary Schedules listed in Section 2.01, Article IX, Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), for July and August of 2023:

(1) for Group A4, the minimum annual salary is \$21,893 and the maximum annual salary is \$30,525;

(2) for Group A5, the minimum annual salary is \$22,777 and the maximum annual salary is \$31,840;

(3) for Group A6, the minimum annual salary is \$23,706 and the maximum annual salary is \$33,221;

(4) for Group A7, the minimum annual salary is \$24,681 and the maximum annual salary is \$34,677;

(5) for Group A8, the minimum annual salary is \$25,705 and the maximum annual salary is \$36,229;

(6) for Group A9, the minimum annual salary is \$26,781 and the maximum annual salary is \$37,859;

(7) for Group A10, the minimum annual salary is \$27,910 and the maximum annual salary is \$39,571;

(8) for Group A11, the minimum annual salary is \$29,332 and the maximum annual salary is \$44,355;

(9) for Group A12, the minimum annual salary is \$30,840 and the maximum annual salary is \$46,798;

(10) for Group A13, the minimum annual salary is \$32,439 and the maximum annual salary is \$49,388;

(11) for Group A14, the minimum annual salary is \$34,144 and the maximum annual salary is \$52,134;

(12) for Group A15, the minimum annual salary is \$35,976 and the maximum annual salary is \$55,045;

(13) for Group A16, the minimum annual salary is \$37,918 and the maximum annual salary is \$58,130;

(14) for Group A17, the minimum annual salary is \$39,976 and the maximum annual salary is \$61,399;

(15) for Group A18, the minimum annual salary is \$42,521 and the maximum annual salary is \$67,671;

(16) for Group A19, the minimum annual salary is \$45,244 and the maximum annual salary is \$72,408;

(17) for Group A20, the minimum annual salary is \$48,158 and the maximum annual salary is \$77,477;

(18) for Group A21, the minimum annual salary is \$51,278 and the maximum annual salary is \$82,901;

(19) for Group B10, the minimum annual salary is \$27,910 and the maximum annual salary is \$39,571;

(20) for Group B11, the minimum annual salary is \$29,332 and the maximum annual salary is \$44,355;

(21) for Group B12, the minimum annual salary is \$30,840 and the maximum annual salary is \$46,798;

(22) for Group B13, the minimum annual salary is \$32,439 and the maximum annual salary is \$49,388;

(23) for Group B14, the minimum annual salary is \$34,144 and the maximum annual salary is \$52,134;

(24) for Group B15, the minimum annual salary is \$35,976 and the maximum annual salary is \$55,045;

(25) for Group B16, the minimum annual salary is \$37,918 and the maximum annual salary is \$58,130;

(26) for Group B17, the minimum annual salary is \$39,976 and the maximum annual salary is \$61,399;

(27) for Group B18, the minimum annual salary is \$42,521 and the maximum annual salary is \$67,671;

(28) for Group B19, the minimum annual salary is \$45,244 and the maximum annual salary is \$72,408;

(29) for Group B20, the minimum annual salary is \$48,158 and the maximum annual salary is \$77,477;

(30) for Group B21, the minimum annual salary is \$51,278 and the maximum annual salary is \$82,901;

(31) for Group B22, the minimum annual salary is \$54,614 and the maximum annual salary is \$88,703;

(32) for Group B23, the minimum annual salary is \$58,184 and the maximum annual salary is \$94,913;

(33) for Group B24, the minimum annual salary is \$62,004 and the maximum annual salary is \$101,556;

(34) for Group B25, the minimum annual salary is \$66,259 and the maximum annual salary is \$108,666;

(35) for Group B26, the minimum annual salary is \$72,886 and the maximum annual salary is \$123,267;

(36) for Group B27, the minimum annual salary is \$80,174 and the maximum annual salary is \$135,594;

(37) for Group B28, the minimum annual salary is \$88,191 and the maximum annual salary is \$149,155;

(38) for Group B29, the minimum annual salary is \$97,010 and the maximum annual salary is \$164,069;

(39) for Group B30, the minimum annual salary is \$106,712 and the maximum annual salary is \$180,475;

(40) for Group B31, the minimum annual salary is \$117,383 and the maximum annual salary is \$198,522;

(41) for Group B32, the minimum annual salary is \$129,121 and the maximum annual salary is \$218,376;

(42) for Group B33, the minimum annual salary is \$142,032 and the maximum annual salary is \$240,214;

(43) for Group B34, the minimum annual salary is \$156,236 and the maximum annual salary is \$264,235;

(44) for Group B35, the minimum annual salary is \$171,860 and the maximum annual salary is \$290,658;

(45) for Group B36, the minimum annual salary is \$189,046 and the maximum annual salary is \$319,724;

(46) for Group C01, the annual salary is \$48,255;

(47) for Group C02, the annual salary is \$52,441;

(48) for Group C03:

(A) for employees with less than four years of service, the annual salary is \$62,715;

(B) for employees with four or more years of service but less than eight years of service, the annual salary is \$76,452;

(C) for employees with eight or more years of service but less than 12 years of service, the annual salary is \$81,895;

(D) for employees with 12 or more years of service but less than 16 years of service, the annual salary is \$85,513;

(E) for employees with 16 or more years of service but less than 20 years of service, the annual salary is \$89,464; and

(F) for employees with 20 or more years of service, the annual salary is \$93,414;

(49) for Group C04:

(A) for employees with four or more years of service but less than eight years of service, the annual salary is \$85,696;

(B) for employees with eight or more years of service but less than 12 years of service, the annual salary is \$91,504;

(C) for employees with 12 or more years of service but less than 16 years of service, the annual salary is \$95,254;

(D) for employees with 16 or more years of service but less than 20 years of service, the annual salary is \$99,461; and

(E) for employees with 20 or more years of service, the annual salary is \$101,941;

(50) for Group C05:

(A) for employees with four or more years of service but less than eight years of service, the annual salary is \$97,306;

(B) for employees with eight or more years of service but less than 12 years of service, the annual salary is \$103,579;

(C) for employees with 12 or more years of service but less than 16 years of service, the annual salary is \$107,560;

(D) for employees with 16 or more years of service but less than 20 years of service, the annual salary is \$112,133; and

(E) for employees with 20 or more years of service, the annual salary is \$114,948;

(51) for Group C06:

(A) for employees with four or more years of service but less than eight years of service, the annual salary is \$121,221;

(B) for employees with eight or more years of service but less than 12 years of service, the annual salary is \$125,343;

(C) for employees with 12 or more years of service but less than 16 years of service, the annual salary is \$127,874;

(D) for employees with 16 or more years of service but less than 20 years of service, the annual salary is \$130,417; and

(E) for employees with 20 or more years of service, the annual salary is \$131,982;

(52) for Group C07:

(A) for employees with four or more years of service but less than eight years of service, the annual salary is \$126,033;

(B) for employees with eight or more years of service but less than 12 years of service, the annual salary is \$127,048;

(C) for employees with 12 or more years of service but less than 16 years of service, the annual salary is \$129,399;

(D) for employees with 16 or more years of service but less than 20 years of service, the annual salary is \$131,912; and

(E) for employees with 20 or more years of service, the annual salary is \$134,424; and

(53) for Group C08:

(A) for employees with four or more years of service but less than eight years of service, the annual salary is \$142,608;

(B) for employees with eight or more years of service but less than 12 years of service, the annual salary is \$142,701;

(C) for employees with 12 or more years of service but less than 16 years of service, the annual salary is \$142,758;

(D) for employees with 16 or more years of service but less than 20 years of service, the annual salary is \$142,758; and

(E) for employees with 20 or more years of service, the annual salary is \$142,758.

(k) Rider 37, page I-12, Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), to the bill pattern of the appropriations to the Office of the Attorney General, does not apply to the salary increase provided under this section to employees of the office.

SECTION 9.02. MOTOR VEHICLE PURCHASES. (a) The following amounts are appropriated from the specified sources to the following agencies for use during the two-year period beginning on the effective date of this Act for the purpose of purchasing motor vehicles for the agency's use as authorized by general law:

(1) Office of the Attorney General: \$170,000 from the general revenue fund, and \$330,000 from federal funds;

(2) Texas Historical Commission: \$1,966,983 from the general revenue fund;

(3) Secretary of State: \$30,000 from the general revenue fund;

(4) Department of State Health Services: \$965,539 from the general revenue fund;

(5) Health and Human Services Commission: \$7,850,000 from the general revenue fund;

(6) Texas A&M Forest Service: \$2,056,918 from the Texas Department of Insurance operating account number 0036;

(7) Texas Division of Emergency Management: \$13,300,000 from the general revenue fund;

(8) Texas Alcoholic Beverage Commission: \$2,699,050 from the general revenue fund;

(9) Texas Department of Criminal Justice: \$43,587,907 from the general revenue fund;

(10) Texas Juvenile Justice Department: \$594,800 from the general revenue fund;

(11) Commission on Law Enforcement: \$1,961,946 from the general revenue fund;

(12) Texas Military Department: \$250,000 from the general revenue fund;

(13) Texas Department of Public Safety: \$119,524,563 from the general revenue fund, \$10,142,500 from federal funds, and \$493,086 from appropriated receipts (other funds);

(14) Department of Agriculture: \$970,014 from the general revenue fund;

(15) Animal Health Commission: \$1,780,000 from the general revenue fund;

(16) Commission on Environmental Quality: a total of \$882,655 from the following general revenue dedicated accounts:

(A) Clean Air Account No. 0151: \$452,561;

(B) Water Resource Management Account No. 0153: \$129,357;

(C) Watermaster Administration Account No. 0158: \$160,000;

(D) Waste Management Account No. 0549: \$51,200; and

- (E) Operating Permit Fees Account No. 5094: \$89,537;
- (17) General Land Office: a total of \$150,000 from the following accounts:
- (A) Coastal Protection Account No. 0027: \$55,000;
  - (B) Veterans Land Program Administration Fund No. 0522 (other funds): \$50,000; and
  - (C) Permanent School Fund No. 0044 (other funds): \$45,000;
- (18) Parks and Wildlife Department: a total of \$23,834,647 from the following sources:
- (A) \$9,746,457 from the State Parks Account No. 0064;
  - (B) \$1,957,920 from the unclaimed refunds from motorboat fuel taxes; and
  - (C) \$12,130,270 from the Game, Fish, and Water Safety Account No. 0009;
- (19) Railroad Commission: a total of \$9,500,451 from the following sources:
- (A) \$6,928,829 from the general revenue fund;
  - (B) \$1,482,922 from the Oil and Gas Regulation and Cleanup Account No. 5155; and
  - (C) \$1,088,700 from federal funds;
- (20) Water Development Board: \$300,000 from the general revenue fund;
- (21) Department of Motor Vehicles: \$158,000 from the Texas Department of Motor Vehicles Fund No. 0010 (other funds);
- (22) Department of Transportation: \$31,009,632 from the State Highway Fund No. 0006 (other funds);
- (23) Workforce Commission: a total of \$717,977 from the following sources:
- (A) \$42,103 from the general revenue fund;
  - (B) \$2,750 from the Unemployment Compensation Special Administration Account No. 0165; and
  - (C) \$673,124 from federal funds;
- (24) Department of Licensing and Regulation: \$590,000 from the general revenue fund;
- (25) Board of Plumbing Examiners: \$48,000 from the general revenue fund;
- (26) Texas Department of Insurance: \$450,000 from the Texas Department of Insurance operating account number 0036;
- (27) Public Utility Commission: \$35,000 from the general revenue fund; and
- (28) Texas Commission on Fire Protection: \$651,364 from the general revenue fund.

(b) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the agency during that period, each agency listed under Subsection (a) of this section may use the amount of the appropriation made to the agency under Subsection (a) of this section in capital budget authority for that appropriation.

SECTION 9.03. LIMITATION, REPORTING, AND TRANSFER PROVISIONS OF GAA INCORPORATED BY REFERENCE. The provisions relating to limitations, reporting, or transfer of Article IX, Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), and of Article IX, H.B. 1, Acts of the 88th Legislature, Regular Session, 2023 (the General Appropriations Act), are incorporated into this Act by reference and apply to the appropriations made by this Act.

SECTION 9.04. TEXAS DEPARTMENT OF PUBLIC SAFETY: AIRCRAFT.

(a) The following amounts totaling \$21,200,000 are appropriated from the general revenue fund to the Texas Department of Public Safety for the two-year period beginning on the effective date of this Act for the following purposes:

- (1) \$14,400,000 for the purpose of purchasing two helicopters; and
- (2) \$6,800,000 for the purpose of purchasing a fixed-wing airplane.

(b) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the department during that period, the Texas Department of Public Safety may use \$21,200,000 in capital budget authority for the appropriations made under Subsection (a) of this section.

SECTION 9.05. PARKS AND WILDLIFE DEPARTMENT: AIRCRAFT. (a)

The amount of \$15,700,000 is appropriated from the game, fish, and water safety account number 0009 to the Parks and Wildlife Department for the two-year period beginning on the effective date of this Act for the purpose of purchasing two fixed-wing aircraft.

(b) During the two-year period beginning on the effective date of this Act, in addition to the capital budget authority other law grants to the department during that period, the Parks and Wildlife Department may use \$15,700,000 in capital budget authority for the appropriation made under Subsection (a) of this section.

SECTION 9.06. PROHIBITED USE OF MONEY BY THE OFFICE OF THE ATTORNEY GENERAL. Notwithstanding Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), other than Section 16.04(b)(3), Article IX, page IX-77, of that Act, the office of the attorney general may not use money appropriated by this Act, or by any Act of the 87th Legislature, for the purpose of making or facilitating a payment with respect to a settlement or judgment relating to a lawsuit or claim filed against the attorney general pursuant to Chapter 554, Government Code.

#### ARTICLE 10. EFFECTIVE DATE

SECTION 10.01. EFFECTIVE DATE. (a) Subject to Subsections (b) and (c) of this section, this Act takes effect immediately.

(b) Sections 8.03, 8.04, 8.08, 8.10, 8.11, 8.13, 8.14, 8.15, 8.25, 8.37, 8.40, 8.41, 8.42, 8.68, and 8.80 of this Act take effect only if this Act receives a vote of two-thirds of the members present in each house of the legislature, as provided by Section 49-g(m), Article III, Texas Constitution.

(c) Sections 4.11, 4.13, 4.14, 4.33, 4.34, 4.36, 4.37, 4.38, and 8.51 of this Act take effect only if this Act receives a vote of two-thirds of the members present in each house of the legislature, as provided by Section 17(j) or 18(i), Article VII, Texas Constitution, as applicable.

The Conference Committee Report on **SB 30** was filed with the Secretary of the Senate.

**CONFERENCE COMMITTEE REPORT ON  
HOUSE BILL 1**

Senator Huffman submitted the following Conference Committee Report:

Austin, Texas  
May 24, 2023

Honorable Dan Patrick  
President of the Senate  
Honorable Dade Phelan  
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.

HUFFMAN  
CREIGHTON  
KOLKHORST  
NICHOLS  
SCHWERTNER  
On the part of the Senate

BONNEN  
M. GONZÁLEZ  
JETTON  
VANDEAVER  
WALLE  
On the part of the House

The Conference Committee Report on **HB 1** was filed with the Secretary of the Senate.

**CONFERENCE COMMITTEE REPORT ON  
HOUSE BILL 473**

Senator Sparks submitted the following Conference Committee Report:

Austin, Texas  
May 24, 2023

Honorable Dan Patrick  
President of the Senate  
Honorable Dade Phelan  
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 473** have had the same under consideration, and beg to report it back with the recommendation that it do pass.

SPARKS  
CAMPBELL  
CREIGHTON  
FLORES

HULL  
ALLISON  
A. JOHNSON  
LEO-WILSON



SPRINGER

On the part of the Senate

SHAW

On the part of the House

The Conference Committee Report on **HB 473** was filed with the Secretary of the Senate.

**CO-AUTHOR OF SENATE BILL 469**

On motion of Senator Springer, Senator Zaffirini will be shown as Co-author of **SB 469**.

**CO-AUTHOR OF SENATE BILL 947**

On motion of Senator King, Senator Schwertner will be shown as Co-author of **SB 947**.

**CO-AUTHOR OF SENATE BILL 1289**

On motion of Senator Perry, Senator Zaffirini will be shown as Co-author of **SB 1289**.

**CO-AUTHOR OF SENATE BILL 1661**

On motion of Senator Hughes, Senator Hall will be shown as Co-author of **SB 1661**.

**CO-SPONSORS OF HOUSE BILL 5**

On motion of Senator Schwertner, Senators Blanco and West will be shown as Co-sponsors of **HB 5**.

**CO-SPONSORS OF HOUSE BILL 7**

On motion of Senator Birdwell, Senators Bettencourt and Paxton will be shown as Co-sponsors of **HB 7**.

**CO-SPONSOR OF HOUSE BILL 139**

On motion of Senator Hall, Senator Sparks will be shown as Co-sponsor of **HB 139**.

**CO-SPONSOR OF HOUSE BILL 238**

On motion of Senator Flores, Senator Menéndez will be shown as Co-sponsor of **HB 238**.

**CO-SPONSOR OF HOUSE BILL 890**

On motion of Senator Creighton, Senator Hall will be shown as Co-sponsor of **HB 890**.

**CO-SPONSOR OF HOUSE BILL 1105**

On motion of Senator Kolkhorst, Senator Creighton will be shown as Co-sponsor of **HB 1105**.

**CO-SPONSOR OF HOUSE BILL 1163**

On motion of Senator King, Senator Kolkhorst will be shown as Co-sponsor of **HB 1163**.

**CO-SPONSORS OF HOUSE BILL 1243**

On motion of Senator Hughes, Senators Bettencourt and Parker will be shown as Co-sponsors of **HB 1243**.

**CO-SPONSOR OF HOUSE BILL 1287**

On motion of Senator Blanco, Senator Alvarado will be shown as Co-sponsor of **HB 1287**.

**CO-SPONSOR OF HOUSE BILL 1673**

On motion of Senator Johnson, Senator Menéndez will be shown as Co-sponsor of **HB 1673**.

**CO-SPONSOR OF HOUSE BILL 1695**

On motion of Senator West, Senator Blanco will be shown as Co-sponsor of **HB 1695**.

**CO-SPONSOR OF HOUSE BILL 2273**

On motion of Senator Creighton, Senator Sparks will be shown as Co-sponsor of **HB 2273**.

**CO-SPONSOR OF HOUSE BILL 2556**

On motion of Senator Schwertner, Senator Sparks will be shown as Co-sponsor of **HB 2556**.

**CO-SPONSOR OF HOUSE BILL 2779**

On motion of Senator Huffman, Senator Sparks will be shown as Co-sponsor of **HB 2779**.

**CO-SPONSOR OF HOUSE BILL 2873**

On motion of Senator Blanco, Senator Alvarado will be shown as Co-sponsor of **HB 2873**.

**CO-SPONSORS OF HOUSE BILL 3058**

On motion of Senator Hughes, Senators Bettencourt and Kolkhorst will be shown as Co-sponsors of **HB 3058**.

**CO-SPONSOR OF HOUSE BILL 3456**

On motion of Senator Hinojosa, Senator Zaffirini will be shown as Co-sponsor of **HB 3456**.

**CO-SPONSOR OF HOUSE BILL 3466**

On motion of Senator Campbell, Senator Blanco will be shown as Co-sponsor of **HB 3466**.

**CO-SPONSOR OF HOUSE BILL 3469**

On motion of Senator West, Senator Zaffirini will be shown as Co-sponsor of **HB 3469**.

**CO-SPONSOR OF HOUSE BILL 3550**

On motion of Senator LaMantia, Senator Menéndez will be shown as Co-sponsor of **HB 3550**.

**CO-SPONSOR OF HOUSE BILL 3556**

On motion of Senator Parker, Senator Blanco will be shown as Co-sponsor of **HB 3556**.

**CO-SPONSOR OF HOUSE BILL 3991**

On motion of Senator Alvarado, Senator Menéndez will be shown as Co-sponsor of **HB 3991**.

**CO-SPONSORS OF HOUSE BILL 4433**

On motion of Senator Parker, Senators Blanco and LaMantia will be shown as Co-sponsors of **HB 4433**.

**CO-SPONSOR OF HOUSE BILL 4714**

On motion of Senator Menéndez, Senator Zaffirini will be shown as Co-sponsor of **HB 4714**.

**CO-SPONSORS OF HOUSE BILL 5202**

On motion of Senator Whitmire, Senators Blanco and West will be shown as Co-sponsors of **HB 5202**.

**RESOLUTIONS OF RECOGNITION**

The following resolutions were adopted by the Senate:

**Memorial Resolutions**

**SR 652** by Blanco, In memory of Wayne Skidmore Condie.

**SR 654** by Zaffirini, In memory of Diana Treviño Garcia.

**Congratulatory Resolutions**

**SR 649** by Springer, Recognizing Dale Peden on the occasion of her 100th birthday.

**SR 651** by Springer, Recognizing Mark Bronson for receiving the Paul M. Tullio Award from the National Board of Chiropractic Examiners.

**SR 653** by Zaffirini, Recognizing Koepf Chevrolet on the occasion of its 100th anniversary.

**SR 656** by Birdwell, Recognizing the Greater Granbury Chapter of the Military Officers Association of America.

**ADJOURNMENT**

On motion of Senator Whitmire, the Senate at 6:08 p.m. adjourned, in memory of Billy Joe "Red" McCombs, Tess Marie Mata, Uziyah Sergio Garcia, Nevaeh Alyssa Bravo, Jose Manuel Flores Jr., Eliahna Amyah Garcia, Irma Linda Garcia, Jose Antonio Garcia, Amerie Jo Garza, Xavier James Lopez, Jayce Carmelo Luevanos, Maranda Gail Mathis, Eva Mireles, Alithia Haven Ramirez, Layla Marie Salazar, Makenna Lee Elrod, Jailah Nicole Silguero, Eliahna Torres, Rojelio

Fernandez Torres, Maite Yuleana Rodriguez, Annabell Guadalupe Rodriguez, Jacklyn Jaylen Cazares, and Alexandria Aniyah Rubio, until 6:30 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:

May 24, 2023

**BUSINESS AND COMMERCE — HB 173**

### BILLS AND RESOLUTIONS ENROLLED

May 24, 2023

**SB 186, SB 545, SB 812, SB 833, SB 1647, SB 2035, SCR 4, SCR 8, SCR 46, SR 576, SR 577, SR 578, SR 579, SR 580, SR 581, SR 582, SR 583, SR 584, SR 585, SR 586, SR 587, SR 588, SR 589, SR 590, SR 591, SR 592, SR 593, SR 594, SR 595, SR 596, SR 618, SR 629, SR 638, SR 649, SR 651, SR 652, SR 653, SR 654, SR 656, SR 659, SR 660**

### SIGNED BY GOVERNOR

May 24, 2023

**SB 68, SB 294, SB 435, SB 602, SB 604, SB 784, SB 840, SB 1021, SB 1124, SB 1155, SB 1180, SB 1319, SB 1373, SB 1401, SB 1457, SB 1484, SB 1603, SB 1650, SB 1732, SB 2085**

### FILED WITHOUT SIGNATURE OF GOVERNOR

May 24, 2023

**SB 58, SB 543, SB 888**

**In Memory**  
**of**  
**Billy Joe "Red" McCombs**  
**Senate Resolution 618**

WHEREAS, The Senate of the State of Texas honors and commemorates the life of Billy Joe "Red" McCombs, a celebrated Texas entrepreneur and philanthropist, who died February 19, 2023, at the age of 95; and

WHEREAS, Billy Joe McCombs, dubbed "Red" for his red hair, was born on October 19, 1927, in the small West Texas town of Spur; descended from families of farmers, Red was taught the value of hard work when he started his first business at the age of nine; his unstoppable ambition, keen business sense, and larger-than-life personality made him a legend and figure in American industry and sports management, and his philanthropy made the McCombs name synonymous with generosity as well as excellence; and

WHEREAS, A successful football player during high school in Corpus Christi, Red earned a scholarship to attend Southwestern University in Georgetown; he paused his college education to serve his country with distinction in the United States Army for two years before returning to enroll at The University of Texas under the GI Bill; and

WHEREAS, Realizing his true calling as a businessman, Red left school and returned to Corpus Christi, where he sold cars at the Ford dealership and excelled as a salesman through his determination and charisma; he opened his first car dealership at the age of 29 in 1957, and the Red McCombs Automotive Group quickly expanded into an automotive empire; the enterprise became the largest car dealership network in Texas and the sixth-largest network in the nation; and

WHEREAS, A talented entrepreneur and a shrewd media visionary, Red purchased San Antonio radio stations in 1972 with his business partner, Lowry Mays, and together they founded Clear Channel Communications; Red's intuition for franchise expansion and his experience in business and advertising helped the company to grow into the world's largest radio station conglomerate and to become a dominating power in the industries of outdoor advertising, live music, and sports management; and

WHEREAS, In 1973, Red purchased the Dallas Chaparrals basketball team and relocated the team to San Antonio under a new name, the Spurs; widely recognized as a trailblazer in sports management, Red turned the Spurs and the Denver Nuggets into national powerhouses and played a key role in shaping the modern incarnation of the National Basketball

Association; he spent a number of years as the owner of the National Football League's Minnesota Vikings, and by investing in Circuit of the Americas, he was instrumental in the establishment of Formula One racing in Texas; and

WHEREAS, Generous community benefactors, Red and his wife, Charline, donated \$50 million to The University of Texas business school, which was renamed the McCombs School of Business, and \$30 million to the university's MD Anderson Cancer Center in Houston; Red was a champion for education, and his philanthropy created countless opportunities for students and young entrepreneurs in Texas; and

WHEREAS, Red was blessed with the love and support of his late wife, Charline, for almost seven decades; together, they were figureheads in the San Antonio community and were greatly involved in both state and national politics; Red and Charline were blessed with three daughters, Lynda McCombs, Marsha Shields, and Connie McNab, and he cherished his eight grandchildren and his 11 great-grandchildren; and

WHEREAS, An esteemed civic leader and a titan of industry who created more than 400 businesses, Red McCombs changed the American automotive trade, professional athletics, advertising, and radio broadcasting; he embodied the spirit of the Lone Star State through his love of thinking big and his zest for deal-making and adventure, and he leaves behind an inspiring legacy for all Texans; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 88th Legislature, hereby extend sincere condolences to the bereaved family of Billy Joe "Red" McCombs; and, be it further

RESOLVED, That a copy of this Resolution be prepared for his family as an expression of deepest sympathy from the Texas Senate and that when the Senate adjourns this day, it do so in memory of "Red" McCombs.

CAMPBELL	HINOJOSA	PARKER
ALVARADO	HUFFMAN	PAXTON
BETTENCOURT	HUGHES	PERRY
BIRDWELL	JOHNSON	SCHWERTNER
BLANCO	KING	SPARKS
CREIGHTON	KOLKHORST	SPRINGER
ECKHARDT	LAMANTIA	WEST
FLORES	MENÉNDEZ	WHITMIRE
GUTIERREZ	MIDDLETON	ZAFFIRINI
HALL	MILES	
HANCOCK	NICHOLS	

**In Memory  
of  
Tess Marie Mata  
Senate Resolution 593**

WHEREAS, The tragic passing of Tess Marie Mata of Uvalde on May 24, 2022, at the age of 10, has profoundly saddened the many people who loved and cherished her; and

WHEREAS, Tess Mata was born in San Antonio on February 6, 2012, to Jerry and Veronica Mata; she shared a close bond with her older sister, Faith, and she also enjoyed the affection of her grandparents, aunt, uncles, and numerous cousins; and

WHEREAS, An athletic young girl, Tess played softball and soccer and competed in gymnastics; she was an avid fan of the Houston Astros and especially of second baseman José Altuve, and she even shared the same position as her favorite player on her softball team; though feisty and outspoken, she was also blessed with a caring heart, and she dreamed of one day having a career in the medical field; and

WHEREAS, While the passing of Tess Mata is an incalculable loss to those who held her dear, they may find comfort in knowing that their lives were forever enriched by the joy and love she shared with them; now, therefore, be it

RESOLVED, That the Senate of the 88th Texas Legislature hereby pay tribute to the memory of Tess Marie Mata and extend heartfelt condolences to the members of her family: to her parents, Jerry and Veronica Mata; to her sister, Faith Mata; to her grandparents, Raymundo and Rosemary Mata and Anna Hill; to her aunt, Victoria Streeter; to her uncles, Robert Hill, Mark Mata, and Ray Mata Jr.; to her cousins, Nevaeh Streeter, Saige Rodgers, Kara Streeter, Gabie Mata, and Hayden Mata; and to the countless family members and friends who mourn her; and, be it further

RESOLVED, That an official copy of this resolution be prepared for her family and that when the Texas Senate adjourns this day, it do so in memory of Tess Mata.

GUTIERREZ

**In Memory  
of  
Uziah Sergio Garcia  
Senate Resolution 596**

WHEREAS, Family and friends suffered an immeasurable loss with the tragic passing of Uziah Sergio Garcia of Uvalde on May 24, 2022, at the age of 10; and

WHEREAS, Uzi Garcia was born in San Angelo on August 13, 2011, to Sergio Garcia and Mandy Marie Renfro; his family also included his parent/guardians Brett and Nikki Cross, his brothers Aiden and Jaxon Cross, and his sisters Alissa Jackson, Desiaya Garcia, JoJo Cross, and Mykah "Mike" Garcia, along with his grandparents and his many aunts, uncles, and cousins; and

WHEREAS, Uziah was an outgoing, sweet, and deeply affectionate young boy who treasured his family and particularly enjoyed spending time with his siblings; he demonstrated his fun-loving but competitive nature when gaming on his Nintendo Switch or Oculus, and he found other outlets for his abundant energy in activities like swimming, playing basketball, jumping on trampolines, and racing his friends around the playground at school; he also loved being silly and making everyone laugh with his jokes; and

WHEREAS, Although Uzi Garcia's journey on this earth ended far too soon, he will forever hold a special place in the hearts of all those who were privileged to share in the blessing of his life; now, therefore, be it

RESOLVED, That the Senate of the 88th Texas Legislature hereby pay tribute to the memory of Uziah Sergio Garcia and extend heartfelt condolences to the members of his family: to his parents, Sergio Garcia and Mandy Marie Renfro; to his guardians, Brett and Nikki Cross; to his brothers, Aiden and Jaxon Cross; to his sisters, Alissa Jackson, Desiaya Garcia, JoJo Cross, and Mykah "Mike" Garcia; to his other relatives and friends; and to the countless others in Uvalde and beyond who mourn his passing; and, be it further

RESOLVED, That an official copy of this resolution be prepared for his family and that when the Texas Senate adjourns this day, it do so in memory of Uziah Garcia.

GUTIERREZ



**In Memory  
of  
Nevaeh Alyssa Bravo  
Senate Resolution 591**

WHEREAS, Family and friends suffered an unimaginable loss with the tragic passing of Nevaeh Alyssa Bravo of Uvalde on May 24, 2022, at the age of 10; and

WHEREAS, Nevaeh Bravo was born in Uvalde on January 12, 2012, to loving parents Maria Magdalene Garcia and Juan Julian Bravo; she enjoyed the companionship of her two brothers, Juan and Xavier, and her sister, Monique, and she was also cherished by her grandparents and her many aunts, uncles, and cousins; and

WHEREAS, Nevaeh was a caring and devoted daughter who always helped out her parents when they needed her; she was blessed with a wide circle of loved ones, and with her joyful spirit, she brought smiles to the faces of everyone she encountered; she liked playing softball and riding her bicycle as well as a horse owned by her grandfather's brother; her favorite colors were pink and purple, and she was also fond of drawing and watching and making TikTok videos with her brother and cousin; and

WHEREAS, Although Nevaeh Bravo is profoundly missed by many people, she has left behind a legacy of love that the passage of time can never diminish; now, therefore, be it

RESOLVED, That the Senate of the 88th Texas Legislature hereby pay tribute to the life of Nevaeh Alyssa Bravo and extend heartfelt condolences to the members of her family: to her parents, Maria Magdalene Garcia and Juan Julian Bravo; to her siblings, Juan Julian Bravo Jr., Xavier A. Bravo, and Monique Justin Bravo; to her grandparents, Maria Guadalupe Garcia, Guadalupe "Pio" Garcia, Esmeralda Bravo, and Juan Bravo; to her aunts, Marisela Garcia Gamez and her husband, Mario, and Yvonne White and her husband, James; to her uncles, Joe Garcia and his wife, Annett, Eddie Garcia, Lupe Garcia and his wife, Irma, Javiel Garcia and his wife, Alejandra, Jaime Bravo, Rumaldo "Maldo" Mesa, and Adrian Bravo and his partner, Kassandra; to her numerous cousins; and to the countless others in Uvalde and beyond who mourn her passing; and, be it further

RESOLVED, That an official copy of this resolution be prepared for her family and that when the Texas Senate adjourns this day, it do so in memory of Nevaeh Alyssa Bravo.

GUTIERREZ

**In Memory**  
**of**  
**Jose Manuel Flores Jr.**  
**Senate Resolution 590**

WHEREAS, The tragic passing of Jose Manuel Flores Jr. of Uvalde on May 24, 2022, at the age of 10, brought an unimaginable loss to the family and friends of this beloved young boy; and

WHEREAS, Jose Flores Jr. was born on November 10, 2011, to Alyssa Mae Rodriguez and Jose Manuel Flores; his devoted family included his stepmother, Cynthia Herrera, and he was a doting brother to his five siblings, Jayden, Jayce, John, Andrea, and San Juana; and

WHEREAS, Renowned for his helpfulness around the house, Jose assisted in various tasks, including caring for his infant brother; in keeping with his desire to be of service to others, he dreamed of growing up to become a police officer; he was an honor roll student at his school, and in his free time, he enjoyed playing baseball and video games; and

WHEREAS, Although his time with them was all too brief, Jose Flores Jr. enriched the lives of his loved ones immeasurably, and he will forever hold a special place in their hearts; now, therefore, be it

RESOLVED, That the Senate of the 88th Texas Legislature hereby pay tribute to the memory of Jose Manuel Flores Jr. and extend deepest condolences to the members of his family: to his parents, Jose Manuel Flores and Alyssa Mae Rodriguez; to his stepmother, Cynthia Herrera; to his brothers, Jayden Alexander Flores, Jayce Axel Flores, and John Andrew Silva; to his sisters, Andrea Herrera and San Juana Silva; to his grandparents, Pedro Flores and Concepcion Escamilla; to his other relatives and friends; and to the countless others in Uvalde and beyond who mourn his passing; and, be it further

RESOLVED, That an official copy of this resolution be prepared for his family and that when the Texas Senate adjourns this day, it do so in memory of Jose Flores Jr.

GUTIERREZ

**In Memory  
of  
Eliahna Amyah Garcia  
Senate Resolution 592**

WHEREAS, The tragic passing of Eliahna Amyah Garcia of Uvalde on May 24, 2022, at the age of nine, brought an incalculable loss to the family and friends of this beloved young girl; and

WHEREAS, Eliahna Garcia was born in Uvalde on June 4, 2012, to Steven and Jennifer Garcia; her cherished family included her four sisters, Janelle, Adrianna, Viviana, and Adalyn, as well as her grandparents and many aunts, uncles, and cousins; and

WHEREAS, Eliahna, who was affectionately known as "Ellie" to her loved ones, was blessed with a kind heart and a vibrant, cheerful spirit; she enjoyed dancing, playing basketball, and riding her bicycle, and she was an enthusiastic fan of the film *Encanto*; moreover, even though it was several years away, she had already begun planning for her quinceañera party, and she had dreams of becoming a cheerleader one day; and

WHEREAS, Through the love and laughter she shared, Eliahna Garcia made the world a brighter place for everyone around her, and time will never dim their memories of the joy she brought into their lives; now, therefore, be it

RESOLVED, That the Senate of the 88th Texas Legislature hereby pay tribute to the memory of Eliahna Amyah Garcia and extend deepest condolences to the members of her family: to her parents, Steven and Jennifer Garcia; to her sisters, Janelle, Adrianna, Viviana, and Adalyn Garcia; to her grandparents, Rogelio and Nelda Lugo and Arnulfo and Leticia Arizmendi; to her other relatives and friends; and to the countless others in Uvalde and beyond who mourn her passing; and, be it further

RESOLVED, That an official copy of this resolution be prepared for her family and that when the Texas Senate adjourns this day, it do so in memory of Eliahna Amyah Garcia.

GUTIERREZ

**In Memory**  
**of**  
**Irma Linda Garcia**  
**and**  
**Jose Antonio Garcia**  
**Senate Resolution 576**

WHEREAS, Citizens of Uvalde lost two beloved residents with the tragic passing of Irma Linda Garcia on May 24, 2022, at the age of 48, and her husband, Jose Antonio Garcia, on May 26, 2022, at the age of 50; and

WHEREAS, Irma and Joe Garcia formed a strong and lasting bond of devotion during the 25 years they shared as husband and wife; they were high school sweethearts who went on to exchange wedding vows in Uvalde on June 28, 1997, and they took immense joy in raising their four children, Lyliana, Alysandra, Cristian, and Jose; and

WHEREAS, Born in San Antonio on December 11, 1973, Irma Garcia was the daughter of Manuel Z. Lozano and Olga Salazar; she grew up with the companionship of two sisters, Velma and Marissa, and a brother, Marcus; after receiving her bachelor's degree in interdisciplinary studies from Sul Ross State University in 1997, she embarked on a 23-year career as an elementary teacher with the Uvalde Consolidated Independent School District; she found great fulfillment in engaging with her students and helping to set them on a path toward higher education; and

WHEREAS, Joe Garcia was born in Uvalde on April 18, 1972, and was raised by his mother, Maria Garcia, along with his three siblings, Armando, Maria, and Antonio; for more than three decades, he was employed with H-E-B, where he rose from produce stocker to a position in management; throughout his career, he was admired by his colleagues for his work ethic and his drive to ensure that every task was done the right way; and

WHEREAS, Irma and Joe Garcia shared an unwavering commitment to their family, to their community, and to one another, and the couple will forever remain a source of inspiration to all who were fortunate enough to know them; now, therefore, be it

RESOLVED, That the Senate of the 88th Texas Legislature hereby pay tribute to the lives of Irma Linda and Jose Antonio Garcia and extend heartfelt condolences to the members of their family: to their children, Lyliana Analise Garcia, Alysandra Celeste Garcia, Cristian Antonio Garcia, and Jose Alejandro Garcia; to Mrs. Garcia's father, Manuel Z. Lozano, and her siblings, Velma Lisa Duran, Marissa Lozano, and Marcus Lozano; to Mr. Garcia's siblings, Maria G. Esparza and Armando P. Garcia; to the couple's other relatives and friends; and to the countless others in Uvalde and beyond who mourn their passing; and, be it further

RESOLVED, That an official copy of this resolution be prepared for their family and that when the Texas Senate adjourns this day, it do so in memory of Irma and Joe Garcia.

GUTIERREZ

**In Memory**  
**of**  
**Amerie Jo Garza**  
**Senate Resolution 581**

WHEREAS, Family and friends suffered an incalculable loss with the tragic passing of Amerie Jo Garza of Uvalde on May 24, 2022, at the age of 10; and

WHEREAS, Born in Uvalde on May 10, 2012, Amerie Garza was cherished deeply by her parents, Kimberly Garcia and Alfred Garza III; she was a doting sister to her little brother, Zayne, and her loving family further included her stepfather, Angel, and her father's partner, Viviana, as well as her grandparents, aunts, uncles, and numerous cousins; and

WHEREAS, Amerie, a kind and gentle girl with a lively attitude, could light up a room with her presence; she treasured the time she spent with her loved ones, and in addition to excelling at school as an honor roll student, she was a dedicated member of the Girl Scouts who took great pride in the badges she earned; she had a passion for drawing, painting, and working with clay, and her dream was to one day turn her creativity into a career as an art teacher; though young, she had demonstrated the courage to stand up for others, and she was posthumously honored for her bravery with the Girl Scouts' Bronze Cross award; and

WHEREAS, Blessed with a heart of gold and an indomitable spirit, Amerie Garza is profoundly missed, and the memories she has left behind will forever be treasured by all who were privileged to share in her love and friendship; now, therefore, be it

RESOLVED, That the Senate of the 88th Texas Legislature hereby pay tribute to the life of Amerie Jo Garza and extend deepest condolences to the members of her family: to her father, Alfred Garza III, and his partner, Viviana Granados; to her mother, Kimberly Garcia, and her husband, Angel Garza; to her brother, Zayne Garza; to her grandparents, Alfredo Garza Jr., Dora Mendoza and her husband, Fidencio Garcia, Berlinda Arreola and her husband, Ponciano, and Joe Garza and his wife, Gracie; to her aunts, Laura Garza, Vivian Garcia, Victoria Garcia, Desirae Garza, and Sara Garza; to her uncles, Jose Martinez, Fidencio Garcia Jr., Christopher Carbajal, Joe Garza Jr., and Jeremy Garza; to her cousins; and to the countless others in Uvalde and beyond who mourn her passing; and, be it further

RESOLVED, That an official copy of this resolution be prepared for her family and that when the Texas Senate adjourns this day, it do so in memory of Amerie Garza.

GUTIERREZ

**In Memory  
of  
Xavier James Lopez  
Senate Resolution 580**

WHEREAS, The family and friends of Xavier James Lopez of Uvalde will forever cherish their memories of this vibrant and beloved young boy, who passed away on May 24, 2022, at the age of 10; and

WHEREAS, Xavier Lopez was born in Uvalde on March 12, 2012, to Abel Lopez and Felicha Martinez, and he grew up with the companionship of his siblings, Jose Mata, Jermya Lopez, and little brother Justan Lopez; he also enjoyed the affection of an extended family that included his niece, Katalina Mata, along with numerous aunts and uncles, and he was preceded in death by his grandfather, Benito Martinez Sr.; and

WHEREAS, Active and energetic, Xavier was known for his impressive sense of style and his penchant for dancing to Colombian rhythms; he enjoyed performing for the camera, and he was blessed with a fun-loving, lighthearted personality and a smile that could brighten anyone's day; he was also fond of art class at school, where he had recently made the honor roll, and he was discovering his passion for baseball as a member of his team, the Blue Jays; and

WHEREAS, Xavier Lopez brought joy to his loved ones through his enthusiasm for living each day to the fullest, and he will forever hold a treasured place in their hearts; now, therefore, be it

RESOLVED, That the Senate of the 88th Texas Legislature hereby pay tribute to the memory of Xavier James Lopez and extend deepest condolences to the members of his family: to his parents, Abel Lopez and Felicha Martinez; to his grandparents, Leonard and Amelia Sandoval; to his siblings, Jose Mata and his wife, Angel Marie, Jermya Lopez, and Justan Lopez; to his niece, Katalina Mata; and to the countless others in Uvalde and beyond who mourn his passing; and, be it further

RESOLVED, That an official copy of this resolution be prepared for his family and that when the Texas Senate adjourns this day, it do so in memory of Xavier Lopez.

GUTIERREZ

**In Memory  
of  
Jayce Carmelo Luevanos  
Senate Resolution 594**

WHEREAS, Jayce Carmelo Luevanos of Uvalde passed away on May 24, 2022, at the age of 10, and memories of this vibrant and caring young boy will forever endure in the hearts of those who knew and loved him; and

WHEREAS, Jayce Luevanos was born in Uvalde on February 2, 2012, to Christina Quiroz and Jose E. Luevanos; he enjoyed the companionship of his three brothers, Jose, Chance, and Corey, and his sister, Justine; and

WHEREAS, Energetic and full of life, Jayce often brought other children from the neighborhood over to his home for rambunctious playdates in the backyard; cherished by his parents and siblings, he was also a devoted grandson who would wake up to brew his grandparents, Carmelo and Sylvia Quiroz, a pot of coffee each morning; and

WHEREAS, Although the tragic passing of Jayce Luevanos is an immeasurable loss to the many people who held him dear, they may find comfort in knowing that their lives have been forever enriched by the love, laughter, and joy that he shared with them; now, therefore, be it

RESOLVED, That the Senate of the 88th Texas Legislature hereby pay tribute to the memory of Jayce Carmelo Luevanos and extend profound condolences to the members of his family: to his parents, Christina Quiroz and Jose E. Luevanos; to his siblings, Jose Enrique Luevanos Jr., Chance Luevanos, Corey Luevanos, and Justine Luevanos; to his grandparents, Carmelo and Sylvia Quiroz; to his other relatives and friends; and to the countless others in Uvalde and beyond who mourn his passing; and, be it further

RESOLVED, That an official copy of this resolution be prepared for his family and that when the Texas Senate adjourns this day, it do so in memory of Jayce Carmelo Luevanos.

GUTIERREZ



**In Memory  
of  
Maranda Gail Mathis  
Senate Resolution 587**

WHEREAS, The tragic passing of Maranda Gail Mathis of Uvalde on May 24, 2022, at the age of 11, brought an unimaginable loss to the many people who loved and cherished her; and

WHEREAS, Maranda Mathis was born in Gainesville, Florida, on May 6, 2011, to Deanna Gornto and Brian Mathis Jr.; she grew up with the companionship of a brother, Bruce, and she was further blessed with the affectionate support of her grandfather and great-grandmother and a host of aunts, uncles, and cousins; and

WHEREAS, Shy and sweet, Maranda enjoyed spending time outdoors, where her pursuits included collecting rocks, shells, and feathers; she had a kind heart, an engaging smile, and a vivid imagination, and she often expressed her love for unicorns and mermaids, particularly those that were her favorite colors, purple and pink; and

WHEREAS, Although her time on this earth was far too brief, Maranda Gail Mathis was a ray of light in the lives of those who held her dear, and they will never forget the abundant happiness that she brought to them; now, therefore, be it

RESOLVED, That the Senate of the 88th Texas Legislature hereby pay tribute to the memory of Maranda Gail Mathis and extend deepest condolences to the members of her family: to her parents, Deanna Gornto and Brian Mathis Jr.; to her grandfather, Brian Mathis Sr.; to her great-grandmother, Margie Mathis; to her brother, Bruce Mathis; to her aunts, Angela Turner, Pamela Lucas, Jean Gornto, Barbara Miller, and Carol Miller; to her uncles, Melvin Mathis, Ted Gornto Sr., Quinten Mathis, James D. Miller, and Greg Garland; to her numerous cousins; and to the countless others in Uvalde and beyond who mourn her passing; and, be it further

RESOLVED, That an official copy of this resolution be prepared for her family and that when the Texas Senate adjourns this day, it do so in memory of Maranda Mathis.

GUTIERREZ

**In Memory**  
**of**  
**Eva Mireles**  
**Senate Resolution 578**

WHEREAS, The life of a compassionate and dedicated educator ended far too soon with the passing of Eva Mireles of Uvalde on May 24, 2022, at the age of 44; and

WHEREAS, Born in Dallas on March 17, 1978, Eva Mireles was the daughter of Paula Mireles and the stepdaughter of Santiago Moreno, and she grew up with two sisters, Maggie and Sandra; she graduated from Eagle Pass High School in 1996, before enrolling at Sul Ross State University and obtaining her bachelor's degree in interdisciplinary studies in 2003; and

WHEREAS, Ms. Mireles held a special education certification, and throughout her nearly 17-year career, she was passionate about providing a quality education to students of all abilities; as a fourth grade teacher, she went above and beyond to ensure the happiness and well-being of her students, and along the way, she earned the heartfelt gratitude of many families in her community; she found immense fulfillment in helping her students succeed and was always proud to see them graduate; and

WHEREAS, Blessed with a loving family, Ms. Mireles was the beloved wife of Ruben Ruiz Jr., and they were blessed with a daughter, Adalynn; her favorite hobbies included CrossFit, hiking, and karaoke, as well as spending time with her dog, Kane; with her contagious smile and lively personality, she made every gathering all the more fun for everyone; and

WHEREAS, Eva Mireles is profoundly missed by the many people she left behind, and they will forever treasure their memories of her kindness, her exuberance, and her devotion to her family and to her students; now, therefore, be it

RESOLVED, That the Senate of the 88th Texas Legislature hereby pay tribute to the life of Eva Mireles and extend heartfelt condolences to the members of her family: to her husband, Ruben Ruiz Jr.; to her daughter, Adalynn C. Ruiz; to her mother, Paula Mireles, and her stepfather, Santiago Moreno; to her sisters, Maggie Mireles Thomas and Sandra Sanders; to her mother-in-law, Cynthia Garza; to her aunts, uncles, nieces, and nephews; and to the countless others in Uvalde and beyond who mourn her passing; and, be it further

RESOLVED, That an official copy of this resolution be prepared for her family and that when the Texas Senate adjourns this day, it do so in memory of Eva Mireles.

GUTIERREZ

**In Memory**  
**of**  
**Alithia Haven Ramirez**  
**Senate Resolution 595**

WHEREAS, The family and friends of Alithia Haven Ramirez of Uvalde suffered a heartbreaking loss with the passing of this cherished young girl on May 24, 2022, at the age of 10; and

WHEREAS, Born in Jourdanton on April 28, 2012, Alithia Haven Ramirez was the beloved daughter of Ryan Ramirez and Jessica Hernandez; she grew up with the companionship of two siblings, Jonah and Akeelah, who looked up to her as a role model, and she was also blessed with numerous grandparents, aunts, uncles, and cousins as part of her large extended family; and

WHEREAS, Alithia Haven Ramirez was admired for her intelligence and reliability, as well as her kind and loving nature, and she was always eager to help if anyone needed anything; known for her passion and talent for art, she could often be found with a crayon in hand working on her latest drawing, and she had dreams of one day attending art school in Paris on her way to becoming a professional artist and sharing her creative gifts with the world; and

WHEREAS, Alithia Haven Ramirez brought a light into the lives of her loved ones that can never be extinguished, and they will forever keep her memory close in their hearts; now, therefore, be it

RESOLVED, That the Senate of the 88th Texas Legislature hereby pay tribute to the life of Alithia Haven Ramirez and extend deepest condolences to the members of her family: to her parents, Ryan Ramirez and Jessica Hernandez; to her siblings, Jonah and Akeelah Ramirez; to her grandparents, Raynaldo Ramirez Sr. and Rosa Ramirez and Jose and Elizabeth Aranda; to her aunts, Carina Aranda and Julissa Aranda; to her uncles, Aquiles Aranda, Raynaldo Ramirez Jr., Ramon Frank Ramirez, and Ricardo Ramirez; to her other relatives and friends; and to the countless others in Uvalde and beyond who mourn her passing; and, be it further

RESOLVED, That an official copy of this resolution be prepared for her family and that when the Texas Senate adjourns this day, it do so in memory of Alithia Haven Ramirez.

GUTIERREZ

**In Memory**  
**of**  
**Layla Marie Salazar**  
**Senate Resolution 583**

WHEREAS, Words cannot fully express the heartache felt by the family and friends of Layla Marie Salazar of Uvalde, who passed away on May 24, 2022, at the age of 11; and

WHEREAS, Layla Salazar was born in Elgin, Illinois, on September 19, 2010, to Vincent Salazar III and Melinda Alejandro; she enjoyed the companionship of two brothers, Julian and Nicholas, and she was further cherished by her grandparents and great-grandparents as well as a host of aunts, uncles, and cousins; and

WHEREAS, Layla was a high-spirited young girl who took advantage of any opportunity to sing and dance; though energetic and sometimes rambunctious, she was also respectful of her elders, and she was the first to greet relatives, friends, and guests who visited the family's home; her competitive nature shined in many different activities such as swimming and running, and she beamed with pride when she took home six first-place ribbons from her school's field day; and

WHEREAS, Although the passing of Layla Salazar is an incalculable loss to all those who held her dear, they may find comfort in knowing that their lives have been forever enriched by the love, laughter, and kindness she shared with them; now, therefore, be it

RESOLVED, That the Senate of the 88th Texas Legislature hereby pay tribute to the memory of Layla Marie Salazar and extend heartfelt condolences to the members of her family: to her parents, Vincent Salazar III and Melinda Alejandro; to her brothers, Julian and Nicholas Salazar; to her grandparents, Lisa and Roberto Alejandro and Vincent and Alma Salazar; to her great-grandparents, Mary and Joe Deleon, Romualda Alejandro, Consuelo Salazar, and Alicia Alejandro; to her aunts, uncles, cousins, and friends; and to the countless others in Uvalde and beyond who mourn her passing; and, be it further

RESOLVED, That an official copy of this resolution be prepared for her family and that when the Texas Senate adjourns this day, it do so in memory of Layla Marie Salazar.

GUTIERREZ

**In Memory**  
**of**  
**Makenna Lee Elrod**  
**Senate Resolution 589**

WHEREAS, The family and friends of Makenna Lee Elrod of Uvalde suffered a heartbreaking loss with the passing of this cherished young girl on May 24, 2022, at the age of 10; and

WHEREAS, Makenna Lee Elrod was born on April 19, 2012, and was raised by her loving parents, April Elrod and Chris Seiler; she was blessed with two sisters, Cailey and Cayden, and a brother, Holden, along with her grandparents and a number of aunts, uncles, and cousins; and

WHEREAS, Makenna radiated love and kindness toward everyone; she was a natural leader who readily endeared herself to others, making new friends everywhere she went, and she had a sunny smile that brightened the world around her; her affinity for animals led her to join the 4-H club, and she also enjoyed participating in softball and gymnastics, dancing and singing, going to school, and spending time with her family; she never hesitated to help out when asked, and she had a habit of writing notes and leaving them in hidden places for her family members to find; and

WHEREAS, While her journey on this earth ended far too soon, Makenna Lee Elrod touched the lives of many people during the time she shared with them, and those who were fortunate enough to know her will forever keep her memory alive in their hearts; now, therefore, be it

RESOLVED, That the Senate of the 88th Texas Legislature hereby pay tribute to the life of Makenna Lee Elrod and extend sincere condolences to the members of her family: to her parents, April Elrod and Chris Seiler; to her grandparents, Sharon Brown, Mike Brown, Brenda Fernandez, Nancy Brown, LeeAnn Kramer and Leslie, Steve and Maryland Seiler, and Pat and Jim Sibigroth; to her great-grandmother, Myrtle Brown; to her siblings, Cailey and Cayden Seiler and Holden Elrod; to her cousins, Madison, Payton, and Zoe McCullough; to her aunts and uncles, Kyle and Allison McCullough, Heather Seiler, Jordan Seiler, and Tabitha Seiler; and to the countless others in Uvalde and beyond who mourn her passing; and, be it further

RESOLVED, That an official copy of this resolution be prepared for her family and that when the Texas Senate adjourns this day, it do so in memory of Makenna Lee Elrod.

GUTIERREZ

**In Memory**  
**of**  
**Jailah Nicole Silguero**  
**Senate Resolution 577**

WHEREAS, Words cannot adequately express the deep sorrow felt at the loss of Jailah Nicole Silguero of Uvalde, who passed away on May 24, 2022, at the age of 10; and

WHEREAS, Born in Uvalde on September 19, 2011, Jailah Silguero was the beloved daughter of Veronica Luevanos and Jacob Silguero, and she also enjoyed the affection of her brother, Ethan, and her two sisters, Nazarea and Khloe; and

WHEREAS, Active and energetic, Jailah was fond of dancing, riding her skateboard and her bicycle, spending time outdoors, and playing with her cousins; she had a cheerful disposition and a caring heart for others, especially younger children; and

WHEREAS, Although Jailah Silguero's time on this earth was far too brief, her memory will continue to live on in the hearts of all those who were blessed to share in her love and affection; now, therefore, be it

RESOLVED, That the Senate of the 88th Texas Legislature hereby pay tribute to the memory of Jailah Nicole Silguero and extend deepest condolences to the members of her family: to her parents, Veronica Luevanos and Jacob Silguero; to her siblings, Ethan, Nazarea, and Khloe Silguero; to her other relatives and friends; and to the countless others in Uvalde and beyond who mourn her passing; and, be it further

RESOLVED, That an official copy of this resolution be prepared for her family and that when the Texas Senate adjourns this day, it do so in memory of Jailah Nicole Silguero.

GUTIERREZ

**In Memory  
of  
Eliahna Torres  
Senate Resolution 579**

WHEREAS, Words cannot fully express the sorrow felt by the loved ones of Eliahna Torres of Uvalde, who passed away on May 24, 2022, at the age of 10; and

WHEREAS, Born in Uvalde on January 12, 2012, to Eli and Sandra Torres, Eliahna Torres was blessed with the companionship of her sisters, Justice and Eliza, and her brothers, Eli and Dylan; her extended family included her grandparents, her nieces and nephews, and her many aunts, uncles, and cousins, and she also benefited from the love and support of numerous people in the wider community; and

WHEREAS, A vibrant girl with a radiant smile, Eliahna enjoyed being silly and making everyone laugh; she had developed a compassionate and nurturing nature that set her apart at such a young age, and she was always putting the needs of others ahead of her own; she was also a promising softball player who was vying for a spot on her city's all-star team; and

WHEREAS, Although her journey on this earth ended far too soon, Eliahna Torres touched the lives of those around her in ways beyond measure, and she will forever hold a special place in their hearts; now, therefore, be it

RESOLVED, That the Senate of the 88th Texas Legislature hereby pay tribute to the memory of Eliahna Torres and extend deepest condolences to the members of her family: to her parents, Sandra and Eli Torres; to her siblings, Justice Montes and her husband, Felix, Eliza Torres and her partner, Joe Camacho, Eli Torres Jr. and his wife, Karina Arizmendi, and Dylan Rodriguez; to her nieces, Arabella, Alaiyah, Avayah, Nayeli, and Lexi; to her nephews, Mark, Eli, and Joe; to her grandparents, Eva Cruz and her husband, Victor Cabralez, Adolfo Cruz, Moses and Araceli Torres, and Eloisa and Andres Alvarado; to her other relatives and friends; and to the countless others in Uvalde and beyond who mourn her passing; and, be it further

RESOLVED, That an official copy of this resolution be prepared for her family and that when the Texas Senate adjourns this day, it do so in memory of Eliahna Torres.

GUTIERREZ

**In Memory  
of  
Rojelio Fernandez Torres  
Senate Resolution 585**

WHEREAS, Words cannot adequately express the sorrow felt at the loss of Rojelio Fernandez Torres of Uvalde, who passed away on May 24, 2022, at the age of 10; and

WHEREAS, Rojelio Torres was born in Uvalde on December 6, 2011, to Federico Torres Jr. and Evadulia Orta; he grew up with the companionship of two sisters, Sara and Mary, and a brother, Federico, and he was surrounded by the love of many grandparents, aunts, uncles, and cousins as well; and

WHEREAS, An outgoing and kind-hearted young boy, Rojelio was always smiling and eager to help others; he enjoyed being outdoors and pursued a number of hobbies; among his favorites were playing football and video games; and

WHEREAS, Although Rojelio Torres is greatly missed, his loved ones were blessed beyond measure by his presence in their lives, and they will forever carry his memory close in their hearts; now, therefore, be it

RESOLVED, That the Senate of the 88th Texas Legislature hereby pay tribute to the life of Rojelio Fernandez Torres and extend profound condolences to the members of his family: to his parents, Federico Torres Jr. and Evadulia Orta; to his grandparents, Evadulia Fernandez, Jose Alfredo Orta and Veronica Ibarra, and Teresa Barboza; to his great-grandparents, Teresa Cabello and Rogelio De Leon; to his siblings, Sara Lee Torres, Mary Fernandez Torres, and Federico Orta Torres III; to his aunts, Precious Perez and her husband, Daniel Arredondo, Eoudulia Orta and her husband, Isal Sanchez, and Veronica Orta; to his other relatives and friends; and to the countless others in Uvalde and beyond who mourn his passing; and, be it further

RESOLVED, That an official copy of this resolution be prepared for his family and that when the Texas Senate adjourns this day, it do so in memory of Rojelio Fernandez Torres.

GUTIERREZ



**In Memory  
of  
Maite Yuleana Rodriguez  
Senate Resolution 586**

WHEREAS, The family and friends of Maite Yuleana Rodriguez of Uvalde suffered a heartbreaking loss with the passing of this cherished young girl on May 24, 2022, at the age of 10; and

WHEREAS, Maite Rodriguez was born in Uvalde on November 17, 2011, to Ana Isabel and Adrean Rodriguez; her circle of loved ones included her brothers, Adrean, Caleb, and Leo, as well as many other relatives who all adored her; and

WHEREAS, Sweet-natured, kind, and gracious, Maite was an honor roll student who enjoyed learning about animals, especially aquatic life; she was also dedicated to achieving her goals, and she had set her sights on enrolling at Texas A&M University-Corpus Christi on her way to becoming a marine biologist; and

WHEREAS, Maite Rodriguez touched the lives of everyone around her in ways beyond measure, and they will forever keep her memory alive in their hearts; now, therefore, be it

RESOLVED, That the Senate of the 88th Texas Legislature hereby pay tribute to the life of Maite Yuleana Rodriguez and extend deepest condolences to the members of her family: to her mother, Ana Isabel Rodriguez; to her father, Adrean Rodriguez; to her grandparents, Jeronimo and Gloria Coronado and Pedro and Adreana Rodriguez; to her brothers, Adrean, Caleb, and Leo Rodriguez; to her aunts, Maria Coronado and Barbara Rodriguez; to her uncles, Hector Coronado, Chris Coronado, Jeronimo Coronado, Juan Rodriguez, and Ernesto Rodriguez; and to the countless others in Uvalde and beyond who mourn her passing; and, be it further

RESOLVED, That an official copy of this resolution be prepared for her family and that when the Texas Senate adjourns this day, it do so in memory of Maite Yuleana Rodriguez.

GUTIERREZ

**In Memory**  
**of**  
**Annabell Guadalupe Rodriguez**  
**Senate Resolution 582**

WHEREAS, Annabell Guadalupe Rodriguez of Uvalde, who passed away on May 24, 2022, at the age of 10, touched the hearts of numerous people during her brief time on this earth; and

WHEREAS, Born in Uvalde on November 29, 2011, Annabell Rodriguez was the beloved daughter of Jessie Rodriguez and Monica Gallegos; she shared an especially close bond with her twin, Angeli, and her older sister, Annastasha, and she was also adored by her grandmother and her aunts, uncles, and cousins; and

WHEREAS, Annabell possessed a kind and caring nature, and she delighted in making videos with her sisters and showing off her dance moves; she also loved school, animals, and the color baby blue, and she had hopes of one day becoming a veterinarian; and

WHEREAS, Although the tragic passing of Annabell Rodriguez has brought immeasurable sorrow, the memory of this precious young girl will forever be treasured by all those who shared in the blessing of her life; now, therefore, be it

RESOLVED, That the Senate of the 88th Texas Legislature hereby pay tribute to the memory of Annabell Guadalupe Rodriguez and extend heartfelt condolences to the members of her family: to her parents, Monica Gallegos and Jessie Rodriguez; to her grandmother, Lucy Gallegos; to her sisters, Annastasha Gallegos and Angeli Rodriguez; to her uncles, Jerry Gallegos Jr. and his wife, Mirena Martinez, Joe Rodriguez, Tony Castanon, George Castanon, Raul Castanon, and Juan Castanon; to her aunts, Laura Castanon, Patricia Castanon, and Frances Lopez; to her other relatives and friends; and to the countless others in Uvalde and beyond who mourn her passing; and, be it further

RESOLVED, That an official copy of this resolution be prepared for her family and that when the Texas Senate adjourns this day, it do so in memory of Annabell Guadalupe Rodriguez.

GUTIERREZ

**In Memory  
of  
Jacklyn Jaylen Cazares  
Senate Resolution 588**

WHEREAS, The loving family and friends of Jacklyn Jaylen Cazares of Uvalde will forever cherish their memories of this precious young girl, who passed away on May 24, 2022, at the age of nine; and

WHEREAS, Jacklyn Cazares was born in Uvalde on June 10, 2012, to Javier and Gloria Cazares; she enjoyed the companionship of a brother, Johnathan, and a sister, Jazmin, and she was further blessed with the affection of her extended family, including her nephew, grandparents, uncles, aunts, and cousins; and

WHEREAS, Free-spirited and sweet-natured, Jacklyn was warm and affectionate toward those she loved; she took pleasure in singing, recording videos, and keeping in touch with her friends on social media; she also adored animals, especially her four dogs, and she hoped to one day turn her passion into a career as a veterinarian; and

WHEREAS, Jacklyn Cazares brought abundant joy to everyone around her, and although her loss is immensely difficult to bear, her memory will forever be treasured by all those who were fortunate enough to share in her life; now, therefore, be it

RESOLVED, That the Senate of the 88th Texas Legislature hereby pay tribute to the memory of Jacklyn Jaylen Cazares and extend heartfelt condolences to the members of her family: to her parents, Javier and Gloria Cazares; to her siblings, Johnathan Hernandez and his wife, Anabel, and Jazmin Cazares; to her nephew, Jazziel Leo Hernandez; to her grandparents, Paula Cazares and Hector Vasquez and Ramon Cazares; and to her other relatives and friends; and to the countless others in Uvalde and beyond who mourn her passing; and, be it further

RESOLVED, That an official copy of this resolution be prepared for her family and that when the Texas Senate adjourns this day, it do so in memory of Jacklyn Jaylen Cazares.

GUTIERREZ

**In Memory**  
**of**  
**Alexandria Aniyah Rubio**  
**Senate Resolution 584**

WHEREAS, Words cannot adequately express the heartache felt by the family and friends of Alexandria Aniyah Rubio of Uvalde, who passed away on May 24, 2022, at the age of 10; and

WHEREAS, Alexandria Rubio, who was affectionately known as "Lexi," was born in Hondo on October 20, 2011, to Kimberly Mata-Rubio and Felix Rubio; she shared a loving bond with her two sisters, Jahleela and Kalisa, and her three brothers, Julian, David, and Isaiah, and she drew on the support of a large extended family that included her grandparents, great-grandparents, aunts, uncles, and cousins; and

WHEREAS, An athletic and energetic fourth-grader, Alexandria inherited her father's passion for playing softball and basketball; they devoted many hours to their one-on-one practice sessions, and Lexi relished the experience of winning a championship with her youth basketball team last season; she also drew inspiration from her mother, who was pursuing a degree from St. Mary's University in San Antonio, and she hoped to one day enroll at the university herself to study mathematics then attend law school; and

WHEREAS, Alexandria cherished the time she spent with her family and friends, and some of her favorite activities included baking cookies with her great-grandmother, exchanging jokes with her loved ones, and curling up on the couch with a book; though she possessed a sarcastic wit, she was also caring and generous, and she had a beautiful smile that naturally progressed into hearty laughter whenever she was around her siblings; and

WHEREAS, Alexandria Rubio was a source of immense joy to everyone in her life, and although her loss is tremendously difficult to bear, her memory will forever be treasured by all who were blessed to know her; now, therefore, be it

RESOLVED, That the Senate of the 88th Texas Legislature hereby pay tribute to the life of Alexandria Aniyah Rubio and extend sincere condolences to the members of her family: to her parents, Kimberly Mata-Rubio and Felix Rubio; to her siblings, Julian Rubio, Jahleela Rubio, David Falcon III, Kalisa Barboza, and Isaiah Rodriguez; to her aunt, Analyse Mata, and her uncle, Brandon Mendoza Sr.; to her cousins, Brandon Mendoza Jr., Derek Mendoza, and Mary-Claire Mendoza; to her grandparents, Cindy Castillo and her husband, Victor, Ruben F. Mata and his wife, Larisa, and Connie and Luis "Chacho" Rubio; to her great-grandparents, Mary and Ruben Mata, Margie and Julian Moreno, Oralía

Orona and Trini Gutierrez, and Jesse and Maxine Martinez; to her numerous great-aunts, great-uncles, and cousins; to her best friend, Sarah; and to the countless others in Uvalde and beyond who mourn her passing; and, be it further

RESOLVED, That an official copy of this resolution be prepared for her family and that when the Texas Senate adjourns this day, it do so in memory of Alexandria Rubio.

GUTIERREZ

