

**State Defendants' Response to Brooks, LULAC, and
MALC Plaintiffs' Joint Motion for Preliminary Injunction**

Exhibit U

Tex. S. Journal, 87th Leg., 3d C.S. 359 (2021).

SENATE JOURNAL

EIGHTY-SEVENTH LEGISLATURE — THIRD CALLED SESSION

AUSTIN, TEXAS

PROCEEDINGS

EIGHTH DAY

(Continued)

(Monday, October 18, 2021)

AFTER RECESS

The Senate met at 10:25 a.m. and was called to order by Senator Buckingham.

Senator Hall offered the invocation as follows:

Our dear heavenly Father, we thank You so much. We thank You for all You've given to us and all You've done for us. We thank You for Your son and the sacrifices He made. We thank You for giving us this great state and great country to live in. We pray, Lord, You'll look after our troops and our first responders who are out there standing in harm's way. Keep them safe and healthy. We pray for Your guidance and direction and we know Your wisdom, Your courage, Your strengths, and discernment to know and do Your will. In Christ's name we pray. Amen.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Monday, October 18, 2021 - 1

The Honorable President of the Senate

Senate Chamber

Austin, Texas

Mr. President:

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

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

HB 133

Jetton

Relating to education benefits at public institutions of higher education for certain survivors of public servants.

SB 52

Creighton

Sponsor: Bonnen

Relating to the issuance of revenue bonds to fund capital projects at public institutions of higher education and the designation of certain appropriated funds allocated to those institutions.

(Committee Substitute/Amended)

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

HB 25 (76 Yeas, 61 Nays, 1 Present, not voting)

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

SENATE BILL 5 WITH HOUSE AMENDMENT

Senator Lucio called **SB 5** from the President's table for consideration of the House amendment to the bill.

The Presiding Officer laid the bill and the House amendment before the Senate.

Floor Amendment No. 6

Amend **SB 5** (house committee report) on page 2, line 21, between "chain" and the underlined semicolon, by inserting ", unless the size, strength, or demeanor of the dog would present a danger to a child or other person if not restrained by a chain of a weight and gauge that does not harm the dog".

The amendment was read.

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

The motion prevailed without objection.

The Presiding Officer asked if there were any motions to instruct the conference committee on **SB 5** before appointment.

There were no motions offered.

The Presiding Officer announced the appointment of the following conferees on the part of the Senate: Senators Lucio, Chair; Hinojosa, Paxton, Whitmire, and Bettencourt.

(Senator West in Chair)

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Monday, October 18, 2021 - 2

The Honorable President of the Senate

Senate Chamber

Austin, Texas

Mr. President:

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

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

SB 5 (non-record vote)

House Conferees: Patterson - Chair/Button/Schaefer/Shahen/Thierry

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

BILLS AND RESOLUTIONS SIGNED

The Presiding Officer announced the signing of the following enrolled bills and resolutions in the presence of the Senate after the captions had been read:

SB 4, SB 7, SCR 3.

HB 1, HCR 14.

SENATE BILL 52 WITH HOUSE AMENDMENTS

Senator Creighton called **SB 52** from the President's table for consideration of the House amendments to the bill.

The Presiding Officer laid the bill and the House amendments before the Senate.

Amendment

A BILL TO BE ENTITLED AN ACT

relating to the issuance of revenue bonds to fund capital projects at public institutions of higher education and the designation of certain appropriated funds allocated to those institutions.

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

SECTION 1. Subchapter B, Chapter 55, Education Code, is amended by adding Section 55.111 to read as follows:

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

SECTION 2. Subchapter B, Chapter 55, Education Code, is amended by adding Sections 55.1791, 55.1792, 55.1793, 55.1794, 55.1795, 55.1796, 55.1797, 55.1798, 55.1799, and 55.17991 to read as follows:

Sec. 55.1791. THE TEXAS A&M UNIVERSITY SYSTEM; ADDITIONAL BONDS. (a) In addition to the other authority granted by this subchapter, the board of regents of The Texas A&M University System may acquire, purchase, construct, improve, renovate, enlarge, or equip property and facilities, including roads and related infrastructure, for projects to be financed through the issuance of bonds in accordance with this subchapter and in accordance with a systemwide revenue financing program adopted by the board for the following institutions, not to exceed the following aggregate principal amounts for the projects specified, as follows:

(1) The Texas A&M University System, \$43,425,406 for construction of a STEM education center at the RELIS campus;

(2) Prairie View A&M University, \$44,922,833 for construction of a teaching and academic student support services facility;

(3) Tarleton State University, \$90 million for construction of a College of Health Sciences and Human Services building on the Stephenville campus;

(4) Texas A&M University, \$56,153,542 for construction of a clinical veterinary teaching and research complex;

(5) Texas A&M University–Commerce, \$44,922,833 for infrastructure upgrades to address accessibility for persons with disabilities and health and safety issues;

(6) Texas A&M University–Corpus Christi, \$44,922,833 for construction of an arts and media building;

(7) Texas A&M University at Galveston, \$33,692,125 for construction of an engineering classroom and research building;

(8) Texas A&M University–Kingsville, \$44,922,833 for renovations to address deferred maintenance for campus buildings;

(9) Texas A&M University–Central Texas, \$44,922,833 for construction of a central utility plant and infrastructure upgrades;

(10) West Texas A&M University, \$44,922,833 for infrastructure upgrades to address health and safety issues and the renovation of an education building;

(11) Texas A&M University–San Antonio, \$44,922,833 for construction of a public health and education building;

(12) Texas A&M International University, \$44,922,833 for construction of a health science education and research center;

(13) Texas A&M University–Texarkana, \$44,922,833 for construction of a business, engineering, and technology building; and

(14) The Texas A&M University System Health Science Center:

(A) \$59,897,111 for construction of the Texas Medical Center Building 3 in Houston, Texas; and

(B) \$29,948,556 for construction of a nursing education and research center in McAllen, Texas.

(b) The board may pledge irrevocably to the payment of bonds authorized by this section all or any part of the revenue funds of an institution, branch, or entity of The Texas A&M University System, including student tuition charges. The amount of a pledge made under this subsection may not be reduced or abrogated while the bonds for which the pledge is made, or bonds issued to refund those bonds, are outstanding.

(c) If sufficient funds are not available to the board to meet its obligations under this section, the board may transfer funds among institutions, branches, and entities of The Texas A&M University System to ensure the most equitable and efficient allocation of available resources for each institution, branch, or entity to carry out its duties and purposes.

(d) In lieu of financing a project described by Subsection (a) for an institution of higher education or entity, the board may finance in the manner prescribed by that subsection an alternative project for deferred maintenance or infrastructure at the same institution or entity in an amount not to exceed the total of the amount authorized for

the project and any unspent amount from projects authorized for the institution or entity under this chapter. The board shall notify the Texas Higher Education Coordinating Board of an alternative project financed as provided by this subsection.

Sec. 55.1792. THE UNIVERSITY OF TEXAS SYSTEM; ADDITIONAL BONDS. (a) In addition to the other authority granted by this subchapter, the board of regents of The University of Texas System may acquire, purchase, construct, improve, renovate, enlarge, or equip property and facilities, including roads and related infrastructure, for projects to be financed through the issuance of bonds in accordance with this subchapter and in accordance with a systemwide revenue financing program adopted by the board for the following institutions, not to exceed the following aggregate principal amounts for the projects specified, as follows:

(1) The University of Texas System, \$56,153,542 for renovation of the Microelectronics Research Center at the J. J. Pickle Research Campus;

(2) The University of Texas at Arlington, \$52,409,972 for renovation of the Life Science Building;

(3) The University of Texas at Austin, \$56,153,542 for renovation of the Physics, Math, and Astronomy Building;

(4) The University of Texas at Dallas, \$52,409,972 for construction of a student success center;

(5) The University of Texas at El Paso, \$52,409,972 for construction of an advanced teaching and learning complex;

(6) The University of Texas of the Permian Basin, \$44,922,833 for renovation of the Mesa Building and campus transformation;

(7) The University of Texas Rio Grande Valley, \$44,922,833 for construction of a health affairs building;

(8) The University of Texas at San Antonio, \$52,409,972 for construction of an Innovation, Entrepreneurship, and Careers building;

(9) The University of Texas at Tyler, \$44,922,833 for construction of a sciences building;

(10) The University of Texas Health Science Center at Houston, \$59,897,111 for construction of a public health education and research building;

(11) The University of Texas Health Science Center at San Antonio, \$59,897,111 for construction of the Glenn Biggs Institute for Alzheimer's & Neurodegenerative Diseases Building;

(12) The University of Texas Health Science Center at Tyler:

(A) \$48 million for construction of a health professions education center; and

(B) \$10 million for construction of a health professions education center located in Longview, Texas;

(13) The University of Texas M. D. Anderson Cancer Center, \$59,897,111 for construction of a life sciences research, innovation, and discovery initiative facility;

(14) The University of Texas Medical Branch at Galveston, \$59,897,111 for infrastructure and research space upgrades for research buildings; and

(15) UT Southwestern Medical Center, \$59,897,111 for construction of the north campus Phase VI Brain Institute shell space.

(b) The board may pledge irrevocably to the payment of bonds authorized by this section all or any part of the revenue funds of an institution, branch, or entity of The University of Texas System, including student tuition charges. The amount of a pledge made under this subsection may not be reduced or abrogated while the bonds for which the pledge is made, or bonds issued to refund those bonds, are outstanding.

(c) If sufficient funds are not available to the board to meet its obligations under this section, the board may transfer funds among institutions, branches, and entities of The University of Texas System to ensure the most equitable and efficient allocation of available resources for each institution, branch, or entity to carry out its duties and purposes.

(d) In lieu of financing a project described by Subsection (a) for an institution of higher education or entity, the board may finance in the manner prescribed by that subsection an alternative project for deferred maintenance or infrastructure at the same institution or entity in an amount not to exceed the total of the amount authorized for the project and any unspent amount from projects authorized for the institution or entity under this chapter. The board shall notify the Texas Higher Education Coordinating Board of an alternative project financed as provided by this subsection.

Sec. 55.1793. UNIVERSITY OF HOUSTON SYSTEM; ADDITIONAL BONDS. (a) In addition to the other authority granted by this subchapter, the board of regents of the University of Houston System may acquire, purchase, construct, improve, renovate, enlarge, or equip property and facilities, including roads and related infrastructure, for projects to be financed through the issuance of bonds in accordance with this subchapter and in accordance with a systemwide revenue financing program adopted by the board for the following institutions, not to exceed the following aggregate principal amounts for the projects specified, as follows:

(1) the University of Houston System:

(A) \$52,409,972 for construction of the Katy Academic Building 2; and

(B) \$59,897,111 for construction of a medical research facility;

(2) the University of Houston:

(A) \$40 million for construction of the Hobby School of Public Affairs Building; and

(B) \$52,409,972 for construction of the IDEA Lab;

(3) the University of Houston–Clear Lake, \$44,922,833 for renovation of the Bayou Building, the Delta Building, and the Student Services and Classroom Building;

(4) the University of Houston–Downtown, \$44,922,833 for renovation of existing buildings and other campus infrastructure upgrades and for the construction of the Police Department and Criminal Justice Academy Building; and

(5) the University of Houston–Victoria, \$44,922,833 for renovation of existing buildings and other campus infrastructure upgrades.

(b) The board may pledge irrevocably to the payment of bonds authorized by this section all or any part of the revenue funds of an institution, branch, or entity of the University of Houston System, including student tuition charges. The amount of a pledge made under this subsection may not be reduced or abrogated while the bonds for which the pledge is made, or bonds issued to refund those bonds, are outstanding.

(c) If sufficient funds are not available to the board to meet its obligations under this section, the board may transfer funds among institutions, branches, and entities of the University of Houston System to ensure the most equitable and efficient allocation of available resources for each institution, branch, or entity to carry out its duties and purposes.

(d) In lieu of financing a project described by Subsection (a) for an institution of higher education or entity, the board may finance in the manner prescribed by that subsection an alternative project for deferred maintenance or infrastructure at the same institution or entity in an amount not to exceed the total of the amount authorized for the project and any unspent amount from projects authorized for the institution or entity under this chapter. The board shall notify the Texas Higher Education Coordinating Board of an alternative project financed as provided by this subsection.

Sec. 55.1794. TEXAS STATE UNIVERSITY SYSTEM; ADDITIONAL BONDS. (a) In addition to the other authority granted by this subchapter, the board of regents of the Texas State University System may acquire, purchase, construct, improve, renovate, enlarge, or equip property and facilities, including roads and related infrastructure, for projects to be financed through the issuance of bonds in accordance with this subchapter and in accordance with a systemwide revenue financing program adopted by the board for the following institutions, not to exceed the following aggregate principal amounts for the projects specified, as follows:

(1) Texas State University System, \$11,230,708 for construction of a field research station and dam repair;

(2) Lamar State College–Orange, \$37,435,695 for the replacement of an academic building to house general academic instruction and information technology services;

(3) Lamar State College–Port Arthur, \$37,435,695 for construction of an allied health and sciences building;

(4) Lamar Institute of Technology, \$37,435,695 for construction of a facility for workforce and allied health programs;

(5) Lamar University, \$44,922,833 for renovation of a library;

(6) Sul Ross State University, \$26,392,165 for renovation of fine arts facilities;

(7) Sul Ross State University Rio Grande College, \$33,119,359 for construction of a multipurpose education and services building;

(8) Sam Houston State University:

(A) \$44,922,833 for construction of an allied health building located in Conroe, Texas; and

(B) \$44,922,833 for construction of an active learning center located in Huntsville, Texas; and

(9) Texas State University:

(A) \$52,409,972 for construction of a STEM classroom building located in San Marcos, Texas; and

(B) \$52,409,972 for construction of a health professions building located in Round Rock, Texas.

(b) The board may pledge irrevocably to the payment of bonds authorized by this section all or any part of the revenue funds of an institution, branch, or entity of the Texas State University System, including student tuition charges. The amount of a pledge made under this subsection may not be reduced or abrogated while the bonds for which the pledge is made, or bonds issued to refund those bonds, are outstanding.

(c) If sufficient funds are not available to the board to meet its obligations under this section, the board may transfer funds among institutions, branches, and entities of the Texas State University System to ensure the most equitable and efficient allocation of available resources for each institution, branch, or entity to carry out its duties and purposes.

(d) In lieu of financing a project described by Subsection (a) for an institution of higher education or entity, the board may finance in the manner prescribed by that subsection an alternative project for deferred maintenance or infrastructure at the same institution or entity in an amount not to exceed the total of the amount authorized for the project and any unspent amount from projects authorized for the institution or entity under this chapter. The board shall notify the Texas Higher Education Coordinating Board of an alternative project financed as provided by this subsection.

Sec. 55.1795. UNIVERSITY OF NORTH TEXAS SYSTEM; ADDITIONAL BONDS. (a) In addition to the other authority granted by this subchapter, the board of regents of the University of North Texas System may acquire, purchase, construct, improve, renovate, enlarge, or equip property and facilities, including roads and related infrastructure, for projects to be financed through the issuance of bonds in accordance with this subchapter and in accordance with a systemwide revenue financing program adopted by the board for the following institutions, not to exceed the following aggregate principal amounts for the projects specified, as follows:

(1) the University of North Texas:

(A) \$52,409,472 for construction of a science and technology research building; and

(B) \$52,409,472 for construction of a commerce, analytics, technology, and engineering building in Frisco, Texas;

(2) the University of North Texas at Dallas, \$100,000,000 for construction of a science building; and

(3) the University of North Texas Health Science Center at Fort Worth, \$59,987,111 for campus space optimization and realignment.

(b) The board may pledge irrevocably to the payment of bonds authorized by this section all or any part of the revenue funds of an institution, branch, or entity of the University of North Texas System, including student tuition charges. The amount of a pledge made under this subsection may not be reduced or abrogated while the bonds for which the pledge is made, or bonds issued to refund those bonds, are outstanding.

(c) If sufficient funds are not available to the board to meet its obligations under this section, the board may transfer funds among institutions, branches, and entities of the University of North Texas System to ensure the most equitable and efficient allocation of available resources for each institution, branch, or entity to carry out its duties and purposes.

(d) In lieu of financing a project described by Subsection (a) for an institution of higher education or entity, the board may finance in the manner prescribed by that subsection an alternative project for deferred maintenance or infrastructure at the same institution or entity in an amount not to exceed the total of the amount authorized for the project and any unspent amount from projects authorized for the institution or entity under this chapter. The board shall notify the Texas Higher Education Coordinating Board of an alternative project financed as provided by this subsection.

Sec. 55.1796. TEXAS WOMAN'S UNIVERSITY; ADDITIONAL BONDS. (a) In addition to the other authority granted by this subchapter, the board of regents of Texas Woman's University may acquire, purchase, construct, improve, renovate, enlarge, or equip property and facilities, including roads and related infrastructure, for a health sciences center, to be financed through the issuance of bonds in accordance with this subchapter, not to exceed the aggregate principal amount of \$100 million.

(b) The board may pledge irrevocably to the payment of bonds authorized by this section all or any part of the revenue funds of Texas Woman's University, including student tuition charges. The amount of a pledge made under this subsection may not be reduced or abrogated while the bonds for which the pledge is made, or bonds issued to refund those bonds, are outstanding.

(c) In lieu of financing a project described by Subsection (a) for Texas Woman's University, the board may finance in the manner prescribed by that subsection an alternative project for deferred maintenance or infrastructure at the university in an amount not to exceed the total of the amount authorized for the project and any unspent amount from projects authorized for the university under this chapter. The board shall notify the Texas Higher Education Coordinating Board of an alternative project financed as provided by this subsection.

Sec. 55.1797. STEPHEN F. AUSTIN STATE UNIVERSITY; ADDITIONAL BONDS. (a) In addition to the other authority granted by this subchapter, the board of regents of Stephen F. Austin State University may acquire, purchase, construct, improve, renovate, enlarge, or equip property and facilities, including roads and related infrastructure, for construction of an interdisciplinary and applied sciences building, to be financed through the issuance of bonds in accordance with this subchapter, not to exceed the aggregate principal amount of \$44,922,833.

(b) The board may pledge irrevocably to the payment of bonds authorized by this section all or any part of the revenue funds of Stephen F. Austin State University, including student tuition charges. The amount of a pledge made under this subsection may not be reduced or abrogated while the bonds for which the pledge is made, or bonds issued to refund those bonds, are outstanding.

(c) In lieu of financing a project described by Subsection (a) for Stephen F. Austin State University, the board may finance in the manner prescribed by that subsection an alternative project for deferred maintenance or infrastructure at the university in an amount not to exceed the total of the amount authorized for the project and any unspent amount from projects authorized for the university under this chapter. The board shall notify the Texas Higher Education Coordinating Board of an alternative project financed as provided by this subsection.

Sec. 55.1798. TEXAS TECH UNIVERSITY SYSTEM; ADDITIONAL BONDS. (a) In addition to the other authority granted by this subchapter, the board of regents of the Texas Tech University System may acquire, purchase, construct, improve, renovate, enlarge, or equip property and facilities, including roads and related infrastructure, for projects to be financed through the issuance of bonds in accordance with this subchapter and in accordance with a systemwide revenue financing program adopted by the board for the following institutions, not to exceed the following aggregate principal amounts for the projects specified, as follows:

(1) Angelo State University, \$36 million for a central plant maintenance and renovation;

(2) Texas Tech University, \$52,409,972 for renovations to address deferred maintenance for campus buildings;

(3) Midwestern State University, \$44,922,833 for renovations to an existing building and other campus infrastructure upgrades;

(4) Texas Tech University Health Sciences Center:

(A) \$59,897,111 for maintenance and renovation of an existing facility;

and

(B) \$18,717,847 for construction and equipment of the physician assistant facility in Midland, Texas; and

(5) Texas Tech University Health Sciences Center at El Paso, \$59,897,111 for construction of a dental school building.

(b) The board may pledge irrevocably to the payment of bonds authorized by this section all or any part of the revenue funds of an institution, branch, or entity of the Texas Tech University System, including student tuition charges. The amount of a pledge made under this subsection may not be reduced or abrogated while the bonds for which the pledge is made, or bonds issued to refund those bonds, are outstanding.

(c) If sufficient funds are not available to the board to meet its obligations under this section, the board may transfer funds among institutions, branches, and entities of the Texas Tech University System to ensure the most equitable and efficient allocation of available resources for each institution, branch, or entity to carry out its duties and purposes.

(d) In lieu of financing a project described by Subsection (a) for an institution of higher education or entity, the board may finance in the manner prescribed by that subsection an alternative project for deferred maintenance or infrastructure at the same institution or entity in an amount not to exceed the total of the amount authorized for the project and any unspent amount from projects authorized for the institution or entity under this chapter. The board shall notify the Texas Higher Education Coordinating Board of an alternative project financed as provided by this subsection.

Sec. 55.1799. TEXAS SOUTHERN UNIVERSITY; ADDITIONAL BONDS.

(a) In addition to the other authority granted by this subchapter, the board of regents of Texas Southern University may acquire, purchase, construct, improve, renovate, enlarge, or equip property and facilities, including roads and related infrastructure, for projects to be financed through the issuance of bonds in accordance with this subchapter, not to exceed the following aggregate principal amounts for the projects specified, as follows:

(1) \$22,800,000 for renovation of the Nabrit Building;

- (2) \$2,400,000 for upgrades to signage and wayfinding;
- (3) \$40 million for facility maintenance and renovation; and
- (4) \$30 million for construction of a health and wellness center.

(b) The board may pledge irrevocably to the payment of bonds authorized by this section all or any part of the revenue funds of Texas Southern University, including student tuition charges. The amount of a pledge made under this subsection may not be reduced or abrogated while the bonds for which the pledge is made, or bonds issued to refund those bonds, are outstanding.

(c) In lieu of financing a project described by Subsection (a) for Texas Southern University, the board may finance in the manner prescribed by that subsection an alternative project for deferred maintenance or infrastructure at the university in an amount not to exceed the total of the amount authorized for the project and any unspent amount from projects authorized for the university under this chapter. The board shall notify the Texas Higher Education Coordinating Board of an alternative project financed as provided by this subsection.

Sec. 55.17991. TEXAS STATE TECHNICAL COLLEGE SYSTEM. (a) In addition to the other authority granted by this subchapter, the board of regents of the Texas State Technical College System may acquire, purchase, construct, improve, renovate, enlarge, or equip property and facilities, including roads and related infrastructure, for projects to be financed through the issuance of bonds in accordance with this subchapter for the following entity and institutions, not to exceed the following aggregate principal amounts for the projects specified, as follows:

(1) Texas State Technical College System, \$24,932,173 for the East Williamson County Higher Education Center expansion;

(2) Texas State Technical College–Fort Bend, \$31,296,241 for Fort Bend County campus expansion;

(3) Texas State Technical College–Harlingen, \$28,301,385 for Harlingen campus expansion;

(4) Texas State Technical College–Marshall, \$11,230,708 for Marshall campus expansion;

(5) Texas State Technical College–North Texas, \$10,107,638 for North Texas campus expansion;

(6) Texas State Technical College–West Texas, \$10,107,638 for West Texas campus expansion; and

(7) Texas State Technical College–Waco, \$37,435,695 for Waco campus expansion.

(b) The board may pledge irrevocably to the payment of bonds authorized by this section all or any part of the revenue funds of an institution, branch, or entity of the Texas State Technical College System, including student tuition charges. The amount of a pledge made under this subsection may not be reduced or abrogated while the bonds for which the pledge is made, or bonds issued to refund those bonds, are outstanding.

(c) If sufficient funds are not available to the board to meet its obligations under this section, the board may transfer funds among institutions, branches, and entities of the Texas State Technical College System to ensure the most equitable and efficient allocation of available resources for each institution, branch, or entity to carry out its duties and purposes.

(d) In lieu of financing a project described by Subsection (a) for an institution of higher education or entity, the board may finance in the manner prescribed by that subsection an alternative project for deferred maintenance or infrastructure at the same institution or entity in an amount not to exceed the total of the amount authorized for the project and any unspent amount from projects authorized for the institution or entity under this chapter. The board shall notify the Texas Higher Education Coordinating Board of an alternative project financed as provided by this subsection.

SECTION 3. This Act does not affect any authority or restriction regarding the activities that a public institution of higher education may conduct in connection with a facility financed by bonds authorized by this Act.

SECTION 4. This Act takes effect on the 91st day after the last day of the legislative session.

Floor Amendment No. 1

Amend **CSSB 52** (house committee report version) as follows:

(1) In SECTION 1 of the bill, page 1, strike lines 8-13 and substitute the following:

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

(2) In SECTION 55.1795 of the bill, UNIVERSITY OF NORTH TEXAS SYSTEM; ADDITIONAL BONDS, (page 12, line 4), strike "\$59,987,111" and insert "\$59,897,111".

(3) In SECTION 55.1791 of the bill, THE TEXAS A&M UNIVERSITY SYSTEM; ADDITIONAL BONDS, (page 3, line 12), strike "\$59,897,111" and insert "\$69,897,111".

(4) In SECTION 55.1792 of the bill, THE UNIVERSITY OF TEXAS SYSTEM; ADDITIONAL BONDS, (page 5, line 17), strike "\$59,897,111" and insert "\$69,897,111".

(5) In SECTION 55.1792 of the bill, THE UNIVERSITY OF TEXAS SYSTEM; ADDITIONAL BONDS, (page 6, line 2), strike "\$59,897,111" and insert "\$69,897,111".

(6) In SECTION 55.1794 of the bill, TEXAS STATE UNIVERSITY SYSTEM; ADDITIONAL BONDS, (page 10, line 12), strike "\$52,409,972" and insert "\$111,921,496".

(7) In SECTION 55.1794 of the bill, TEXAS STATE UNIVERSITY SYSTEM; ADDITIONAL BONDS, (page 10, lines 1-5), strike Sections (6) and (7) in their entirety and renumber, as needed.

(8) In SECTION 55.1798 of the bill, TEXAS TECH UNIVERSITY SYSTEM; ADDITIONAL BONDS, (page 15, lines 8-9), strike Section (2) in its entirety and substitute the following:

(2) Texas Tech University:

(A) \$72 million for renovations to address deferred maintenance for campus buildings; and

(B) \$8 million for maintenance and program enhancement construction in Junction, Texas;

(9) In SECTION 55.17991 of the bill, TEXAS STATE TECHNICAL COLLEGE SYSTEM,

(page 17, line 27), strike "\$24,932,173" and insert "\$33,300,000".

(page 18, line 3), strike "\$31,296,241" and insert "\$41,800,000".

(page 18, line 5), strike "\$28,301,385" and insert "\$37,800,000".

(page 18, line 7), strike "\$11,230,708" and insert "\$15,000,000".

(page 18, line 9), strike "\$10,107,638" and insert "\$13,500,000".

(page 18, line 11), strike "\$10,107,638" and insert "\$13,500,000".

(page 18, line 12), strike "\$37,435,695" and insert "\$53,600,000".

(10) In SECTION 55.1791 of the bill, THE TEXAS A&M UNIVERSITY SYSTEM; ADDITIONAL BONDS. On page 4, strike lines 2-11 and substitute the following:

(d) In lieu of financing a project described by Subsection (a) for an institution of higher education of entity, the board may finance in the manner prescribed by that subsection an alternative project for deferred maintenance or infrastructure at the university in an amount not to exceed \$40 million for the university under this chapter. Repurposing of funds in excess of \$40 million are subject to prior written approval by the Legislative Budget Board and the Office of the Governor. The board shall notify the Texas Higher Education Coordinating Board of an alternative project financed as provided by this subsection.

(11) In SECTION 55.1792 of the bill, THE UNIVERSITY OF TEXAS SYSTEM; ADDITIONAL BONDS. On page 6, strike lines 22-27 and on page 7, strike lines 1-5 and substitute the following:

(d) In lieu of financing a project described by Subsection (a) for an institution of higher education of entity, the board may finance in the manner prescribed by that subsection an alternative project for deferred maintenance or infrastructure at the university in an amount not to exceed \$40 million for the university under this chapter. Repurposing of funds in excess of \$40 million are subject to prior written approval by the Legislative Budget Board and the Office of the Governor. The board shall notify the Texas Higher Education Coordinating Board of an alternative project financed as provided by this subsection.

(12) In SECTION 55.1793 of the bill, THE UNIVERSITY OF HOUSTON SYSTEM; ADDITIONAL BONDS. On page 8, strike lines 23-27 and on page 9, strike lines 1-4 and substitute the following:

(d) In lieu of financing a project described by Subsection (a) for an institution of higher education of entity, the board may finance in the manner prescribed by that subsection an alternative project for deferred maintenance or infrastructure at the university in an amount not to exceed \$40 million for the university under this

chapter. Repurposing of funds in excess of \$40 million are subject to prior written approval by the Legislative Budget Board and the Office of the Governor. The board shall notify the Texas Higher Education Coordinating Board of an alternative project financed as provided by this subsection.

(13) In SECTION 55.1794 of the bill, TEXAS STATE UNIVERSITY SYSTEM; ADDITIONAL BONDS. On page 11, strike lines 2-11 and substitute the following:

(d) In lieu of financing a project described by Subsection (a) for an institution of higher education of entity, the board may finance in the manner prescribed by that subsection an alternative project for deferred maintenance or infrastructure at the university in an amount not to exceed \$40 million for the university under this chapter. Repurposing of funds in excess of \$40 million are subject to prior written approval by the Legislative Budget Board and the Office of the Governor. The board shall notify the Texas Higher Education Coordinating Board of an alternative project financed as provided by this subsection.

(14) In SECTION 55.1795 of the bill, UNIVERSITY OF NORTH TEXAS SYSTEM; ADDITIONAL BONDS. On page 12, strike lines 19-27 and on page 13, strike line 1 and substitute the following:

(d) In lieu of financing a project described by Subsection (a) for an institution of higher education of entity, the board may finance in the manner prescribed by that subsection an alternative project for deferred maintenance or infrastructure at the university in an amount not to exceed \$40 million for the university under this chapter. Repurposing of funds in excess of \$40 million are subject to prior written approval by the Legislative Budget Board and the Office of the Governor. The board shall notify the Texas Higher Education Coordinating Board of an alternative project financed as provided by this subsection.

(15) In SECTION 55.1796 of the bill, TEXAS WOMAN'S UNIVERSITY; ADDITIONAL BONDS. On page 13, strike lines 16-24 and substitute the following:

(C) In lieu of financing a project described by Subsection (a) for Texas Woman's University, the board may finance in the manner prescribed by that subsection an alternative project for deferred maintenance or infrastructure at the university in an amount not to exceed \$40 million for the university under this chapter. Repurposing of funds in excess of \$40 million are subject to prior written approval by the Legislative Budget Board and the Office of the Governor. The board shall notify the Texas Higher Education Coordinating Board of an alternative project financed as provided by this subsection.

(16) In SECTION 55.1797 of the bill, STEPHEN F. AUSTIN UNIVERSITY; ADDITIONAL BONDS. On page 14, strike lines 13-21 and substitute the following:

(C) In lieu of financing a project described by Subsection (a) for Stephen F. Austin State University, the board may finance in the manner prescribed by that subsection an alternative project for deferred maintenance or infrastructure at the university in an amount not to exceed \$40 million for the university under this chapter. Repurposing of funds in excess of \$40 million are subject to prior written approval by the Legislative Budget Board and the Office of the Governor. The board shall notify the Texas Higher Education Coordinating Board of an alternative project financed as provided by this subsection.

(17) In SECTION 55.1798 of the bill, TEXAS TECH SYSTEM; ADDITIONAL BONDS. On page 16, strike lines 6-15 and substitute the following:

(d) In lieu of financing a project described by Subsection (a) for an institution of higher education of entity, the board may finance in the manner prescribed by that subsection an alternative project for deferred maintenance or infrastructure at the university in an amount not to exceed \$40 million for the university under this chapter. Repurposing of funds in excess of \$40 million are subject to prior written approval by the Legislative Budget Board and the Office of the Governor. The board shall notify the Texas Higher Education Coordinating Board of an alternative project financed as provided by this subsection.

(18) In SECTION 55.1799 of the bill, TEXAS SOUTHERN UNIVERSITY; ADDITIONAL BONDS. On page 17, strike lines 9-17 and substitute the following:

(c) In lieu of financing a project described by Subsection (a) for Texas Southern University, the board may finance in the manner prescribed by that subsection an alternative project for deferred maintenance or infrastructure at the university in an amount not to exceed \$40 million for the university under this chapter. Repurposing of funds in excess of \$40 million are subject to prior written approval by the Legislative Budget Board and the Office of the Governor. The board shall notify the Texas Higher Education Coordinating Board of an alternative project financed as provided by this subsection.

(19) In SECTION 55.17991 of the bill, TEXAS STATE TECHNICAL COLLEGE SYSTEM. On page 18, strike line 27 and on page 19, strike lines 1-9 and substitute the following:

(d) In lieu of financing a project described by Subsection (a) for an institution of higher education or entity, the board may finance in the manner prescribed by that subsection an alternative project for deferred maintenance or infrastructure at the university in an amount not to exceed \$40 million for the university under this chapter. Repurposing of funds in excess of \$40 million are subject to prior written approval by the Legislative Budget Board and the Office of the Governor. The board shall notify the Texas Higher Education Coordinating Board of an alternative project financed as provided by this subsection.

(20) On page 19, insert:

SECTION _____. CAPITAL PROJECT OVERSIGHT ADVISORY COMMISSION. (a) The Capital Project Oversight Advisory Commission is composed of nine members as follows:

- (1) the chair of the Senate Committee on Higher Education;
- (2) one member of the senate appointed by the lieutenant governor;
- (3) the chair of the House Committee on Higher Education;
- (4) one member of the house of representatives appointed by the speaker;
- (5) one member of the public appointed by the lieutenant governor;
- (6) one member of the public appointed by the speaker;
- (7) the Chairman of the Texas Facilities Commission;
- (8) the Commissioner of the Texas Higher Education Coordinating Board;

and

- (9) one member of the public appointed by the governor.

(10) The member of the public appointed by the Governor shall serve as chair of the Commission.

(b) Appointments to the Commission shall be made without regard to the race, color, disability, sex, religion, age, or national origin of the appointee.

(c) The Commission, in consultation with the Legislative Budget Board, Texas Facilities Commission, and Comptroller of Public Accounts, shall develop model guidelines to be considered by institutions of higher education for procurement and construction related to capital projects for which the issuance of revenue bonds are authorized under **SB 52**, 87th Legislature, Third Called Session, 2021, or similar legislation.

(d) The Commission may request reports and other information from the Texas Higher Education Coordinating Board relating to capital projects described by Subsection (c).

(e) Not later than March 31, 2022, the Commission shall develop the model guidelines described by Subsection (c)(3).

(f) Not later than December 1, 2022, the Commission shall prepare and submit a report to the governor, lieutenant governor, and speaker of the house of representatives on the model guidelines developed in accordance with Subsection (c) and recommendations for legislative or other action.

(g) The Commission is abolished effective December 31, 2022.

(21) On page 19, insert:

SECTION _____. CAPITAL PROJECT OVERSIGHT. (a) Notwithstanding Texas Government Code Sec. 2262.001, all institutions of higher education authorized above shall be subject to Contract Advisory Team oversight, prior to expending any funds for purposes of Capital Construction Assistance Projects.

(b) Notwithstanding Texas Government Code Sec. 322.020, all institutions of higher education authorized above shall report all major contracts entered into for purposes of Capital Construction Assistance Projects to the Legislative Budget Board's Contracts Database, within 30 days of contract execution.

Floor Amendment No. 3

Amend **CSSB 52** (house committee report) on page 7, line 23, by striking "\$40 million" and substituting "\$40,000,001".

The amendments were read.

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

The motion prevailed without objection.

The Presiding Officer asked if there were any motions to instruct the conference committee on **SB 52** before appointment.

There were no motions offered.

The Presiding Officer announced the appointment of the following conferees on the part of the Senate: Senators Creighton, Chair; Nelson, Bettencourt, Springer, and West.

**SENATE RULE 8.02 SUSPENDED
(Referral to Committee)**

Senator Buckingham moved to suspend Senate Rule 8.02 to take up for consideration **HCR 8** at this time.

The motion prevailed without objection.

HOUSE CONCURRENT RESOLUTION 8

The Presiding Officer laid before the Senate the following resolution:

HCR 8, Designating the third Monday in October as Domestic Violence Survivors' Day for a 10-year period beginning in 2021.

BUCKINGHAM

The resolution was read.

On motion of Senator Buckingham and by unanimous consent, the resolution was considered immediately and was adopted by the following vote: Yeas 31, Nays 0.

SENATE RESOLUTION 62

Senator Kolkhorst offered the following resolution:

SR 62, In memory of Robert Carlos Yncian.

The resolution was again read.

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

The resolution was previously adopted on Tuesday, October 12, 2021.

In honor of the memory of Robert Carlos Yncian, the text of **SR 62** is printed at the end of today's *Senate Journal*.

Senator Kolkhorst, joined by Senator Lucio, was recognized and introduced to the Senate family and friends of Robert Carlos Yncian including his wife, Cynthia Yncian; daughter, Marrisa Yncian; son, Jaime Yncian; son, Marco Yncian; Hector Porras; Regina Porras; Sylvia Porras Maulone; Andrew Porras; and his mother-in-law, Mary Porras.

The Senate welcomed its guests and extended its sympathy.

RECESS

On motion of Senator Lucio, the Senate at 1:27 p.m. recessed until 5:30 p.m. today.

AFTER RECESS

The Senate met at 6:07 p.m. and was called to order by Senator Birdwell.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Monday, October 18, 2021 - 3

The Honorable President of the Senate

Senate Chamber

Austin, Texas

Mr. President:

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

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

HCR 16 Craddick

Congratulating Kenneth and Susan Jastrow on their receipt of the Santa Rita Award by The University of Texas System Board of Regents.

HCR 17 Craddick

In memory of James Coley Cowden.

SCR 4 Hughes

In memory of Billy Ray Herring.

Sponsor: Hefner

SCR 6 Hughes

In memory of Marice Densal Wilson.

Sponsor: Hefner

SCR 7 Hughes

In memory of James W. Odom.

Sponsor: Hefner

SCR 8 Hughes

In memory of Linda Gay Galbraith Wall.

Sponsor: Hefner

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

SB 52 (non-record vote)

House Conferees: Bonnen - Chair/Burns/Murphy/VanDeaver/Walle

Respectfully,

/s/Robert Haney, Chief Clerk

House of Representatives

SENATE RESOLUTION ON FIRST READING

The following resolution was introduced, read first time, and referred to the committee indicated:

SJR 2 by Bettencourt

Proposing a constitutional amendment increasing the amount of the residence homestead exemption from ad valorem taxation for public school purposes.

To Committee on Finance.

HOUSE BILL ON FIRST READING

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

HB 133 to Committee on Finance.

SENATE RULES SUSPENDED**(Posting Rules)**

On motion of Senator Nelson and by unanimous consent, Senate Rule 11.10(a) and Senate Rule 11.18(a) were suspended in order that the Committee on Finance might meet and consider the following bills today in the Betty King Committee Room, 2E.20: **SJR 2**, **HB 133**.

RECESS

On motion of Senator Whitmire, the Senate at 6:10 p.m. recessed until 6:20 p.m. today.

AFTER RECESS

The Senate met at 6:27 p.m. and was called to order by Senator Birdwell.

SENATE RULE 7.12(a) SUSPENDED**(Printing of Bills)**

On motion of Senator Bettencourt and by unanimous consent, Senate Rule 7.12(a) was suspended for **SJR 2** and the committee report was ordered not printed.

SENATE RULE 10.01 SUSPENDED**(Joint Resolutions Subject to Rules Governing Bills)**

On motion of Senator Bettencourt and by unanimous consent, Senate Rule 10.01 was suspended to take up for consideration **SJR 2** at this time.

SENATE JOINT RESOLUTION 2

The Presiding Officer laid before the Senate the following resolution:

A JOINT RESOLUTION

proposing a constitutional amendment increasing the amount of the residence homestead exemption from ad valorem taxation for public school purposes.

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

SECTION 1. Section 1-b(c), Article VIII, Texas Constitution, is amended to read as follows:

(c) The amount of ~~\$40,000~~ ~~[~~\$25,000~~]~~ of the market value of the residence homestead of a married or unmarried adult, including one living alone, is exempt from ad valorem taxation for general elementary and secondary public school purposes. The legislature by general law may provide that all or part of the exemption does not apply to a district or political subdivision that imposes ad valorem taxes for

public education purposes but is not the principal school district providing general elementary and secondary public education throughout its territory. In addition to this exemption, the legislature by general law may exempt an amount not to exceed \$10,000 of the market value of the residence homestead of a person who is disabled as defined in Subsection (b) of this section and of a person 65 years of age or older from ad valorem taxation for general elementary and secondary public school purposes. The legislature by general law may base the amount of and condition eligibility for the additional exemption authorized by this subsection for disabled persons and for persons 65 years of age or older on economic need. An eligible disabled person who is 65 years of age or older may not receive both exemptions from a school district but may choose either. An eligible person is entitled to receive both the exemption required by this subsection for all residence homesteads and any exemption adopted pursuant to Subsection (b) of this section, but the legislature shall provide by general law whether an eligible disabled or elderly person may receive both the additional exemption for the elderly and disabled authorized by this subsection and any exemption for the elderly or disabled adopted pursuant to Subsection (b) of this section. Where ad valorem tax has previously been pledged for the payment of debt, the taxing officers of a school district may continue to levy and collect the tax against the value of homesteads exempted under this subsection until the debt is discharged if the cessation of the levy would impair the obligation of the contract by which the debt was created. The legislature shall provide for formulas to protect school districts against all or part of the revenue loss incurred by the implementation of this subsection, Subsection (d) of this section, and Section 1-d-1 of this article. The legislature by general law may define residence homestead for purposes of this section.

SECTION 2. The following temporary provision is added to the Texas Constitution:

TEMPORARY PROVISION. (a) This temporary provision applies to the constitutional amendment proposed by the 87th Legislature, 3rd Called Session, 2021, increasing the amount of the residence homestead exemption from ad valorem taxation for public school purposes.

(b) The amendment to Section 1-b(c), Article VIII, of this constitution takes effect January 1, 2022, and applies only to a tax year beginning on or after that date.

(c) This temporary provision expires January 1, 2023.

SECTION 3. This proposed constitutional amendment shall be submitted to the voters at an election to be held May 7, 2022. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment increasing the amount of the residence homestead exemption from ad valorem taxation for public school purposes from \$25,000 to \$40,000."

BETTENCOURT
ALVARADO
BIRDWELL
BLANCO
BUCKINGHAM
CAMPBELL
CREIGHTON

HINOJOSA
HUFFMAN
HUGHES
JOHNSON
KOLKHORST
LUCIO
MENÉNDEZ

PERRY
POWELL
SCHWERTNER
SELIGER
SPRINGER
TAYLOR
WEST

ECKHARDT
GUTIERREZ
HALL
HANCOCK

MILES
NELSON
NICHOLS
PAXTON

WHITMIRE
ZAFFIRINI

SJR 2 was read second time.

On motion of Senator Bettencourt and by unanimous consent, the resolution was adopted by the following vote: Yeas 31, Nays 0.

SENATE RULE 7.12(a) SUSPENDED
(Printing of Bills)

On motion of Senator Huffman and by unanimous consent, Senate Rule 7.12(a) was suspended for **HB 133** and the committee report was ordered not printed.

HOUSE BILL 133 ON SECOND READING

Senator Huffman moved to suspend the regular order of business, Senate Rule 7.18, and the Constitutional Rule requiring bills to be read on three several days to take up for consideration **HB 133** at this time on its second reading:

HB 133, Relating to education benefits at public institutions of higher education for certain survivors of public servants.

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

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 133 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 133** 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.

SENATE RULE 12.09(a) SUSPENDED
(Printing and Notice of Conference Committee Reports)

Senator Lucio moved to suspend Senate Rule 12.09(a) as it relates to the Conference Committee Report on **SB 5**.

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

Yeas: Alvarado, Bettencourt, Birdwell, Blanco, Buckingham, Campbell, Creighton, Eckhardt, Gutierrez, Hancock, Hinojosa, Huffman, Johnson, Kolkhorst, Lucio, Menéndez, Miles, Nelson, Paxton, Perry, Powell, Schwertner, Seliger, Springer, Taylor, West, Whitmire, Zaffirini.

Nays: Hall, Hughes, Nichols.

**CONFERENCE COMMITTEE REPORT ON
SENATE BILL 5 ADOPTED**

Senator Lucio called from the President's table the Conference Committee Report on **SB 5**. The Conference Committee Report was filed with the Senate on Monday, October 18, 2021.

On motion of Senator Lucio, the Conference Committee Report was adopted by the following vote: Yeas 28, Nays 3.

Yeas: Alvarado, Bettencourt, Birdwell, Blanco, Buckingham, Campbell, Creighton, Eckhardt, Gutierrez, Hancock, Hinojosa, Huffman, Johnson, Kolkhorst, Lucio, Menéndez, Miles, Nelson, Paxton, Perry, Powell, Schwertner, Seliger, Springer, Taylor, West, Whitmire, Zaffirini.

Nays: Hall, Hughes, Nichols.

(President in Chair)

BILL SIGNED

The President announced the signing of the following enrolled bill in the presence of the Senate after the caption had been read: **HB 25**.

SENATE RESOLUTION 94

Senator Nelson offered the following resolution:

BE IT RESOLVED, BY THE Senate of the State of Texas, That Senate Rule 12.03 and 12.04, be suspended in part as provided by Senate Rule 12.08 to enable consideration of, and action on, the following specific matters which may be contained in the Conference Committee Report on Senate Bill 8.

A. Suspend Senate Rule 12.03 (4) to allow the Conference Committee to add text on any matter which is not included in either the House or Senate version of the bill to read as follows:

SECTION 4. DEPARTMENT OF STATE HEALTH SERVICES: COVID-19 SERVICES. (a) The amount of \$2,000,000,000 is appropriated to the Department of State Health Services from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 during the period beginning on the effective date of this Act and ending January 1, 2023, for the following purposes related to costs incurred during the period beginning March 3, 2021, and ending January 1, 2023, due to the coronavirus disease pandemic:

- (1) providing funding for surge staffing at state and local hospitals, long-term care facilities, psychiatric hospitals, and nursing facilities;
- (2) purchasing therapeutic drugs, including drugs for monoclonal antibody treatments; and
- (3) providing funding for the operation of regional infusion centers.

(b) Notwithstanding Section 13.05, page IX-64, Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), the Department of State Health Services shall expend any Coronavirus State Fiscal Recovery Funds freed-up as a result of reimbursements received by the Department of

State Health Services from the Federal Emergency Management Agency related to expenditures paid from money appropriated under Subsection (a) of this section only after prior approval of the Legislative Budget Board.

B. Suspend Senate Rule 12.03 (4) to allow the Conference Committee to add text on any matter which is not included in either the House or Senate version of the bill to read as follows:

SECTION 6. DEPARTMENT OF CRIMINAL JUSTICE: COMPENSATION.

(a) The amount of \$359,673,191 is appropriated to the Department of Criminal Justice from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing compensation for agency employees for the state fiscal year beginning September 1, 2021.

(b) The Department of Criminal Justice shall:

(1) in consultation with the comptroller of public accounts and the Legislative Budget Board, determine the proper allocation of benefits included in the appropriations made under Subsection (a) of this section; and

(2) identify the strategies and objectives for which the appropriations made under Subsection (a) of this section are directed.

(c) It is the intent of the legislature that the Department of Criminal Justice consider the appropriations as a change in the method of finance of the compensation to be paid to agency employees and not as an increase in total appropriations to the agency.

C. Suspend Senate Rule 12.03 (4) to allow the Conference Committee to add text on any matter which is not included in either the House or Senate version of the bill to read as follows:

SECTION 8. HIGHER EDUCATION COORDINATING BOARD: TEXAS CHILD MENTAL HEALTH CARE CONSORTIUM. (a) The amount of \$113,082,887 is appropriated to the Higher Education Coordinating Board from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of 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 during the two-year period beginning on the effective date of this Act. At the direction of the Texas Child Mental Health Care Consortium, the Higher Education Coordinating Board shall transfer appropriations through interagency contracts with health-related institutions of higher education for the following purposes:

(1) \$20,578,442 for enhancements and expansion of the Child Psychiatry Access Network;

(2) \$56,218,976 for enhancements and expansion of the Texas Child Access Through Telemedicine program;

(3) \$32,991,791 for expansion of the child and adolescent mental health workforce; and

(4) \$3,293,676 for administrative expenses.

(b) Not later than December 1, 2021, out of money appropriated by Subsection (a) of this section, the Higher Education Coordinating Board shall transfer \$3,293,676 to an institution of higher education designated by the Texas Child Mental Health Care Consortium for oversight and evaluation of the outlined initiatives by means of interagency agreements or any other necessary contracts.

(c) The Texas Child Mental Health Care Consortium may transfer up to 10 percent of money appropriated for the purposes described by Subsection (a)(1), (2), or (3) of this section to any of the other purposes described by those provisions. The Texas Child Mental Health Care Consortium may transfer more than 10 percent of funds for those purposes 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.

D. Suspend Senate Rule 12.03 (4) to allow the Conference Committee to add text on any matter which is not included in either the House or Senate version of the bill to read as follows:

SECTION 10. HIGHER EDUCATION COORDINATING BOARD: UNIVERSITY CONSTRUCTION. (a) Contingent on legislation by the 87th Legislature, 3rd Called Session, 2021, relating to the issuance of tuition revenue bonds, becoming law, the amount of \$325,000,000 is appropriated to the Higher Education Coordinating Board from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of university construction during the two-year period beginning on the effective date of this Act.

(b) If an appropriation made under Subsection (a) of this section for any reason is determined by the United States Department of the Treasury or any other qualified state or federal authority to have been made for an improper use:

(1) the appropriated money may not be spent and shall be retained in the treasury and available for later legislative appropriation; and

(2) an amount equal to the amount of the appropriation that was determined to have been made for an improper use is appropriated from the general revenue fund to the Higher Education Coordinating Board for the purpose and period described by Subsection (a) of this section.

E. Suspend Senate Rule 12.03 (4) to allow the Conference Committee to add text on any matter which is not included in either the House or Senate version of the bill to read as follows:

SECTION 16. DEPARTMENT OF STATE HEALTH SERVICES: RIO GRANDE VALLEY. The amount of \$16,700,000 is appropriated to the Department of State Health Services from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the

Coronavirus Relief Fund No. 325 for the purpose of upgrading existing laboratory facilities associated with a level 1 trauma facility in Hidalgo County and new laboratory infrastructure in Starr County during the two-year period beginning on the effective date of this Act.

F. Suspend Senate Rule 12.03 (4) to allow the Conference Committee to add text on any matter which is not included in either the House or Senate version of the bill to read as follows:

SECTION 25. DEPARTMENT OF INFORMATION RESOURCES: CYBERSECURITY PROJECTS. (a) The amount of \$200,000,000 is appropriated to the Department of Information Resources for deposit into the Technology Improvement and Modernization Fund No. 187 and for use during the two-year period beginning on the effective date of this Act for the purpose of cybersecurity projects from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325. Before spending money appropriated under this subsection, the department must receive approval for the proposed cybersecurity projects from the Joint Oversight Committee on Investment in Information Technology Improvement and Modernization Projects established under Section 2054.578, Government Code.

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

G. Suspend Senate Rule 12.04 (4) to allow the Conference Committee to exceed the amount of an item of appropriation contained in one version of the bill to read as follows:

SECTION 31. DEPARTMENT OF TRANSPORTATION: PRESIDIO CUSTOMS INSPECTION STATION. The amount of \$15,500,000 is appropriated to the Department of Transportation from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing funding for a customs inspection station on the South Orient Rail Line in Presidio, Texas, during the two-year period beginning on the effective date of this Act.

H. Suspend Senate Rule 12.03 (4) to allow the Conference Committee to add text on any matter which is not included in either the House or Senate version of the bill to read as follows:

SECTION 32. TEACHER RETIREMENT SYSTEM: TRS-CARE AND TRS-ACTIVECARE. (a) The amount of \$286,337,761 is appropriated to the Teacher Retirement System from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing funding during the two-year period beginning on the effective date of this Act for coronavirus-related claims in TRS-Care and TRS-ActiveCare.

(b) It is the intent of the legislature that premiums for TRS-Care and TRS-ActiveCare insurance policies not increase as a result of coronavirus-related claims.

(c) Notwithstanding Subsection (b) of this section, it is the intent of the legislature that the premiums for TRS-Care and TRS-ActiveCare programs be calculated and adjusted taking into consideration the money appropriated under this section.

I. Suspend Senate Rule 12.03 (4) to allow the Conference Committee to add text on any matter which is not included in either the House or Senate version of the bill to read as follows:

SECTION 33. HEALTH AND HUMAN SERVICES COMMISSION: STAFFING NEEDS. (a) The amount of \$378,300,000 is appropriated to the Health and Human Services Commission from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing funding during the two-year period beginning on the effective date of this Act for the Health and Human Services Commission to administer one-time grants related to providing critical staffing needs resulting from frontline health care workers affected by COVID-19, including recruitment and retention bonuses for staff:

(1) of nursing facilities, assisted living facilities, home health agencies, and facilities that serve persons with intellectual or developmental disabilities in an intermediate care facility for individuals with intellectual disabilities or related conditions (ICF/IID); or

(2) who provide community attendant services.

(b) It is the intent of the legislature that the Health and Human Services Commission prioritize grants to grantees that comply with the reporting requirements prescribed by Rider 143 (Health and Human Services Commission), Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), the reporting requirements established by Chapter 588 (S.B. 809), Acts of the 87th Legislature, 2021, or equivalent reporting requirements established by the Health and Human Services Commission.

(c) Annually, the Health and Human Services Commission shall report to the Legislative Budget Board the grants awarded under this section. The report must include, for the year covered by the report, the amount of grants awarded, the award recipients, and the total amount of each grant used by the recipient. The report must be submitted to the Legislative Budget Board not later than December 1 of the year in which the report is due.

(d) Of the amount appropriated under Subsection (a) of this section:

(1) \$200,000,000 shall be used only for grants for nursing facilities; and

(2) \$178,300,000 shall be used only for grants for assisted living facilities, home health agencies, community attendants, and facilities that serve persons with intellectual or developmental disabilities in an intermediate care facility for individuals with intellectual disabilities or related conditions (ICF/IID).

(e) It is the intent of the legislature that the Health and Human Services Commission consider federal COVID-19 relief money received by providers when allocating the money described by Subsection (d)(2) of this section.

J. Suspend Senate Rule 12.04 (4) to allow the Conference Committee to exceed the amount of an item of appropriation contained in one version of the bill to read as follows:

SECTION 34. DEPARTMENT OF STATE HEALTH SERVICES: FEDERALLY QUALIFIED HEALTH CENTER INCUBATOR PROGRAM. The amount of \$20,000,000 is appropriated to the Department of State Health Services from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for use during the two-year period beginning on the effective date of this Act for the Federally Qualified Health Center Incubator Program.

K. Suspend Senate Rule 12.04 (5) to allow the Conference Committee to add an item of appropriation that is not in either version of the bill to read as follows; Suspend Senate Rule 12.03 (4) to allow the Conference Committee to add text on any matter which is not included in either the House or Senate version of the bill to read as follows:

SECTION 35. DEPARTMENT OF STATE HEALTH SERVICES: EMERGENCY MEDICAL SERVICES. (a) The amount of \$21,700,000 is appropriated to the Department of State Health Services from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing funding for emergency medical response service staffing, including:

(1) funding for programs to incentivize and increase the number of Emergency Medical Technicians (EMTs) and paramedics that provide care on an ambulance, including funding for emergency medical services workforce development initiatives at regional advisory councils; and

(2) funding for Emergency Medical Services (EMS) education programs, including distance learning programs, to increase the number of EMTs and paramedics graduating from EMS education programs.

(b) It is the intent of the legislature that, consistent with state law, the Department of State Health Services prioritize funding appropriated under Subsection (a) of this section for rural and underserved areas.

L. Suspend Senate Rule 12.03 (4) to allow the Conference Committee to add text on any matter which is not included in either the House or Senate version of the bill to read as follows:

SECTION 36. PARKS AND WILDLIFE DEPARTMENT: EDUCATION AND OUTREACH GRANTS. The amount of \$40,000,000 is appropriated to the Parks and Wildlife Department from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 to be used during the two-year period beginning on the effective date of this Act for the purpose of providing funding for grants

throughout this state as authorized by other law and consistent with Strategy C.2.1., Outreach and Education, as listed in Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act).

M. Suspend Senate Rule 12.04 (5) to allow the Conference Committee to add an item of appropriation that is not in either version of the bill to read as follows; Suspend Senate Rule 12.03 (4) to allow the Conference Committee to add text on any matter which is not included in either the House or Senate version of the bill to read as follows:

SECTION 39. TEXAS A&M UNIVERSITY: INSTITUTE FOR A DISASTER RESILIENT TEXAS. (a) The amount of \$1,150,000 is appropriated to Texas A&M University - Galveston from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing funding to the Institute for a Disaster Resilient Texas.

(b) Out of amounts appropriated by Subsection (a) of this section:

(1) \$1,000,000 may be used only for Digital Flood Risk Infrastructure for Underserved Communities; and

(2) \$150,000 may be used only for office space in Houston.

N. Suspend Senate Rule 12.04 (5) to allow the Conference Committee to add an item of appropriation that is not in either version of the bill to read as follows; Suspend Senate Rule 12.03 (4) to allow the Conference Committee to add text on any matter which is not included in either the House or Senate version of the bill to read as follows:

SECTION 40. TEXAS TECH UNIVERSITY AND UNIVERSITY OF HOUSTON: INSTITUTIONAL ENHANCEMENTS. The amount of \$100,000,000 is appropriated from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for institutional enhancement during the two-year period beginning on the effective date of this Act to the following entities and in the following amounts:

(1) \$50,000,000 to Texas Tech University; and

(2) \$50,000,000 to the University of Houston.

O. Suspend Senate Rule 12.04 (5) to allow the Conference Committee to add an item of appropriation that is not in either version of the bill to read as follows; Suspend Senate Rule 12.03 (4) to allow the Conference Committee to add text on any matter which is not included in either the House or Senate version of the bill to read as follows:

SECTION 41. COMPTROLLER OF PUBLIC ACCOUNTS: TEXAS SAFE KEEPING TRUST FUND. (a) The amount of \$100,000,000 is appropriated to the comptroller of public accounts from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for immediate deposit to an account or fund

to be managed by the Texas Treasury Safekeeping Trust Company as trustee for the benefit of the State Preservation Board to maintain the Bob Bullock State History Museum.

(b) If an appropriation made under Subsection (a) of this section for any reason is determined by the United States Department of the Treasury or any other qualified state or federal authority to have been made for an improper use:

(1) the appropriated money may not be spent and shall be retained in the treasury and available for later legislative appropriation; and

(2) an amount equal to the amount of the appropriation that was determined to have been made for an improper use is appropriated from the general revenue fund to the comptroller of public accounts for the purpose described by Subsection (a) of this section.

P. Suspend Senate Rule 12.04 (5) to allow the Conference Committee to add an item of appropriation that is not in either version of the bill to read as follows; Suspend Senate Rule 12.03 (4) to allow the Conference Committee to add text on any matter which is not included in either the House or Senate version of the bill to read as follows:

SECTION 42. PARKS AND WILDLIFE DEPARTMENT: TEXAS STATE AQUARIUM CENTER. The amount of \$3,000,000 is appropriated to the Parks and Wildlife Department from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing funding to the Texas State Aquarium Center for wildlife research during the two-year period beginning on the effective date of this Act.

Q. Suspend Senate Rule 12.04 (5) to allow the Conference Committee to add an item of appropriation that is not in either version of the bill to read as follows; Suspend Senate Rule 12.03 (4) to allow the Conference Committee to add text on any matter which is not included in either the House or Senate version of the bill to read as follows:

SECTION 43. UNIVERSITY OF TEXAS AT AUSTIN: MARINE SCIENCE INSTITUTE HOUSING REPLACEMENT. The amount of \$3,000,000 is appropriated to the University of Texas at Austin from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing funding for the Marine Science Institute student housing replacement for the two-year period beginning on the effective date of this Act.

R. Suspend Senate Rule 12.04 (5) to allow the Conference Committee to add an item of appropriation that is not in either version of the bill to read as follows; Suspend Senate Rule 12.03 (4) to allow the Conference Committee to add text on any matter which is not included in either the House or Senate version of the bill to read as follows:

SECTION 44. TEXAS EDUCATION AGENCY: PROGRAM ENHANCEMENTS. The amount of \$3,000,000 is appropriated to the Texas Education Agency from money received by this state from the Coronavirus State

Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing funding for the big brothers and big sisters program technological staff enhancements for the two-year period beginning on the effective date of this Act.

S. Suspend Senate Rule 12.04 (5) to allow the Conference Committee to add an item of appropriation that is not in either version of the bill to read as follows; Suspend Senate Rule 12.03 (4) to allow the Conference Committee to add text on any matter which is not included in either the House or Senate version of the bill to read as follows:

SECTION 45. UNIVERSITY OF TEXAS AT AUSTIN: BRISCOE GARNER MUSEUM. The amount of \$235,000 is appropriated to the University of Texas at Austin from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 to the University of Texas at Austin for the Briscoe Garner Museum for the two-year period beginning on the effective date of this Act.

T. Suspend Senate Rule 12.04 (5) to allow the Conference Committee to add an item of appropriation that is not in either version of the bill to read as follows; Suspend Senate Rule 12.03 (4) to allow the Conference Committee to add text on any matter which is not included in either the House or Senate version of the bill to read as follows:

SECTION 46. HIGHER EDUCATION COORDINATING BOARD: RURAL VETERINARIANS GRANT PROGRAM. The amount of \$1,000,000 is appropriated to the Higher Education Coordinating Board from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing funding for the rural veterinarians grant program for the two-year period beginning on the effective date of this Act.

U. Suspend Senate Rule 12.04 (5) to allow the Conference Committee to add an item of appropriation that is not in either version of the bill to read as follows; Suspend Senate Rule 12.03 (4) to allow the Conference Committee to add text on any matter which is not included in either the House or Senate version of the bill to read as follows:

SECTION 47. STATE PRESERVATION BOARD: MAINTENANCE AND CAPITAL IMPROVEMENT PROJECTS. (a) The amount of \$25,000,000 is appropriated to the State Preservation Board from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of maintenance and capital improvement projects during the state fiscal biennium beginning September 1, 2021.

(b) The capital budget authority of the State Preservation Board in Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), is increased by \$25,000,000 for the appropriation made under Subsection (a) of this section.

V. Suspend Senate Rule 12.03 (4) to allow the Conference Committee to add text on any matter which is not included in either the House or Senate version of the bill to read as follows:

SECTION 48. DEPARTMENT OF STATE HEALTH SERVICES AND HEALTH AND HUMAN SERVICES COMMISSION: FEDERAL FUNDS FOR HOSPITALS. It is the intent of the Legislature that the Department of State Health Services and the Health and Human Services Commission, in distributing any money received from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 distribute the money appropriated by this Act to entities that are subject to the hospital price transparency public disclosure requirements required by 45 C.F.R. Sections 180.10 - 180.60 and, on implementation of rules adopted under the chapter, by Chapter 327, Health and Safety Code.

W. Suspend Senate Rule 12.03 (4) to allow the Conference Committee to add text on any matter which is not included in either the House or Senate version of the bill to read as follows:

SECTION 49. REPORT ON FEDERAL FUNDS BY LEGISLATIVE BUDGET BOARD. (a) The Legislative Budget Board, in consultation with the comptroller of public accounts, shall report on the board's Internet website:

(1) for each political subdivision in this state, an informational listing of any money appropriated by this Act and received by the subdivision; and

(2) for each state agency and each institution of higher education that receives money appropriated by this Act, an informational listing of the following:

(A) the amount of money received by the agency or institution;

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

(C) the amount of money spent by the agency or institution;

(D) the allowable uses for which the agency or institution may spend money received by the agency or institution and the purposes for which the agency or institution has spent the money;

(E) the amount of money received by the agency or institution:

(i) that the agency or institution has not spent; and

(ii) that the agency or institution may spend without further appropriation; and

(F) the time during which money received by the agency or institution was spent by the agency or institution, including the remaining time in which the agency or institution may spend the money without further appropriation.

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

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

X. Suspend Senate Rule 12.03 (4) to allow the Conference Committee to add text on any matter which is not included in either the House or Senate version of the bill to read as follows:

SECTION 50. LEGISLATIVE INTENT REGARDING APPROPRIATIONS.

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

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

(2) be used:

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

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

(b) Except as specifically provided otherwise by this Act, it is the intent of the legislature that, if the United States Department of the Treasury or any other qualified state or federal authority determines that an appropriation made by this Act has been made for an improper use, the appropriated money not be spent and shall be retained in the treasury and available for later legislative appropriation.

Y. Suspend Senate Rule 12.03 (4) to allow the Conference Committee to add text on any matter which is not included in either the House or Senate version of the bill to read as follows:

SECTION 51. APPROPRIATION AUTHORITY UNDER FEDERAL LAW.

The appropriations made under Sections 2, 3, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, and 47 of this Act using money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) are made in accordance with 42 U.S.C. Section 802(c)(1)(C), which allows money from the Coronavirus State Fiscal Recovery Fund to be used to provide government services to the extent of a reduction in the revenue of a state government caused by the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year of the state government that ended before that emergency.

SR 94 was read and was adopted by the following vote: Yeas 31, Nays 0.

**SENATE RULE 12.09(a) SUSPENDED
(Printing and Notice of Conference Committee Reports)**

On motion of Senator Nelson and by unanimous consent, Senate Rule 12.09(a) was suspended as it relates to the Conference Committee Report on **SB 8**.

**CONFERENCE COMMITTEE REPORT ON
SENATE BILL 8 ADOPTED**

Senator Nelson called from the President's table the Conference Committee Report on **SB 8**. The Conference Committee Report was filed with the Senate on Monday, October 18, 2021.

On motion of Senator Nelson, the Conference Committee Report was adopted by the following vote: Yeas 31, Nays 0.

AT EASE

The President at 7:58 p.m. announced the Senate would stand At Ease subject to the call of the Chair.

IN LEGISLATIVE SESSION

The President at 8:26 p.m. called the Senate to order as In Legislative Session.

**CONFERENCE COMMITTEE REPORT ON
SENATE BILL 6 ADOPTED**

Senator Huffman called from the President's table the Conference Committee Report on **SB 6**. The Conference Committee Report was filed with the Senate on Sunday, October 17, 2021.

On motion of Senator Huffman, the Conference Committee Report was adopted by the following vote: Yeas 18, Nays 13.

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

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

RESOLUTIONS SIGNED

The President announced the signing of the following enrolled resolutions in the presence of the Senate: **SCR 4, SCR 6, SCR 7, SCR 8**.

AT EASE

The President at 8:53 p.m. announced the Senate would stand At Ease subject to the call of the Chair.

IN LEGISLATIVE SESSION

The President at 11:46 p.m. called the Senate to order as In Legislative Session.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Monday, October 18, 2021 - 4

The Honorable President of the Senate
Senate Chamber
Austin, Texas

Mr. President:

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

THE HOUSE HAS PASSED THE FOLLOWING MEASURES:

SJR 2 Bettencourt Sponsor: Button
Proposing a constitutional amendment increasing the amount of the residence homestead exemption from ad valorem taxation for public school purposes.

THE HOUSE HAS ADOPTED THE FOLLOWING CONFERENCE COMMITTEE REPORTS:

SB 1 (146 Yeas, 0 Nays, 1 Present, not voting)

SB 6 (84 Yeas, 59 Nays, 1 Present, not voting)

SB 8 (145 Yeas, 0 Nays, 1 Present, not voting)

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

SENATE RESOLUTION 97

Senator Bettencourt offered the following resolution:

BE IT RESOLVED by the Senate of the State of Texas, 87th Legislature, 3rd Called Session, 2021, That Senate Rule 12.03 be suspended in part as provided by Senate Rule 12.08 to enable the conference committee appointed to resolve the differences on Senate Bill 1 (an increase in the amount of the exemption of residence homesteads from ad valorem taxation by a school district and the protection of school districts against the resulting loss in local revenue) to consider and take action on the following matter:

Senate Rule 12.03(4) is suspended to permit the committee to add text on a matter not included in either the house or senate version of the bill by adding the following new SECTIONS to the bill:

SECTION 1. Section 11.13(b), Tax Code, is amended to read as follows:

(b) An adult is entitled to exemption from taxation by a school district of \$40,000 [~~\$25,000~~] of the appraised value of the adult's residence homestead, except that only \$5,000 of the exemption applies to an entity operating under former Chapter 17, 18, 25, 26, 27, or 28, Education Code, as those chapters existed on May 1, 1995, as permitted by Section 11.301, Education Code.

SECTION 2. Section 46.071, Education Code, is amended by amending Subsections (a), (b), and (c) and adding Subsections (a-1), (b-1), and (c-1) to read as follows:

(a) Beginning with the 2015-2016 school year and continuing through the 2021-2022 school year, a school district is entitled to additional state aid under this subchapter to the extent that state and local revenue used to service debt eligible under this chapter is less than the state and local revenue that would have been available to the district under this chapter as it existed on September 1, 2015, if the increase in the residence homestead exemption under Section 1-b(c), Article VIII, Texas

Constitution, and the additional limitation on tax increases under Section 1-b(d) of that article as proposed by S.J.R. 1, 84th Legislature, Regular Session, 2015, had not occurred.

(a-1) Beginning with the 2022-2023 school year, a school district is entitled to additional state aid under this subchapter to the extent that state and local revenue used to service debt eligible under this chapter is less than the state and local revenue that would have been available to the district under this chapter as it existed on September 1, 2021, if any increase in the residence homestead exemption under Section 1-b(c), Article VIII, Texas Constitution, as proposed by the 87th Legislature, 3rd Called Session, 2021, had not occurred.

(b) Subject to Subsections (c), (d), and (e) ~~[(e) (e)]~~, additional state aid under this section through the 2021-2022 school year is equal to the amount by which the loss of local interest and sinking revenue for debt service attributable to the increase in the residence homestead exemption under Section 1-b(c), Article VIII, Texas Constitution, and the additional limitation on tax increases under Section 1-b(d) of that article as proposed by S.J.R. 1, 84th Legislature, Regular Session, 2015, is not offset by a gain in state aid under this chapter.

(b-1) Subject to Subsections (c-1), (d), and (e), additional state aid under this section beginning with the 2022-2023 school year is equal to the amount by which the loss of local interest and sinking revenue for debt service attributable to any increase in the residence homestead exemption under Section 1-b(c), Article VIII, Texas Constitution, as proposed by the 87th Legislature, 3rd Called Session, 2021, is not offset by a gain in state aid under this chapter.

(c) For the purpose of determining state aid under Subsections (a) and (b) ~~[this section]~~, local interest and sinking revenue for debt service is limited to revenue required to service debt eligible under this chapter as of September 1, 2015, including refunding of that debt, subject to Section 46.061. The limitation imposed by Section 46.034(a) does not apply for the purpose of determining state aid under this section.

(c-1) For the purpose of determining state aid under Subsections (a-1) and (b-1), local interest and sinking revenue for debt service is limited to revenue required to service debt eligible under this chapter as of September 1, 2021, including refunding of that debt, subject to Section 46.061. The limitation imposed by Section 46.034(a) does not apply for the purpose of determining state aid under this section.

SECTION 3. Subchapter F, Chapter 48, Education Code, is amended by adding Section 48.2543 to read as follows:

Sec. 48.2543. ADDITIONAL STATE AID FOR HOMESTEAD EXEMPTION.

(a) Beginning with the 2022-2023 school year, a school district is entitled to additional state aid to the extent that state and local revenue under this chapter and Chapter 49 is less than the state and local revenue that would have been available to the district under this chapter and Chapter 49 as those chapters existed on September 1, 2021, if any increase in the residence homestead exemption under Section 1-b(c), Article VIII, Texas Constitution, as proposed by the 87th Legislature, 3rd Called Session, 2021, had not occurred.

(b) The lesser of the school district's currently adopted maintenance and operations tax rate or the adopted maintenance and operations tax rate for the 2021 tax year is used for the purpose of determining additional state aid under Subsection (a).

SECTION 4. The comptroller of public accounts may adopt rules for the purpose of implementing and administering the changes in law made by this Act, including rules relating to the form of certain information required to be provided by tax officials and the date on which the information must be provided.

SECTION 5. Section 11.13, Tax Code, as amended by this Act, applies beginning with the 2022 tax year.

Explanation: The addition is necessary to increase the amount of the exemption of residence homesteads from ad valorem taxation by a school district from \$25,000 to \$40,000, protect school districts against the resulting loss in local revenue, authorize the comptroller of public accounts to adopt rules to implement the change in law made by Senate Bill 1, and provide that the change in law made by Senate Bill 1 to Section 11.13, Tax Code, takes effect beginning with the 2022 tax year.

SR 97 was read and was adopted by the following vote: Yeas 31, Nays 0.

SENATE RULE 12.09(a) SUSPENDED
(Printing and Notice of Conference Committee Reports)

Senator Bettencourt moved to suspend Senate Rule 12.09(a) as it relates to the Conference Committee Report on **SB 1**.

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

CONFERENCE COMMITTEE REPORT ON
SENATE BILL 1 ADOPTED

Senator Bettencourt called from the President's table the Conference Committee Report on **SB 1**. The Conference Committee Report was filed with the Senate on Monday, October 18, 2021.

On motion of Senator Bettencourt, the Conference Committee Report was adopted by the following vote: Yeas 31, Nays 0.

BILL AND RESOLUTIONS SIGNED

The President announced the signing of the following enrolled bill and resolutions in the presence of the Senate after the caption had been read:

HB 133, HCR 8, HCR 16, HCR 17.

SENATE RESOLUTION 98

Senator Creighton offered the following resolution:

BE IT RESOLVED by the Senate of the State of Texas, 87th Legislature, 3rd Called Session, 2021, That Senate Rule 12.03 be suspended in part as provided by Senate Rule 12.08 to enable the conference committee appointed to resolve the differences on Senate Bill 52 (the issuance of revenue bonds to fund capital projects at public institutions of higher education, the oversight of certain capital projects at those institutions, and the designation of certain appropriated funds allocated to those institutions) to consider and take action on the following matter:

(1) Senate Rule 12.03(1) is suspended to permit the committee to amend text not in disagreement in SECTION 2 of the bill, in added Section 55.1791(a)(5), Education Code, by striking "infrastructure upgrades to address accessibility for persons with disabilities and health and safety issues" and substituting "an Agricultural Multipurpose Education and Training Center".

Explanation: This change is necessary to enable The Texas A&M University System to issue revenue bonds to finance an Agricultural Multipurpose Education and Training Center at Texas A&M University–Commerce.

(2) Senate Rule 12.03(4) is suspended to permit the committee to add text on a matter not included in either the house or senate version of the bill in SECTION 2 of the bill, in added Section 55.1793(a)(2), Education Code, to read as follows:

and

(C) \$52,409,972 for construction of the Sugar Land Academic Building

2;

Explanation: This addition is necessary to enable the University of Houston System to issue revenue bonds to finance construction of the Sugar Land Academic Building 2 at the University of Houston.

SR 98 was read and was adopted by the following vote: Yeas 31, Nays 0.

SENATE RULE 12.09(a) SUSPENDED
(Printing and Notice of Conference Committee Reports)

Senator Creighton moved to suspend Senate Rule 12.09(a) as it relates to the Conference Committee Report on **SB 52**.

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

CONFERENCE COMMITTEE REPORT ON
SENATE BILL 52 ADOPTED

Senator Creighton called from the President's table the Conference Committee Report on **SB 52**. The Conference Committee Report was filed with the Senate on Monday, October 18, 2021.

On motion of Senator Creighton, the Conference Committee Report was adopted by the following vote: Yeas 30, Nays 1.

Nays: Hall.

MESSAGE FROM THE HOUSE

HOUSE CHAMBER

Austin, Texas

Tuesday, October 19, 2021 - 1

The Honorable President of the Senate

Senate Chamber

Austin, Texas

Mr. President:

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

THE HOUSE HAS ADOPTED THE FOLLOWING CONFERENCE COMMITTEE REPORTS:

SB 5 (91 Yeas, 19 Nays, 1 Present, not voting)

SB 52 (111 Yeas, 4 Nays, 1 Present, not voting)

Respectfully,

/s/Robert Haney, Chief Clerk
House of Representatives

SENATE RESOLUTION 99

Senator Hancock offered the following resolution:

SR 99, In memory of Michael Cao-Truong Nguyen.

HANCOCK
WHITMIRE

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 resolution as signers thereof.

On motion of Senator Hancock, **SR 99** was adopted by a rising vote of the Senate.

In honor of the memory of Michael Cao-Truong Nguyen, the text of the resolution is printed at the end of today's *Senate Journal*.

REMARKS ORDERED PRINTED

On motion of Senator Blanco and by unanimous consent, the remarks by Senators Hancock and Whitmire regarding **SR 99** were ordered reduced to writing and printed in the *Senate Journal* as follows:

Senator Hancock: Yes, thank you, Mr. President and Members for giving us time just to speak a little bit regarding Michael Nguyen. Michael was a very, very impressive individual from Arlington, Texas. Graduated from Lamar High School, in fact, he was Mr. Viking at Lamar High School, recognized as Mr. Viking. He was a varsity basketball player, sang in the choir, and an impressive individual. He graduated from Lamar and was attending UTA. And at UTA he was set to graduate in December, but that was cut short by a drunk driver. And so, Michael lost his life, was hit on the 15th, lost his life on the 16th due to this incident that occurred, and was just a very, very loved individual by his family, by his church, very involved in his church. His brother, Andrew, I'm sure, will miss him greatly. They had a great relationship there. Michael was very involved in the music department for his church. He actually played piano for two of the worship groups in his church, cut his first EP entitled *Found Me*. In fact, I want to read a few of the words of the lyrics that he wrote, that he penned for these. The lyrics, it says, How can it be that one that's, that the one I seek is seeking me, this life I live is not enough for me, I want all of you. Michael today is seeing all of his Father. He devoted himself to Jesus Christ, devoted himself to music, to sharing God's love with others. As a young man, he also wrote in a journal. In this journal, he shared about his desire to share the love of God with many others. The

world will miss his music, his lyrics. But we know that today, not only did the God he wrote these lyrics for find him, but God called him home and he is comforted today. And we pray that his family, his extended family, will also be comforted in knowing that he is safe, secure, and he is in the arms of the one that he loved the most, his heavenly Father. Mr. President, I thank you for allowing me time to stop and recognize a young man that led a very rich life but for a short period of time.

Senator Whitmire: Thank you, Mr. President, Members. Thank you, Senator Hancock, for bringing this resolution and allowing me to join you. Members, if we pause tonight, I know we're united in our belief that parents are not supposed to bury their children. That's the situation that we bring before you tonight. I know the family through Dr. Tran, Theresa Tran, that many of you have met, it was her cousin. And I've learned that the Vietnamese family, certainly in Arlington, is so close to one another. Michael had 11 cousins. Dr. Tran was nine years old, and helped raise him as a regular babysitter. The family's devastated, and they're watching tonight the message I want to send to them and to anyone that can hear my voice is, this body, in solidarity, is rededicating ourselves to the prevention against driving while intoxicated. We have increased the penalties to where now the defendant in this murder, it's what the charge will be, has ruined his life, will go to prison for a long period of time when convicted. But I want the family to know that we feel your pain and we're rededicating ourselves to the prevention. We have to let individuals know there is no excuse for drinking and getting in a car, which becomes a deadly weapon. In the days of Ubers, Lyft, and other means, no excuse will be accepted. So, this young person who was such a model in his community, finished 12th in his graduating class at Lamar there in Arlington, has a grandmother that in her senior stage is having to bury a grandson. His aunts, uncles, his 11 cousins, his parents, can you imagine? The accident happened early Friday morning, and they took him off life support on Saturday. I know we just can't imagine the pain. But we want them to know that this body and our colleagues across the hall will do everything we can to honor him by fighting DWIs going forward. We've got to do more in prevention. Individuals that have a drinking problem, we need to recognize it and give them treatment. But in this instance, justice will be done against the defendant that took this young man's beautiful life. And I would ask you in closing that you pray for Michael's soul and ask the Lord to be with his family. Thank you, Mr. President and Members.

CONFERENCE COMMITTEE REPORT ON SENATE BILL 5

Senator Lucio submitted the following Conference Committee Report:

Austin, Texas
October 18, 2021

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 5** 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.

LUCIO
HINOJOSA
WHITMIRE
BETTENCOURT
On the part of the Senate

PATTERSON
BUTTON
THIERRY
SHAHEEN
On the part of the House

A BILL TO BE ENTITLED
AN ACT

relating to the unlawful restraint of a dog; creating a criminal offense.

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

SECTION 1. Chapter 821, Health and Safety Code, is amended by adding Subchapter E to read as follows:

SUBCHAPTER E. UNLAWFUL RESTRAINT OF DOG

Sec. 821.101. DEFINITIONS. In this subchapter:

(1) "Adequate shelter" means a sturdy structure:

(A) that provides the dog protection from inclement weather; and

(B) with dimensions that allow the dog while in the shelter to stand erect, sit, turn around, and lie down in a normal position.

(2) "Collar" means a band of material specifically designed to be placed around the neck of a dog.

(3) "Harness" means a set of straps constructed of nylon, leather, or similar material, specifically designed to restrain or control a dog.

(4) "Inclement weather" includes rain, hail, sleet, snow, high winds, extreme low temperatures, or extreme high temperatures.

(5) "Owner" means a person who owns or has custody or control of a dog.

(6) "Properly fitted" means, with respect to a collar or harness, a collar or harness that:

(A) is appropriately sized for the dog based on the dog's measurements and body weight;

(B) does not choke the dog or impede the dog's normal breathing or swallowing; and

(C) does not cause pain or injury to the dog.

(7) "Restraint" means a chain, rope, tether, leash, cable, or other device that attaches a dog to a stationary object or trolley system.

Sec. 821.102. UNLAWFUL RESTRAINT OF DOG; OFFENSE. (a) An owner may not leave a dog outside and unattended by use of a restraint unless the owner provides the dog access to:

(1) adequate shelter;

(2) an area that allows the dog to avoid standing water and exposure to excessive animal waste;

(3) shade from direct sunlight; and

(4) potable water.

(b) An owner may not restrain a dog outside and unattended by use of a restraint that:

(1) is a chain;

(2) has weights attached;

(3) is shorter in length than the greater of:

(A) five times the length of the dog, as measured from the tip of the dog's nose to the base of the dog's tail; or

(B) 10 feet; or

(4) is attached to a collar or harness not properly fitted.

(c) A person commits an offense if the person knowingly violates this section. The restraint of each dog that is in violation is a separate offense.

(d) An offense under this section is a Class C misdemeanor, except that the offense is a Class B misdemeanor if the person has previously been convicted under this section.

(e) If conduct constituting an offense under this section also constitutes an offense under any other law, the actor may be prosecuted under this section, the other law, or both.

Sec. 821.103. EXCEPTIONS. (a) Section 821.102 does not apply to:

(1) the use of a restraint on a dog in a public camping or recreational area in compliance with the requirements of the public camping or recreational area as defined by a federal, state, or local authority or jurisdiction;

(2) the use of a restraint on a dog while the owner and dog engage in, or actively train for, an activity conducted under a valid license issued by this state provided the activity is associated with the use or presence of a dog;

(3) the use of a restraint on a dog while the owner and dog engage in conduct directly related to the business of shepherding or herding cattle or livestock;

(4) the use of a restraint on a dog while the owner and dog engage in conduct directly related to the business of cultivating agricultural products;

(5) a dog left unattended in an open-air truck bed only for the time reasonably necessary for the owner to complete a temporary task that requires the dog to be left unattended in the truck bed;

(6) a dog taken by the owner, or another person with the owner's permission, from the owner's residence or property and restrained by the owner or the person for not longer than the time necessary for the owner to engage in an activity that requires the dog to be temporarily restrained; or

(7) a dog restrained while the owner and dog are engaged in, or actively training for, hunting or field trialing.

(b) Section 821.102(b)(3) does not apply to a restraint attached to a trolley system that allows a dog to move along a running line for a distance equal to or greater than the lengths specified under that subdivision.

(c) This subchapter does not prohibit a person from walking a dog with a handheld leash.

Sec. 821.104. EFFECT OF SUBCHAPTER ON OTHER LAW. This subchapter does not preempt a local regulation relating to the restraint of a dog or affect the authority of a political subdivision to adopt or enforce an ordinance or requirement relating to the restraint of a dog if the regulation, ordinance, or requirement:

(1) is compatible with and equal to or more stringent than a requirement prescribed by this subchapter; or

(2) relates to an issue not specifically addressed by this subchapter.

SECTION 2. Subchapter D, Chapter 821, Health and Safety Code, is repealed.

SECTION 3. The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. An offense committed before the effective date of this Act is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose. For purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.

SECTION 4. This Act takes effect on the 91st day after the last day of the legislative session.

The Conference Committee Report on **SB 5** was filed with the Secretary of the Senate.

CONFERENCE COMMITTEE REPORT ON SENATE BILL 8

Senator Nelson submitted the following Conference Committee Report:

Austin, Texas
October 18, 2021

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 8** 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.

NELSON
CREIGHTON
HUFFMAN
KOLKHORST
NICHOLS

On the part of the Senate

BONNEN
CAPRIGLIONE
M. GONZÁLEZ
WALLE

On the part of the House

A BILL TO BE ENTITLED AN ACT

relating to making supplemental appropriations and giving direction regarding appropriations.

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

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

SECTION 2. TRUSTEED PROGRAMS WITHIN THE OFFICE OF THE GOVERNOR: TOURISM, TRAVEL, AND HOSPITALITY RECOVERY GRANTS.

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

(b) 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 \$20,000.

SECTION 3. TRUSTEED PROGRAMS WITHIN THE OFFICE OF THE GOVERNOR: CHILDREN'S ADVOCACY. The amount of \$1,200,000 is appropriated to the Trusteed Programs within the Office of the Governor from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing funding for information technology case management system improvements for children's advocacy centers during the two-year period beginning on the effective date of this Act.

SECTION 4. DEPARTMENT OF STATE HEALTH SERVICES: COVID-19 SERVICES. (a) The amount of \$2,000,000,000 is appropriated to the Department of State Health Services from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 during the period beginning on the effective date of this Act and ending January 1, 2023, for the following purposes related to costs incurred during the period beginning March 3, 2021, and ending January 1, 2023, due to the coronavirus disease pandemic:

(1) providing funding for surge staffing at state and local hospitals, long-term care facilities, psychiatric hospitals, and nursing facilities;

(2) purchasing therapeutic drugs, including drugs for monoclonal antibody treatments; and

(3) providing funding for the operation of regional infusion centers.

(b) Notwithstanding Section 13.05, page IX-64, Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), the Department of State Health Services shall expend any Coronavirus State Fiscal Recovery Funds freed-up as a result of reimbursements received by the Department of State Health Services from the Federal Emergency Management Agency related to expenditures paid from money appropriated under Subsection (a) of this section only after prior approval of the Legislative Budget Board.

SECTION 5. FISCAL PROGRAMS - COMPTROLLER OF PUBLIC ACCOUNTS: BROADBAND INFRASTRUCTURE. (a) The amount of \$500,475,163 is appropriated to Fiscal Programs - Comptroller of Public Accounts from money received by this state from the Coronavirus Capital Projects Fund (42 U.S.C. Section 804) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing funding for broadband infrastructure in accordance with Section 490I.0108, Government Code, and other applicable state or federal law during the two-year period beginning on the effective date of this Act.

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

SECTION 6. DEPARTMENT OF CRIMINAL JUSTICE: COMPENSATION. (a) The amount of \$359,673,191 is appropriated to the Department of Criminal Justice from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing compensation for agency employees for the state fiscal year beginning September 1, 2021.

(b) The Department of Criminal Justice shall:

(1) in consultation with the comptroller of public accounts and the Legislative Budget Board, determine the proper allocation of benefits included in the appropriations made under Subsection (a) of this section; and

(2) identify the strategies and objectives for which the appropriations made under Subsection (a) of this section are directed.

(c) It is the intent of the legislature that the Department of Criminal Justice consider the appropriations as a change in the method of finance of the compensation to be paid to agency employees and not as an increase in total appropriations to the agency.

SECTION 7. DEPARTMENT OF AGRICULTURE: FOOD BANKS. The amount of \$95,000,000 is appropriated to the Department of Agriculture from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the

purpose of providing supplemental funding to food banks in response to the coronavirus pandemic during the two-year period beginning on the effective date of this Act.

SECTION 8. HIGHER EDUCATION COORDINATING BOARD: TEXAS CHILD MENTAL HEALTH CARE CONSORTIUM. (a) The amount of \$113,082,887 is appropriated to the Higher Education Coordinating Board from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of 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 during the two-year period beginning on the effective date of this Act. At the direction of the Texas Child Mental Health Care Consortium, the Higher Education Coordinating Board shall transfer appropriations through interagency contracts with health-related institutions of higher education for the following purposes:

(1) \$20,578,442 for enhancements and expansion of the Child Psychiatry Access Network;

(2) \$56,218,976 for enhancements and expansion of the Texas Child Access Through Telemedicine program;

(3) \$32,991,791 for expansion of the child and adolescent mental health workforce; and

(4) \$3,293,676 for administrative expenses.

(b) Not later than December 1, 2021, out of money appropriated by Subsection (a) of this section, the Higher Education Coordinating Board shall transfer \$3,293,676 to an institution of higher education designated by the Texas Child Mental Health Care Consortium for oversight and evaluation of the outlined initiatives by means of interagency agreements or any other necessary contracts.

(c) The Texas Child Mental Health Care Consortium may transfer up to 10 percent of money appropriated for the purposes described by Subsection (a)(1), (2), or (3) of this section to any of the other purposes described by those provisions. The Texas Child Mental Health Care Consortium may transfer more than 10 percent of funds for those purposes 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 9. TEXAS DIVISION OF EMERGENCY MANAGEMENT: STATE OPERATIONS CENTER. The amount of \$300,000,000 is appropriated to the Texas Division of Emergency Management from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the

credit of the Coronavirus Relief Fund No. 325 for the purpose of the acquisition of land for, and construction of, a state operations center during the two-year period beginning on the effective date of this Act.

SECTION 10. HIGHER EDUCATION COORDINATING BOARD: UNIVERSITY CONSTRUCTION. (a) Contingent on legislation by the 87th Legislature, 3rd Called Session, 2021, relating to the issuance of tuition revenue bonds, becoming law, the amount of \$325,000,000 is appropriated to the Higher Education Coordinating Board from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of university construction during the two-year period beginning on the effective date of this Act.

(b) If an appropriation made under Subsection (a) of this section for any reason is determined by the United States Department of the Treasury or any other qualified state or federal authority to have been made for an improper use:

(1) the appropriated money may not be spent and shall be retained in the treasury and available for later legislative appropriation; and

(2) an amount equal to the amount of the appropriation that was determined to have been made for an improper use is appropriated from the general revenue fund to the Higher Education Coordinating Board for the purpose and period described by Subsection (a) of this section.

SECTION 11. HEALTH AND HUMAN SERVICES COMMISSION: DALLAS STATE HOSPITAL. (a) The amount of \$237,800,000 is appropriated to the Health and Human Services Commission from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of construction of a state hospital in Dallas during the two-year period beginning on the effective date of this Act.

(b) The capital budget authority of the Health and Human Services Commission in Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), is increased by \$237,800,000 for the appropriation made under Subsection (a) of this section.

SECTION 12. HEALTH AND HUMAN SERVICES COMMISSION: RURAL HOSPITALS. The amount of \$75,000,000 is appropriated to the Health and Human Services Commission from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing funding for grants to support rural hospitals that have been affected by the COVID-19 pandemic during the two-year period beginning on the effective date of this Act.

SECTION 13. HEALTH AND HUMAN SERVICES COMMISSION: INTERNET PORTAL. The amount of \$20,000,000 is appropriated to the Health and Human Services Commission from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the

Coronavirus Relief Fund No. 325 for the purpose of providing funding for the creation of a consolidated Internet portal for Medicaid and the Children's Health Insurance Program medical services provider data during the two-year period beginning on the effective date of this Act.

SECTION 14. HEALTH AND HUMAN SERVICES COMMISSION: TECHNOLOGY UPDATES. The amount of \$5,000,000 is appropriated to the Health and Human Services Commission from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing funding for technology updates to the Medicaid eligibility computer system during the two-year period beginning on the effective date of this Act.

SECTION 15. HEALTH AND HUMAN SERVICES COMMISSION: TEXAS CIVIL COMMITMENT OFFICE. The amount of \$14,250 is appropriated to the Health and Human Services Commission for the Texas Civil Commitment Office from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing funding for COVID-19 related expenses incurred by the Texas Civil Commitment Office related to consumable supplies and travel during the two-year period beginning on the effective date of this Act.

SECTION 16. DEPARTMENT OF STATE HEALTH SERVICES: RIO GRANDE VALLEY. The amount of \$16,700,000 is appropriated to the Department of State Health Services from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of upgrading existing laboratory facilities associated with a level 1 trauma facility in Hidalgo County and new laboratory infrastructure in Starr County during the two-year period beginning on the effective date of this Act.

SECTION 17. THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON: TEXAS EPIDEMIC PUBLIC HEALTH INSTITUTE. The amount of \$40,000,000 is appropriated to The University of Texas Health Science Center at Houston from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of operating the Texas Epidemic Public Health Institute during the two-year period beginning on the effective date of this Act.

SECTION 18. HIGHER EDUCATION COORDINATING BOARD: TEXAS RESKILLING AND UPSKILLING THROUGH EDUCATION (TRUE) PROGRAM. (a) The amount of \$15,000,000 is appropriated to the Higher Education Coordinating Board from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund

No. 325 for the purpose of operating the Texas Reskilling and Upskilling through Education (TRUE) Program during the two-year period beginning on the effective date of this Act.

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

SECTION 19. HIGHER EDUCATION COORDINATING BOARD: PERFORMANCE-BASED FUNDING FOR AT-RISK STUDENTS AT COMPREHENSIVE REGIONAL UNIVERSITIES. (a) The amount of \$20,000,000 is appropriated to the Higher Education Coordinating Board from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of allocating and distributing the money in a manner that is consistent with Subsection (b) of this section and Section 62.183(b), Education Code, as added by Section 2, Chapter 186 (S.B. 1295), Acts of the 87th Legislature, Regular Session, 2021, during the state fiscal year beginning September 1, 2021.

(b) After consultation with the Legislative Budget Board, the Higher Education Coordinating Board shall allocate and distribute the money appropriated by Subsection (a) of this section to each eligible institution, as defined by Section 62.181, Education Code, as added by Section 2, Chapter 186 (S.B. 1295), Acts of the 87th Legislature, Regular Session, 2021, in an amount equal to the sum of the following:

(1) \$250,000; and

(2) the product of:

(A) an amount of money (estimated to be \$400); and

(B) the average number of at-risk students awarded a degree by the eligible institution each year during the three state fiscal years preceding the first year of the state fiscal biennium beginning September 1, 2021.

SECTION 20. DEPARTMENT OF AGRICULTURE: HOME-DELIVERED MEALS. The amount of \$5,000,000 is appropriated to the Department of Agriculture from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing funding for home-delivered meals during the two-year period beginning on the effective date of this Act.

SECTION 21. GENERAL LAND OFFICE AND VETERANS LAND BOARD: TEXAS STATE VETERANS HOMES. The amount of \$35,000,000 is appropriated to the General Land Office and the Veterans Land Board from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the

purpose of providing funding for HVAC upgrades, negative pressure COVID-19 wards, and mobile HEPA air filtration units for Texas state veterans homes during the two-year period beginning on the effective date of this Act.

SECTION 22. HEALTH AND HUMAN SERVICES COMMISSION: SUNRISE CANYON HOSPITAL. The amount of \$15,000,000 is appropriated to the Health and Human Services Commission from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing funding during the two-year period beginning on the effective date of this Act for the expansion of capacity of Sunrise Canyon Hospital.

SECTION 23. HISTORICAL COMMISSION: WASHINGTON-ON-THE-BRAZOS CAPITAL PLAN PROJECT. The amount of \$20,000,000 is appropriated to the Historical Commission from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing funding during the two-year period beginning on the effective date of this Act for the purposes of the commission's capital plan project for the Washington-on-the-Brazos state historic site.

SECTION 24. TRUSTEED PROGRAMS WITHIN THE OFFICE OF THE GOVERNOR: VICTIMS OF CRIME. (a) The amount of \$160,000,000 is appropriated to the Trusted Programs within the Office of the Governor from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing funding for grants for victims of crime during the two-year period beginning on the effective date of this Act.

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

SECTION 25. DEPARTMENT OF INFORMATION RESOURCES: CYBERSECURITY PROJECTS. (a) The amount of \$200,000,000 is appropriated to the Department of Information Resources for deposit into the Technology Improvement and Modernization Fund No. 187 and for use during the two-year period beginning on the effective date of this Act for the purpose of cybersecurity projects from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325. Before spending money appropriated under this subsection, the department must receive approval for the proposed cybersecurity projects from the Joint Oversight Committee on Investment in Information Technology Improvement and Modernization Projects established under Section 2054.578, Government Code.

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

SECTION 26. TEXAS FACILITIES COMMISSION: PERMIAN BASIN BEHAVIORAL HEALTH CENTER. (a) The amount of \$40,000,000 is appropriated to the Texas Facilities Commission from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of constructing a 100-bed comprehensive behavioral health center to serve the Permian Basin region during the two-year period beginning on the effective date of this Act.

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

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

SECTION 27. OFFICE OF THE ATTORNEY GENERAL: SEXUAL ASSAULT PROGRAM ACCOUNT. The amount of \$52,277,114 is appropriated to the Office of the Attorney General for deposit into the Sexual Assault Program Account No. 5010 and for use by the office as authorized by other law during the two-year period beginning on the effective date of this Act from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325.

SECTION 28. OFFICE OF THE ATTORNEY GENERAL: CRIME VICTIMS COMPENSATION. The amount of \$54,756,000 is appropriated to the Office of the Attorney General for deposit into the Compensation to Victims of Crime Account No. 469 and for use by the office during the two-year period beginning on the effective date of this Act for the purpose of compensating crime victims from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325.

SECTION 29. APPROPRIATIONS FOR SHORTFALL IN COURT FEES. (a) To address matters related to shortfalls in court fee collections, the following amounts are appropriated to the following entities from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the indicated purposes for the two-year period beginning on the effective date of this Act:

(1) Comptroller of Public Accounts, Judiciary Section: \$7,000,000 for the purpose of addressing the backlog in court cases, including to pay for visiting judges and support staff;

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

(A) \$3,000,000 for the purpose of addressing the backlog in court cases, including information technology support; and

(B) for Strategy D.1.1., Texas Indigent Defense Commission, as listed in Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), \$13,942,466 for deposit into the Fair Defense Account No. 5073 and for use by the office for the purpose of addressing the backlog in court cases, as authorized by other law;

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

(4) Texas Commission on Law Enforcement: \$5,800,000 for deposit into the Texas Commission on Law Enforcement Account No. 116 and for use by the commission as authorized by other law.

(b) During the two-year period beginning on the effective date of this Act, in addition to the number of full-time equivalent (FTE) employees other law authorizes the office to employ during that period, the Office of Court Administration, Texas Judicial Council may employ out of money appropriated by Subsection (a)(2)(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 number of full-time equivalent (FTE) employees other law authorizes the office to employ during that period, the Office of Capital and Forensic Writs may employ out of money appropriated by Subsection (a)(3) of this section one full-time equivalent (FTE) employee.

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

SECTION 30. COMMISSION ON STATE EMERGENCY COMMUNICATIONS: NEXT GENERATION 9-1-1 SERVICE FUND. (a) The amount of \$150,000,000 is appropriated to the Commission on State Emergency Communications for deposit into the Next Generation 9-1-1 Service Fund No. 0195 and for use by the commission as authorized by other law for the deployment and reliable operation of next generation 9-1-1 service, including equipment and administration costs, during the two-year period beginning on the effective date of this Act from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325.

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

SECTION 31. DEPARTMENT OF TRANSPORTATION: PRESIDIO CUSTOMS INSPECTION STATION. The amount of \$15,500,000 is appropriated to the Department of Transportation from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing funding for a customs inspection station on the South Orient Rail Line in Presidio, Texas, during the two-year period beginning on the effective date of this Act.

SECTION 32. TEACHER RETIREMENT SYSTEM: TRS-CARE AND TRS-ACTIVECARE. (a) The amount of \$286,337,761 is appropriated to the Teacher Retirement System from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing funding during the two-year period beginning on the effective date of this Act for coronavirus-related claims in TRS-Care and TRS-ActiveCare.

(b) It is the intent of the legislature that premiums for TRS-Care and TRS-ActiveCare insurance policies not increase as a result of coronavirus-related claims.

(c) Notwithstanding Subsection (b) of this section, it is the intent of the legislature that the premiums for TRS-Care and TRS-ActiveCare programs be calculated and adjusted taking into consideration the money appropriated under this section.

SECTION 33. HEALTH AND HUMAN SERVICES COMMISSION: STAFFING NEEDS. (a) The amount of \$378,300,000 is appropriated to the Health and Human Services Commission from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing funding during the two-year period beginning on the effective date of this Act for the Health and Human Services Commission to administer one-time grants related to providing critical staffing needs resulting from frontline health care workers affected by COVID-19, including recruitment and retention bonuses for staff:

(1) of nursing facilities, assisted living facilities, home health agencies, and facilities that serve persons with intellectual or developmental disabilities in an intermediate care facility for individuals with intellectual disabilities or related conditions (ICF/IID); or

(2) who provide community attendant services.

(b) It is the intent of the legislature that the Health and Human Services Commission prioritize grants to grantees that comply with the reporting requirements prescribed by Rider 143 (Health and Human Services Commission), Chapter 1053

(S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), the reporting requirements established by Chapter 588 (S.B. 809), Acts of the 87th Legislature, 2021, or equivalent reporting requirements established by the Health and Human Services Commission.

(c) Annually, the Health and Human Services Commission shall report to the Legislative Budget Board the grants awarded under this section. The report must include, for the year covered by the report, the amount of grants awarded, the award recipients, and the total amount of each grant used by the recipient. The report must be submitted to the Legislative Budget Board not later than December 1 of the year in which the report is due.

(d) Of the amount appropriated under Subsection (a) of this section:

(1) \$200,000,000 shall be used only for grants for nursing facilities; and

(2) \$178,300,000 shall be used only for grants for assisted living facilities, home health agencies, community attendants, and facilities that serve persons with intellectual or developmental disabilities in an intermediate care facility for individuals with intellectual disabilities or related conditions (ICF/IID).

(e) It is the intent of the legislature that the Health and Human Services Commission consider federal COVID-19 relief money received by providers when allocating the money described by Subsection (d)(2) of this section.

SECTION 34. DEPARTMENT OF STATE HEALTH SERVICES: FEDERALLY QUALIFIED HEALTH CENTER INCUBATOR PROGRAM. The amount of \$20,000,000 is appropriated to the Department of State Health Services from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for use during the two-year period beginning on the effective date of this Act for the Federally Qualified Health Center Incubator Program.

SECTION 35. DEPARTMENT OF STATE HEALTH SERVICES: EMERGENCY MEDICAL SERVICES. (a) The amount of \$21,700,000 is appropriated to the Department of State Health Services from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing funding for emergency medical response service staffing, including:

(1) funding for programs to incentivize and increase the number of Emergency Medical Technicians (EMTs) and paramedics that provide care on an ambulance, including funding for emergency medical services workforce development initiatives at regional advisory councils; and

(2) funding for Emergency Medical Services (EMS) education programs, including distance learning programs, to increase the number of EMTs and paramedics graduating from EMS education programs.

(b) It is the intent of the legislature that, consistent with state law, the Department of State Health Services prioritize funding appropriated under Subsection (a) of this section for rural and underserved areas.

SECTION 36. PARKS AND WILDLIFE DEPARTMENT: EDUCATION AND OUTREACH GRANTS. The amount of \$40,000,000 is appropriated to the Parks and Wildlife Department from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 to be used during the two-year period beginning on the effective date of this Act for the purpose of providing funding for grants throughout this state as authorized by other law and consistent with Strategy C.2.1., Outreach and Education, as listed in Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act).

SECTION 37. GENERAL LAND OFFICE: BRAZORIA COUNTY BEACH AND DUNE MAINTENANCE. The amount of \$5,000,000 is appropriated to the General Land Office for the two-year period beginning on the effective date of this Act from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for use by the office to maintain with Brazoria County approximately 4,600 feet of beach and dunes along the Bluewater Highway and Beach Access Road Five.

SECTION 38. GENERAL LAND OFFICE: ANALYSIS OF COASTAL TEXAS STUDY DESIGN ELEMENTS. The amount of \$300,000 is appropriated to the General Land Office from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 to be used during the two-year period beginning on the effective date of this Act for the purpose of providing funding for a cost and component analysis of the Coastal Texas Study design elements to be conducted by the Gulf Coast Protection District under an agreement between the office and the district.

SECTION 39. TEXAS A&M UNIVERSITY: INSTITUTE FOR A DISASTER RESILIENT TEXAS. (a) The amount of \$1,150,000 is appropriated to Texas A&M University - Galveston from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing funding to the Institute for a Disaster Resilient Texas.

(b) Out of amounts appropriated by Subsection (a) of this section:

(1) \$1,000,000 may be used only for Digital Flood Risk Infrastructure for Underserved Communities; and

(2) \$150,000 may be used only for office space in Houston.

SECTION 40. TEXAS TECH UNIVERSITY AND UNIVERSITY OF HOUSTON: INSTITUTIONAL ENHANCEMENTS. The amount of \$100,000,000 is appropriated from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for institutional enhancement during the two-year period beginning on the effective date of this Act to the following entities and in the following amounts:

- (1) \$50,000,000 to Texas Tech University; and
- (2) \$50,000,000 to the University of Houston.

SECTION 41. COMPTROLLER OF PUBLIC ACCOUNTS: TEXAS SAFE KEEPING TRUST FUND. (a) The amount of \$100,000,000 is appropriated to the comptroller of public accounts from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for immediate deposit to an account or fund to be managed by the Texas Treasury Safekeeping Trust Company as trustee for the benefit of the State Preservation Board to maintain the Bob Bullock State History Museum.

(b) If an appropriation made under Subsection (a) of this section for any reason is determined by the United States Department of the Treasury or any other qualified state or federal authority to have been made for an improper use:

- (1) the appropriated money may not be spent and shall be retained in the treasury and available for later legislative appropriation; and
- (2) an amount equal to the amount of the appropriation that was determined to have been made for an improper use is appropriated from the general revenue fund to the comptroller of public accounts for the purpose described by Subsection (a) of this section.

SECTION 42. PARKS AND WILDLIFE DEPARTMENT: TEXAS STATE AQUARIUM CENTER. The amount of \$3,000,000 is appropriated to the Parks and Wildlife Department from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing funding to the Texas State Aquarium Center for wildlife research during the two-year period beginning on the effective date of this Act.

SECTION 43. UNIVERSITY OF TEXAS AT AUSTIN: MARINE SCIENCE INSTITUTE HOUSING REPLACEMENT. The amount of \$3,000,000 is appropriated to the University of Texas at Austin from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing funding for the Marine Science Institute student housing replacement for the two-year period beginning on the effective date of this Act.

SECTION 44. TEXAS EDUCATION AGENCY: PROGRAM ENHANCEMENTS. The amount of \$3,000,000 is appropriated to the Texas Education Agency from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing funding for the big brothers and big sisters program technological staff enhancements for the two-year period beginning on the effective date of this Act.

SECTION 45. UNIVERSITY OF TEXAS AT AUSTIN: BRISCOE GARNER MUSEUM. The amount of \$235,000 is appropriated to the University of Texas at Austin from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 to the University of Texas at Austin for the Briscoe Garner Museum for the two-year period beginning on the effective date of this Act.

SECTION 46. HIGHER EDUCATION COORDINATING BOARD: RURAL VETERINARIANS GRANT PROGRAM. The amount of \$1,000,000 is appropriated to the Higher Education Coordinating Board from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing funding for the rural veterinarians grant program for the two-year period beginning on the effective date of this Act.

SECTION 47. STATE PRESERVATION BOARD: MAINTENANCE AND CAPITAL IMPROVEMENT PROJECTS. (a) The amount of \$25,000,000 is appropriated to the State Preservation Board from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of maintenance and capital improvement projects during the state fiscal biennium beginning September 1, 2021.

(b) The capital budget authority of the State Preservation Board in Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), is increased by \$25,000,000 for the appropriation made under Subsection (a) of this section.

SECTION 48. DEPARTMENT OF STATE HEALTH SERVICES AND HEALTH AND HUMAN SERVICES COMMISSION: FEDERAL FUNDS FOR HOSPITALS. It is the intent of the Legislature that the Department of State Health Services and the Health and Human Services Commission, in distributing any money received from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 distribute the money appropriated by this Act to entities that are subject to the hospital price transparency public disclosure requirements required by 45 C.F.R. Sections 180.10 - 180.60 and, on implementation of rules adopted under the chapter, by Chapter 327, Health and Safety Code.

SECTION 49. REPORT ON FEDERAL FUNDS BY LEGISLATIVE BUDGET BOARD. (a) The Legislative Budget Board, in consultation with the comptroller of public accounts, shall report on the board's Internet website:

(1) for each political subdivision in this state, an informational listing of any money appropriated by this Act and received by the subdivision; and

(2) for each state agency and each institution of higher education that receives money appropriated by this Act, an informational listing of the following:

(A) the amount of money received by the agency or institution;

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

(C) the amount of money spent by the agency or institution;

(D) the allowable uses for which the agency or institution may spend money received by the agency or institution and the purposes for which the agency or institution has spent the money;

(E) the amount of money received by the agency or institution:

(i) that the agency or institution has not spent; and

(ii) that the agency or institution may spend without further appropriation; and

(F) the time during which money received by the agency or institution was spent by the agency or institution, including the remaining time in which the agency or institution may spend the money without further appropriation.

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

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

SECTION 50. LEGISLATIVE INTENT REGARDING APPROPRIATIONS.

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

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

(2) be used:

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

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

(b) Except as specifically provided otherwise by this Act, it is the intent of the legislature that, if the United States Department of the Treasury or any other qualified state or federal authority determines that an appropriation made by this Act has been made for an improper use, the appropriated money not be spent and shall be retained in the treasury and available for later legislative appropriation.

SECTION 51. APPROPRIATION AUTHORITY UNDER FEDERAL LAW.

The appropriations made under Sections 2, 3, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, and 47 of this Act using money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) are made in accordance with 42 U.S.C. Section 802(c)(1)(C), which allows money from the Coronavirus State Fiscal Recovery Fund to be used to provide government services to the extent of a

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reduction in the revenue of a state government caused by the COVID-19 public health emergency relative to revenues collected in the most recent full fiscal year of the state government that ended before that emergency.

SECTION 52. APPLICABILITY OF TRANSFER PROVISIONS OF OTHER LAW. The transfer provisions of Part 14, Article IX, Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), and the transfer provisions of Section 65, Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular Session, 2021 (the Supplemental Appropriations Act), apply to the appropriations made by this Act to allow appropriate transfer of appropriations made by this Act as if the appropriations made by the General Appropriations Act, the Supplemental Appropriations Act, and this Act were all a part of the same Act, to the extent permitted by federal law.

SECTION 53. EFFECTIVE DATE. This Act takes effect immediately.

The Conference Committee Report on **SB 8** was filed with the Secretary of the Senate.

CONFERENCE COMMITTEE REPORT ON SENATE BILL 1

Senator Bettencourt submitted the following Conference Committee Report:

Austin, Texas
October 18, 2021

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 1** have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

BETTENCOURT
CREIGHTON
KOLKHORST
LUCIO
PERRY

On the part of the Senate

MEYER
BONNEN
BUTTON
GUILLEN
RAYMOND

On the part of the House

A BILL TO BE ENTITLED AN ACT

relating to an increase in the amount of the exemption of residence homesteads from ad valorem taxation by a school district and the protection of school districts against the resulting loss in local revenue.

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

SECTION 1. Section 11.13(b), Tax Code, is amended to read as follows:

(b) An adult is entitled to exemption from taxation by a school district of \$40,000 ~~[\$25,000]~~ of the appraised value of the adult's residence homestead, except that only \$5,000 of the exemption applies to an entity operating under former Chapter 17, 18, 25, 26, 27, or 28, Education Code, as those chapters existed on May 1, 1995, as permitted by Section 11.301, Education Code.

SECTION 2. Section 46.071, Education Code, is amended by amending Subsections (a), (b), and (c) and adding Subsections (a-1), (b-1), and (c-1) to read as follows:

(a) Beginning with the 2015-2016 school year and continuing through the 2021-2022 school year, a school district is entitled to additional state aid under this subchapter to the extent that state and local revenue used to service debt eligible under this chapter is less than the state and local revenue that would have been available to the district under this chapter as it existed on September 1, 2015, if the increase in the residence homestead exemption under Section 1-b(c), Article VIII, Texas Constitution, and the additional limitation on tax increases under Section 1-b(d) of that article as proposed by S.J.R. 1, 84th Legislature, Regular Session, 2015, had not occurred.

(a-1) Beginning with the 2022-2023 school year, a school district is entitled to additional state aid under this subchapter to the extent that state and local revenue used to service debt eligible under this chapter is less than the state and local revenue that would have been available to the district under this chapter as it existed on September 1, 2021, if any increase in the residence homestead exemption under Section 1-b(c), Article VIII, Texas Constitution, as proposed by the 87th Legislature, 3rd Called Session, 2021, had not occurred.

(b) Subject to Subsections (c), (d), and (e) ~~[(e)-(e)]~~, additional state aid under this section through the 2021-2022 school year is equal to the amount by which the loss of local interest and sinking revenue for debt service attributable to the increase in the residence homestead exemption under Section 1-b(c), Article VIII, Texas Constitution, and the additional limitation on tax increases under Section 1-b(d) of that article as proposed by S.J.R. 1, 84th Legislature, Regular Session, 2015, is not offset by a gain in state aid under this chapter.

(b-1) Subject to Subsections (c-1), (d), and (e), additional state aid under this section beginning with the 2022-2023 school year is equal to the amount by which the loss of local interest and sinking revenue for debt service attributable to any increase in the residence homestead exemption under Section 1-b(c), Article VIII, Texas Constitution, as proposed by the 87th Legislature, 3rd Called Session, 2021, is not offset by a gain in state aid under this chapter.

(c) For the purpose of determining state aid under Subsections (a) and (b) ~~[this section]~~, local interest and sinking revenue for debt service is limited to revenue required to service debt eligible under this chapter as of September 1, 2015, including refunding of that debt, subject to Section 46.061. The limitation imposed by Section 46.034(a) does not apply for the purpose of determining state aid under this section.

(c-1) For the purpose of determining state aid under Subsections (a-1) and (b-1), local interest and sinking revenue for debt service is limited to revenue required to service debt eligible under this chapter as of September 1, 2021, including refunding of that debt, subject to Section 46.061. The limitation imposed by Section 46.034(a) does not apply for the purpose of determining state aid under this section.

SECTION 3. Subchapter F, Chapter 48, Education Code, is amended by adding Section 48.2543 to read as follows:

Sec. 48.2543. **ADDITIONAL STATE AID FOR HOMESTEAD EXEMPTION.** (a) Beginning with the 2022-2023 school year, a school district is entitled to additional state aid to the extent that state and local revenue under this chapter and Chapter 49 is less than the state and local revenue that would have been available to the district under this chapter and Chapter 49 as those chapters existed on September 1, 2021, if any increase in the residence homestead exemption under Section 1-b(c), Article VIII, Texas Constitution, as proposed by the 87th Legislature, 3rd Called Session, 2021, had not occurred.

(b) The lesser of the school district's currently adopted maintenance and operations tax rate or the adopted maintenance and operations tax rate for the 2021 tax year is used for the purpose of determining additional state aid under Subsection (a).

SECTION 4. The comptroller of public accounts may adopt rules for the purpose of implementing and administering the changes in law made by this Act, including rules relating to the form of certain information required to be provided by tax officials and the date on which the information must be provided.

SECTION 5. Section 11.13, Tax Code, as amended by this Act, applies beginning with the 2022 tax year.

SECTION 6. (a) Except as provided by Subsection (b) of this section:

(1) this Act takes effect on the date on which the constitutional amendment proposed by the 87th Legislature, 3rd Called Session, 2021, increasing the amount of the residence homestead exemption from ad valorem taxation for public school purposes is approved by the voters; and

(2) if that amendment is not approved by the voters, this Act has no effect.

(b) Section 4 of this Act takes effect immediately if this Act receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, Section 4 of this Act takes effect on the 91st day after the last day of the legislative session.

The Conference Committee Report on **SB 1** was filed with the Secretary of the Senate.

CONFERENCE COMMITTEE REPORT ON SENATE BILL 52

Senator Creighton submitted the following Conference Committee Report:

Austin, Texas
October 18, 2021

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 52** 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.

CREIGHTON
 BETTENCOURT
 SPRINGER
 WEST
 NELSON

On the part of the Senate

BONNEN
 MURPHY
 BURNS
 VANDEAVER
 WALLE

On the part of the House

A BILL TO BE ENTITLED
 AN ACT

relating to the issuance of revenue bonds to fund capital projects at public institutions of higher education, the oversight of certain capital projects at those institutions, and the designation of certain appropriated funds allocated to those institutions.

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

SECTION 1. SECTION 1. Subchapter B, Chapter 55, Education Code, is amended by adding Section 55.111 to read as follows:

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

SECTION 2. Subchapter B, Chapter 55, Education Code, is amended by adding Sections 55.1791, 55.1792, 55.1793, 55.1794, 55.1795, 55.1796, 55.1797, 55.1798, 55.1799, and 55.17991 to read as follows:

Sec. 55.1791. THE TEXAS A&M UNIVERSITY SYSTEM; ADDITIONAL BONDS. (a) In addition to the other authority granted by this subchapter, the board of regents of The Texas A&M University System may acquire, purchase, construct, improve, renovate, enlarge, or equip property and facilities, including roads and related infrastructure, for projects to be financed through the issuance of bonds in accordance with this subchapter and in accordance with a systemwide revenue financing program adopted by the board for the following institutions, not to exceed the following aggregate principal amounts for the projects specified, as follows:

(1) The Texas A&M University System, \$43,425,406 for construction of a STEM education center at the RELLIS campus;

(2) Prairie View A&M University, \$44,922,833 for construction of a teaching and academic student support services facility;

(3) Tarleton State University:

(A) \$65 million for construction of a College of Health Sciences and Human Services building on the Stephenville campus; and

(B) \$25 million for expansion of the Fort Worth campus;

(4) Texas A&M University, \$56,153,542 for construction of a clinical veterinary teaching and research complex;

(5) Texas A&M University–Commerce, \$44,922,833 for an Agricultural Multipurpose Education and Training Center;

(6) Texas A&M University–Corpus Christi, \$44,922,833 for construction of an arts and media building;

(7) Texas A&M University at Galveston, \$33,692,125 for construction of an engineering classroom and research building;

(8) Texas A&M University–Kingsville, \$44,922,833 for renovations to address deferred maintenance for campus buildings;

(9) Texas A&M University–Central Texas, \$44,922,833 for construction of a central utility plant and infrastructure upgrades;

(10) West Texas A&M University, \$44,922,833 for infrastructure upgrades to address health and safety issues and the renovation of an education building;

(11) Texas A&M University–San Antonio, \$44,922,833 for construction of a public health and education building;

(12) Texas A&M International University, \$44,922,833 for construction of a health science education and research center;

(13) Texas A&M University–Texarkana, \$44,922,833 for construction of a business, engineering, and technology building; and

(14) The Texas A&M University System Health Science Center:

(A) \$69,897,111 for construction of the Texas Medical Center Building 3 in Houston, Texas; and

(B) \$29,948,556 for construction of a nursing education and research center in McAllen, Texas.

(b) The board may pledge irrevocably to the payment of bonds authorized by this section all or any part of the revenue funds of an institution, branch, or entity of The Texas A&M University System, including student tuition charges. The amount of a pledge made under this subsection may not be reduced or abrogated while the bonds for which the pledge is made, or bonds issued to refund those bonds, are outstanding.

(c) If sufficient funds are not available to the board to meet its obligations under this section, the board may transfer funds among institutions, branches, and entities of The Texas A&M University System to ensure the most equitable and efficient allocation of available resources for each institution, branch, or entity to carry out its duties and purposes.

(d) In lieu of financing a project described by Subsection (a) for an institution of higher education, entity, or university system, the board may finance in the manner prescribed by that subsection an alternative project for deferred maintenance, infrastructure, or construction at the same institution, entity, or system in an amount not to exceed the total of the amount authorized for the project and any unspent amount from projects authorized for the institution, entity, or system under this chapter. The board shall notify the Texas Higher Education Coordinating Board of an alternative project financed as provided by this subsection.

(e) For financing of an alternative project as provided by Subsection (d) in an amount that exceeds \$25 million, the board must receive prior written approval from the governor and Legislative Budget Board. A request for approval of financing of an alternative project is considered approved unless the governor or the Legislative Budget Board issues a written disapproval not later than the 30th business day after the date of the receipt of the request.

Sec. 55.1792. THE UNIVERSITY OF TEXAS SYSTEM; ADDITIONAL BONDS. (a) In addition to the other authority granted by this subchapter, the board of regents of The University of Texas System may acquire, purchase, construct, improve, renovate, enlarge, or equip property and facilities, including roads and related infrastructure, for projects to be financed through the issuance of bonds in accordance with this subchapter and in accordance with a systemwide revenue financing program adopted by the board for the following institutions, not to exceed the following aggregate principal amounts for the projects specified, as follows:

(1) The University of Texas System, \$56,153,542 for renovation of the Microelectronics Research Center at the J. J. Pickle Research Campus;

(2) The University of Texas at Arlington, \$52,409,972 for renovation of the Life Science Building;

(3) The University of Texas at Austin, \$56,153,542 for renovation of the Physics, Math, and Astronomy Building;

(4) The University of Texas at Dallas, \$52,409,972 for construction of a student success center;

(5) The University of Texas at El Paso, \$52,409,972 for construction of an advanced teaching and learning complex;

(6) The University of Texas of the Permian Basin, \$44,922,833 for renovation of the Mesa Building and campus transformation;

(7) The University of Texas Rio Grande Valley, \$44,922,833 for construction of a health affairs building;

(8) The University of Texas at San Antonio, \$52,409,972 for construction of an Innovation, Entrepreneurship, and Careers building;

(9) The University of Texas at Tyler, \$44,922,833 for construction of a sciences building;

(10) The University of Texas Health Science Center at Houston, \$69,897,111 for construction of a public health education and research building;

(11) The University of Texas Health Science Center at San Antonio, \$59,897,111 for construction of the Glenn Biggs Institute for Alzheimer's & Neurodegenerative Diseases Building;

(12) The University of Texas Health Science Center at Tyler:

(A) \$48 million for construction of a health professions education center; and

(B) \$10 million for construction of a health professions education center located in Longview, Texas;

(13) The University of Texas M. D. Anderson Cancer Center, \$69,897,111 for construction of a life sciences research, innovation, and discovery initiative facility;

(14) The University of Texas Medical Branch at Galveston, \$59,897,111 for infrastructure and research space upgrades for research buildings; and

(15) UT Southwestern Medical Center, \$59,897,111 for construction of the north campus Phase VI Brain Institute shell space.

(b) The board may pledge irrevocably to the payment of bonds authorized by this section all or any part of the revenue funds of an institution, branch, or entity of The University of Texas System, including student tuition charges. The amount of a pledge made under this subsection may not be reduced or abrogated while the bonds for which the pledge is made, or bonds issued to refund those bonds, are outstanding.

(c) If sufficient funds are not available to the board to meet its obligations under this section, the board may transfer funds among institutions, branches, and entities of The University of Texas System to ensure the most equitable and efficient allocation of available resources for each institution, branch, or entity to carry out its duties and purposes.

(d) In lieu of financing a project described by Subsection (a) for an institution of higher education, entity, or university system, the board may finance in the manner prescribed by that subsection an alternative project for deferred maintenance, infrastructure, or construction at the same institution, entity, or system in an amount not to exceed the total of the amount authorized for the project and any unspent amount from projects authorized for the institution, entity, or system under this chapter. The board shall notify the Texas Higher Education Coordinating Board of an alternative project financed as provided by this subsection.

(e) For financing of an alternative project as provided by Subsection (d) in an amount that exceeds \$25 million, the board must receive prior written approval from the governor and Legislative Budget Board. A request for approval of financing of an alternative project is considered approved unless the governor or the Legislative Budget Board issues a written disapproval not later than the 30th business day after the date of the receipt of the request.

Sec. 55.1793. UNIVERSITY OF HOUSTON SYSTEM; ADDITIONAL BONDS. (a) In addition to the other authority granted by this subchapter, the board of regents of the University of Houston System may acquire, purchase, construct, improve, renovate, enlarge, or equip property and facilities, including roads and related infrastructure, for projects to be financed through the issuance of bonds in accordance with this subchapter and in accordance with a systemwide revenue financing program adopted by the board for the following institutions, not to exceed the following aggregate principal amounts for the projects specified, as follows:

(1) the University of Houston System, \$59,897,111 for construction of a medical research facility;

(2) the University of Houston:

(A) \$40 million for construction of the Hobby School of Public Affairs

Building;

(B) \$52,409,972 for construction of the IDEA Lab; and

(C) \$52,409,972 for construction of the Sugar Land Academic Building

(3) the University of Houston–Clear Lake, \$44,922,833 for renovation of the Bayou Building, the Delta Building, and the Student Services and Classroom Building;

(4) the University of Houston–Downtown, \$44,922,833 for renovation of existing buildings and other campus infrastructure upgrades and for the construction of the Police Department and Criminal Justice Academy Building; and

(5) the University of Houston–Victoria, \$44,922,833 for renovation of existing buildings and other campus infrastructure upgrades.

(b) The board may pledge irrevocably to the payment of bonds authorized by this section all or any part of the revenue funds of an institution, branch, or entity of the University of Houston System, including student tuition charges. The amount of a pledge made under this subsection may not be reduced or abrogated while the bonds for which the pledge is made, or bonds issued to refund those bonds, are outstanding.

(c) If sufficient funds are not available to the board to meet its obligations under this section, the board may transfer funds among institutions, branches, and entities of the University of Houston System to ensure the most equitable and efficient allocation of available resources for each institution, branch, or entity to carry out its duties and purposes.

(d) In lieu of financing a project described by Subsection (a) for an institution of higher education, entity, or university system, the board may finance in the manner prescribed by that subsection an alternative project for deferred maintenance, infrastructure, or construction at the same institution, entity, or system in an amount not to exceed the total of the amount authorized for the project and any unspent amount from projects authorized for the institution, entity, or system under this chapter. The board shall notify the Texas Higher Education Coordinating Board of an alternative project financed as provided by this subsection.

(e) For financing of an alternative project as provided by Subsection (d) in an amount that exceeds \$25 million, the board must receive prior written approval from the governor and Legislative Budget Board. A request for approval of financing of an alternative project is considered approved unless the governor or the Legislative Budget Board issues a written disapproval not later than the 30th business day after the date of the receipt of the request.

Sec. 55.1794. TEXAS STATE UNIVERSITY SYSTEM; ADDITIONAL BONDS. (a) In addition to the other authority granted by this subchapter, the board of regents of the Texas State University System may acquire, purchase, construct, improve, renovate, enlarge, or equip property and facilities, including roads and related infrastructure, for projects to be financed through the issuance of bonds in accordance with this subchapter and in accordance with a systemwide revenue financing program adopted by the board for the following institutions, not to exceed the following aggregate principal amounts for the projects specified, as follows:

(1) Texas State University System, \$11,230,708 for construction of a field research station and dam repair;

(2) Lamar State College–Orange, \$37,435,695 for the replacement of an academic building to house general academic instruction and information technology services;

(3) Lamar State College–Port Arthur, \$37,435,695 for construction of an allied health and sciences building;

(4) Lamar Institute of Technology, \$37,435,695 for construction of a facility for workforce and allied health programs;

(5) Lamar University, \$44,922,833 for renovation of a library;

(6) Sam Houston State University:

(A) \$44,922,833 for construction of an allied health building located in Conroe, Texas; and

(B) \$44,922,833 for construction of an active learning center located in Huntsville, Texas; and

(7) Texas State University:

(A) \$111,921,496 for construction of a STEM classroom building located in San Marcos, Texas; and

(B) \$52,409,972 for construction of a health professions building located in Round Rock, Texas.

(b) The board may pledge irrevocably to the payment of bonds authorized by this section all or any part of the revenue funds of an institution, branch, or entity of the Texas State University System, including student tuition charges. The amount of a pledge made under this subsection may not be reduced or abrogated while the bonds for which the pledge is made, or bonds issued to refund those bonds, are outstanding.

(c) If sufficient funds are not available to the board to meet its obligations under this section, the board may transfer funds among institutions, branches, and entities of the Texas State University System to ensure the most equitable and efficient allocation of available resources for each institution, branch, or entity to carry out its duties and purposes.

(d) In lieu of financing a project described by Subsection (a) for an institution of higher education, entity, or university system the board may finance in the manner prescribed by that subsection an alternative project for deferred maintenance, infrastructure, or construction at the same institution, entity, or system in an amount not to exceed the total of the amount authorized for the project and any unspent amount from projects authorized for the institution, entity, or system under this chapter. The board shall notify the Texas Higher Education Coordinating Board of an alternative project financed as provided by this subsection.

(e) For financing of an alternative project as provided by Subsection (d) in an amount that exceeds \$25 million, the board must receive prior written approval from the governor and Legislative Budget Board. A request for approval of financing of an alternative project is considered approved unless the governor or the Legislative Budget Board issues a written disapproval not later than the 30th business day after the date of the receipt of the request.

Sec. 55.1795. UNIVERSITY OF NORTH TEXAS SYSTEM; ADDITIONAL BONDS. (a) In addition to the other authority granted by this subchapter, the board of regents of the University of North Texas System may acquire, purchase, construct, improve, renovate, enlarge, or equip property and facilities, including roads and related infrastructure, for projects to be financed through the issuance of bonds in

accordance with this subchapter and in accordance with a systemwide revenue financing program adopted by the board for the following institutions, not to exceed the following aggregate principal amounts for the projects specified, as follows:

(1) the University of North Texas, \$113,400,000 for construction of a science and technology research building;

(2) the University of North Texas at Dallas, \$100,000,000 for construction of a science building; and

(3) the University of North Texas Health Science Center at Fort Worth, \$59,897,111 for campus space optimization and realignment.

(b) The board may pledge irrevocably to the payment of bonds authorized by this section all or any part of the revenue funds of an institution, branch, or entity of the University of North Texas System, including student tuition charges. The amount of a pledge made under this subsection may not be reduced or abrogated while the bonds for which the pledge is made, or bonds issued to refund those bonds, are outstanding.

(c) If sufficient funds are not available to the board to meet its obligations under this section, the board may transfer funds among institutions, branches, and entities of the University of North Texas System to ensure the most equitable and efficient allocation of available resources for each institution, branch, or entity to carry out its duties and purposes.

(d) In lieu of financing a project described by Subsection (a) for an institution of higher education, entity, or university system, the board may finance in the manner prescribed by that subsection an alternative project for deferred maintenance, infrastructure, or construction at the same institution, entity, or system in an amount not to exceed the total of the amount authorized for the project and any unspent amount from projects authorized for the institution, entity, or system under this chapter. The board shall notify the Texas Higher Education Coordinating Board of an alternative project financed as provided by this subsection.

(e) For financing of an alternative project as provided by Subsection (d) in an amount that exceeds \$25 million, the board must receive prior written approval from the governor and Legislative Budget Board. A request for approval of financing of an alternative project is considered approved unless the governor or the Legislative Budget Board issues a written disapproval not later than the 30th business day after the date of the receipt of the request.

Sec. 55.1796. TEXAS WOMAN'S UNIVERSITY; ADDITIONAL BONDS. (a) In addition to the other authority granted by this subchapter, the board of regents of Texas Woman's University may acquire, purchase, construct, improve, renovate, enlarge, or equip property and facilities, including roads and related infrastructure, for a health sciences center, to be financed through the issuance of bonds in accordance with this subchapter, not to exceed the aggregate principal amount of \$100 million.

(b) The board may pledge irrevocably to the payment of bonds authorized by this section all or any part of the revenue funds of Texas Woman's University, including student tuition charges. The amount of a pledge made under this subsection may not be reduced or abrogated while the bonds for which the pledge is made, or bonds issued to refund those bonds, are outstanding.

(c) In lieu of financing a project described by Subsection (a) for Texas Woman's University, the board may finance in the manner prescribed by that subsection an alternative project for deferred maintenance, infrastructure, or construction at the university in an amount not to exceed the total of the amount authorized for the project and any unspent amount from projects authorized for the university under this chapter. The board shall notify the Texas Higher Education Coordinating Board of an alternative project financed as provided by this subsection.

(d) For financing of an alternative project as provided by Subsection (c) in an amount that exceeds \$25 million, the board must receive prior written approval from the governor and Legislative Budget Board. A request for approval of financing of an alternative project is considered approved unless the governor or the Legislative Budget Board issues a written disapproval not later than the 30th business day after the date of the receipt of the request.

Sec. 55.1797. STEPHEN F. AUSTIN STATE UNIVERSITY; ADDITIONAL BONDS. (a) In addition to the other authority granted by this subchapter, the board of regents of Stephen F. Austin State University may acquire, purchase, construct, improve, renovate, enlarge, or equip property and facilities, including roads and related infrastructure, for construction of an interdisciplinary and applied sciences building, to be financed through the issuance of bonds in accordance with this subchapter, not to exceed the aggregate principal amount of \$44,922,833.

(b) The board may pledge irrevocably to the payment of bonds authorized by this section all or any part of the revenue funds of Stephen F. Austin State University, including student tuition charges. The amount of a pledge made under this subsection may not be reduced or abrogated while the bonds for which the pledge is made, or bonds issued to refund those bonds, are outstanding.

(c) In lieu of financing a project described by Subsection (a) for Stephen F. Austin State University, the board may finance in the manner prescribed by that subsection an alternative project for deferred maintenance, infrastructure, or construction at the university in an amount not to exceed the total of the amount authorized for the project and any unspent amount from projects authorized for the university under this chapter. The board shall notify the Texas Higher Education Coordinating Board of an alternative project financed as provided by this subsection.

(d) For financing of an alternative project as provided by Subsection (c) in an amount that exceeds \$25 million, the board must receive prior written approval from the governor and Legislative Budget Board. A request for approval of financing of an alternative project is considered approved unless the governor or the Legislative Budget Board issues a written disapproval not later than the 30th business day after the date of the receipt of the request.

Sec. 55.1798. TEXAS TECH UNIVERSITY SYSTEM; ADDITIONAL BONDS. (a) In addition to the other authority granted by this subchapter, the board of regents of the Texas Tech University System may acquire, purchase, construct, improve, renovate, enlarge, or equip property and facilities, including roads and related infrastructure, for projects to be financed through the issuance of bonds in accordance with this subchapter and in accordance with a systemwide revenue financing program adopted by the board for the following institutions, not to exceed the following aggregate principal amounts for the projects specified, as follows:

(1) Angelo State University, \$36 million for a central plant maintenance and renovation;

(2) Texas Tech University:

(A) \$72 million for renovations to address deferred maintenance for campus buildings; and

(B) \$8 million for maintenance and program enhancement construction in Junction, Texas;

(3) Midwestern State University, \$44,922,833 for renovations to an existing building and other campus infrastructure upgrades;

(4) Texas Tech University Health Sciences Center:

(A) \$59,897,111 for maintenance and renovation of an existing facility; and

(B) \$18,717,847 for construction and equipment of the physician assistant facility in Midland, Texas; and

(5) Texas Tech University Health Sciences Center at El Paso, \$59,897,111 for construction of a dental school building.

(b) The board may pledge irrevocably to the payment of bonds authorized by this section all or any part of the revenue funds of an institution, branch, or entity of the Texas Tech University System, including student tuition charges. The amount of a pledge made under this subsection may not be reduced or abrogated while the bonds for which the pledge is made, or bonds issued to refund those bonds, are outstanding.

(c) If sufficient funds are not available to the board to meet its obligations under this section, the board may transfer funds among institutions, branches, and entities of the Texas Tech University System to ensure the most equitable and efficient allocation of available resources for each institution, branch, or entity to carry out its duties and purposes.

(d) In lieu of financing a project described by Subsection (a) for an institution of higher education, entity, or university system, the board may finance in the manner prescribed by that subsection an alternative project for deferred maintenance, infrastructure, or construction at the same institution, entity, or system in an amount not to exceed the total of the amount authorized for the project and any unspent amount from projects authorized for the institution, entity, or system under this chapter. The board shall notify the Texas Higher Education Coordinating Board of an alternative project financed as provided by this subsection.

(e) For financing of an alternative project as provided by Subsection (d) in an amount that exceeds \$25 million, the board must receive prior written approval from the governor and Legislative Budget Board. A request for approval of financing of an alternative project is considered approved unless the governor or the Legislative Budget Board issues a written disapproval not later than the 30th business day after the date of the receipt of the request.

Sec. 55.1799. TEXAS SOUTHERN UNIVERSITY; ADDITIONAL BONDS.

(a) In addition to the other authority granted by this subchapter, the board of regents of Texas Southern University may acquire, purchase, construct, improve, renovate, enlarge, or equip property and facilities, including roads and related infrastructure, for

projects to be financed through the issuance of bonds in accordance with this subchapter, not to exceed the following aggregate principal amounts for the projects specified, as follows:

- (1) \$22,800,000 for renovation of the Nabrit Building;
- (2) \$2,400,000 for upgrades to signage and wayfinding;
- (3) \$40 million for facility maintenance and renovation; and
- (4) \$30 million for construction of a health and wellness center.

(b) The board may pledge irrevocably to the payment of bonds authorized by this section all or any part of the revenue funds of Texas Southern University, including student tuition charges. The amount of a pledge made under this subsection may not be reduced or abrogated while the bonds for which the pledge is made, or bonds issued to refund those bonds, are outstanding.

(c) In lieu of financing a project described by Subsection (a) for Texas Southern University, the board may finance in the manner prescribed by that subsection an alternative project for deferred maintenance, infrastructure, or construction at the university in an amount not to exceed the total of the amount authorized for the project and any unspent amount from projects authorized for the university under this chapter. The board shall notify the Texas Higher Education Coordinating Board of an alternative project financed as provided by this subsection.

(d) For financing of an alternative project as provided by Subsection (c) in an amount that exceeds \$25 million, the board must receive prior written approval from the governor and Legislative Budget Board. A request for approval of financing of an alternative project is considered approved unless the governor or the Legislative Budget Board issues a written disapproval not later than the 30th business day after the date of the receipt of the request.

Sec. 55.17991. TEXAS STATE TECHNICAL COLLEGE SYSTEM. (a) In addition to the other authority granted by this subchapter, the board of regents of the Texas State Technical College System may acquire, purchase, construct, improve, renovate, enlarge, or equip property and facilities, including roads and related infrastructure, for projects to be financed through the issuance of bonds in accordance with this subchapter for the following entity and institutions, not to exceed the following aggregate principal amounts for the projects specified, as follows:

- (1) Texas State Technical College System, \$33,300,000 for the East Williamson County Higher Education Center expansion;
- (2) Texas State Technical College–Fort Bend, \$41,800,000 for Fort Bend County campus expansion;
- (3) Texas State Technical College–Harlingen, \$37,800,000 for Harlingen campus expansion;
- (4) Texas State Technical College–Marshall, \$15 million for Marshall campus expansion;
- (5) Texas State Technical College–North Texas, \$13.5 million for North Texas campus expansion;
- (6) Texas State Technical College–West Texas, \$13.5 million for West Texas campus expansion; and
- (7) Texas State Technical College–Waco, \$53,600,000 for Waco campus expansion.

(b) The board may pledge irrevocably to the payment of bonds authorized by this section all or any part of the revenue funds of an institution, branch, or entity of the Texas State Technical College System, including student tuition charges. The amount of a pledge made under this subsection may not be reduced or abrogated while the bonds for which the pledge is made, or bonds issued to refund those bonds, are outstanding.

(c) If sufficient funds are not available to the board to meet its obligations under this section, the board may transfer funds among institutions, branches, and entities of the Texas State Technical College System to ensure the most equitable and efficient allocation of available resources for each institution, branch, or entity to carry out its duties and purposes.

(d) In lieu of financing a project described by Subsection (a) for an institution of higher education, entity, or system, the board may finance in the manner prescribed by that subsection an alternative project for deferred maintenance, infrastructure, or construction at the same institution, entity, or system in an amount not to exceed the total of the amount authorized for the project and any unspent amount from projects authorized for the institution, entity, or system under this chapter. The board shall notify the Texas Higher Education Coordinating Board of an alternative project financed as provided by this subsection.

(e) For financing of an alternative project as provided by Subsection (d) in an amount that exceeds \$25 million, the board must receive prior written approval from the governor and Legislative Budget Board. A request for approval of financing of an alternative project is considered approved unless the governor or the Legislative Budget Board issues a written disapproval not later than the 30th business day after the date of the receipt of the request.

SECTION 3. Subchapter B, Chapter 55, Education Code, is amended by adding Section 55.165 to read as follows:

Sec. 55.165. OVERSIGHT OF CERTAIN CAPITAL PROJECTS. (a) This section applies only to a capital project for which the issuance of bonds is specifically authorized under this chapter on or after October 1, 2021.

(b) Notwithstanding Section 2262.002(a), Government Code, or any other law, a project to which this section applies is subject to oversight by the contract advisory team in accordance with Subchapter C, Chapter 2262, Government Code, and the governing board of the institution of higher education or university system for which a project was authorized shall consult the contract advisory team before expending any funds for purposes of the project. The contract advisory team shall consider the model guidelines for procurement and construction developed by the capital project oversight advisory commission established by S.B. 52, 87th Legislature, 3rd Called Session, 2021, when consulting with a governing board for purposes of this subsection.

(c) Notwithstanding Section 322.020(f), Government Code, or any other law, the governing board of an institution of higher education or university system authorized to issue bonds for a project to which this section applies shall report any major contract as defined by Section 322.020(a), Government Code, that is entered

into for purposes of the project to the major contracts database maintained by the Legislative Budget Board under Section 322.020, Government Code, not later than the 30th day after the date the contract is executed.

SECTION 4. CAPITAL PROJECT OVERSIGHT ADVISORY COMMISSION.

(a) The Capital Project Oversight Advisory Commission is composed of nine members as follows:

- (1) the chair of the Senate Committee on Higher Education;
- (2) one member of the senate appointed by the lieutenant governor;
- (3) the chair of the House Committee on Higher Education;
- (4) one member of the house of representatives appointed by the speaker of the house of representatives;
- (5) one member of the public appointed by the lieutenant governor;
- (6) one member of the public appointed by the speaker of the house of representatives;
- (7) the chair of the Texas Facilities Commission;
- (8) the commissioner of higher education; and
- (9) one member of the public appointed by the governor to serve as chair of the commission.

(b) Appointments to the commission shall be made without regard to the race, color, disability, sex, religion, age, or national origin of the appointee.

(c) The commission, in consultation with the Legislative Budget Board and Comptroller of Public Accounts, shall develop model guidelines to be considered by public institutions of higher education and university systems for procurement and construction related to capital projects for which the issuance of bonds is specifically authorized under Chapter 55, Education Code.

(d) The commission may request reports and other information from the Texas Higher Education Coordinating Board relating to capital projects described by Subsection (c) of this section.

(e) Not later than March 31, 2022, the commission shall develop the model guidelines required by Subsection (c) of this section.

(f) Not later than December 1, 2022, the commission shall prepare and submit a report to the governor, lieutenant governor, and speaker of the house of representatives on the model guidelines developed under Subsection (c) of this section and recommendations for legislative or other action.

(g) The commission is abolished effective December 31, 2022.

SECTION 5. This Act does not affect any authority or restriction regarding the activities that a public institution of higher education may conduct in connection with a facility financed by bonds authorized by this Act.

SECTION 6. This Act takes effect on the 91st day after the last day of the legislative session.

The Conference Committee Report on **SB 52** was filed with the Secretary of the Senate.

CO-AUTHORS OF SENATE BILL 1

On motion of Senator Bettencourt, Senators Schwertner, West, and Zaffirini will be shown as Co-authors of **SB 1**.

CO-AUTHOR OF SENATE BILL 5

On motion of Senator Lucio, Senator West will be shown as Co-author of **SB 5**.

CO-AUTHORS OF SENATE BILL 8

On motion of Senator Nelson, Senators Blanco and West will be shown as Co-authors of **SB 8**.

CO-AUTHORS OF SENATE BILL 51

On motion of Senator Hughes, Senators Paxton and Schwertner will be shown as Co-authors of **SB 51**.

CO-SPONSORS OF HOUSE BILL 133

On motion of Senator Huffman, Senators Buckingham, Kolkhorst, and Zaffirini will be shown as Co-sponsors of **HB 133**.

RESOLUTIONS OF RECOGNITION

The following resolutions were adopted by the Senate:

Memorial Resolutions

SCR 8 by Hughes, In memory of Linda Gay Galbraith Wall.

SR 84 by Kolkhorst, In memory of Dustin Lee Slovacek.

SR 85 by Kolkhorst, In memory of Carlos David Ortiz.

SR 87 by Hughes, In memory of Michael Emile Mahfood.

SR 88 by Hughes, In memory of John Walton Moran.

SR 90 by Hughes, In memory of Jerry Franklin Houston and Joyce Laverne Houston.

SR 91 by Hughes, In memory of Bob L. Herd.

SR 92 by Hughes, In memory of Bailey Christian Moseley.

SR 93 by Hughes, Campbell, and Hancock, In memory of William Steele Sessions.

SR 95 by Hughes, In memory of Dale Edward Moran.

HCR 17 (Perry), In memory of James Coley Cowden.

Congratulatory Resolutions

SR 86 by Zaffirini, Recognizing the residents of Dove Springs for their efforts to preserve the safety and security of neighborhood residents.

SR 89 by Hughes, Recognizing Tom Mullins for receiving the Distinguished Citizen Good Turn Award.

SR 100 by Buckingham, Recognizing Horseshoe Bay Resort on the occasion of its 50th anniversary.

HCR 16 (Perry), Congratulating Kenneth and Susan Jastrow on their receipt of the Santa Rita Award by The University of Texas System Board of Regents.

(President Pro Tempore Campbell in Chair)

MOTION TO ADJOURN SINE DIE

On motion of Senator Whitmire, the Senate of the 87th Legislature, 3rd Called Session, at 12:49 a.m. Tuesday, October 19, 2021, agreed to adjourn sine die, in memory of Gilbert Saenz, Michael Cao-Truong Nguyen, Robert Carlos Yncian, and Kareem Atkins, pending the completion of administrative duties and the receipt of messages from the House.

(President in Chair)

BILLS AND RESOLUTION SIGNED

The President announced the signing of the following enrolled bills and resolution in the presence of the Senate after the captions had been read:

SB 1, SB 5, SB 6, SB 8 (Signed subject to Art. III, Sec. 49-a, Texas Constitution),
SB 52, SJR 2.

ADJOURNMENT SINE DIE

The President announced that the hour for final adjournment of the 87th Legislature, 3rd Called Session had arrived and, in accordance with a previously adopted motion, declared the 87th Legislature, 3rd Called Session, adjourned sine die, in memory of Gilbert Saenz, Michael Cao-Truong Nguyen, Robert Carlos Yncian, and Kareem Atkins, at 1:25 a.m., Tuesday, October 19, 2021.

APPENDIX

COMMITTEE REPORTS

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

October 18, 2021

FINANCE — **SJR 2, HB 133**

BILLS AND RESOLUTIONS ENROLLED

October 18, 2021

SCR 3, SCR 4, SCR 6, SCR 7, SCR 8, SR 84, SR 85, SR 86, SR 87, SR 88, SR 89, SR 90, SR 91, SR 92, SR 93, SR 94, SR 95, SR 97, SR 100

October 19, 2021

SB 1, SB 5, SB 6, SB 8, SB 52, SJR 2, SR 98, SR 99

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SENT TO GOVERNOROctober 18, 2021**SB 4, SB 7, SCR 3****SENT TO COMPTROLLER**October 19, 2021**SB 8****SENT TO SECRETARY OF STATE**October 19, 2021**SJR 2****SENT TO GOVERNOR**October 19, 2021**SB 1, SB 5, SB 6, SB 52, SCR 4, SCR 6, SCR 7, SCR 8****SIGNED BY GOVERNOR**October 25, 2021**SB 1, SB 4, SB 5, SB 6, SB 7, SB 52, SCR 3, SCR 4, SCR 6, SCR 7, SCR 8****SENT TO GOVERNOR**October 26, 2021**SB 8****SIGNED BY GOVERNOR**November 8, 2021**SB 8**

**In Memory
of
Robert Carlos Ynclan
Senate Resolution 62**

WHEREAS, The Senate of the State of Texas joins the citizens of Gonzales County in mourning the loss of Sheriff Robert Carlos Ynclan, who died September 5, 2021, at the age of 63; and

WHEREAS, Robert Ynclan was born on June 1, 1958, in Dilley, Texas; he was raised on a ranch in Cotulla, and he later moved with his family to the Lyndon B. Johnson Ranch in Stonewall, where his father worked; he excelled in high school basketball and was offered athletic scholarships to colleges, yet his time watching members of the Secret Service protect a United States president inspired him to turn down the scholarships and instead to pursue a path in law enforcement; and

WHEREAS, Robert served with distinction as a state trooper for the Texas Department of Public Safety for many years; after his retirement, he went on to be elected as the first Latino sheriff of Gonzales County, and he earned a reputation for excellence as a public servant through his principled devotion to duty and his commitment to serving on behalf of all citizens; and

WHEREAS, Robert shared a loving marriage with his best friend and true love, Cynthia Ynclan, and together they raised three children, Marrisa, Jaime, and Marco Ynclan, by loving spiritual example; he delighted in supporting his children in all their endeavors, and his three grandchildren were a source of great pride for him; and

WHEREAS, Robert Ynclan was a man of fierce loyalty to friends, colleagues, and loved ones, and he was a treasured member of Two Rivers Bible Church; he touched the lives of thousands through his soft-spoken wisdom, his fair but firm attitude as a lawman, and his remarkable sense of humor, and he will long be remembered with respect and admiration by all who were privileged to share in his life; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 87th Legislature, 3rd Called Session, hereby extend sincere condolences to the bereaved family of Sheriff Robert Carlos Ynclan; 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 Robert Ynclan.

KOLKHORST

In Memory
of
Michael Cao-Truong Nguyen
Senate Resolution 99

WHEREAS, The Senate of the State of Texas honors and commemorates the life of Michael Cao-Truong Nguyen, who died October 16, 2021, at the age of 21; and

WHEREAS, Michael Nguyen was born on December 16, 1999, in Arlington, Texas; he attended Ellis Elementary School, Nichols Junior High School, and Lamar High School, and he flourished academically and was well-loved by friends and classmates; he was among the top-12 students in his graduating class at Lamar High School, where he was involved in a wide variety of activities that included playing on the varsity basketball team and singing in the choir; he was noted for his warm and welcoming smile and for his sincere care and compassion for others; and

WHEREAS, Michael attended The University of Texas at Arlington, and he looked forward to completing his degree and graduating in December of 2021; he planned to pursue a career as a physician assistant after college, and he was driven to achieve his goals by his desire to help others and to create a positive difference in the world; and

WHEREAS, He was deeply devoted to his Christian faith, and he took joy in celebrating and sharing his spirituality through music; he was a gifted singer and musician, and he sang and played the piano as a member of two Christian worship bands; he served as a leader in the Eucharistic Youth Group at Vietnamese Martyrs Catholic Church in Arlington, and in 2021, he released a musical album titled "Found Me," which serves as a testament to the fulfillment and spiritual peace his faith provided him in his life; and

WHEREAS, Above all, Michael cherished time spent with his family, and he shared a close bond with his immediate family and with the members of his extended family; he was a source of bountiful happiness and hope to his loved ones and friends, and he filled the lives of those around him with laughter, light, and music; his kind, generous, and joyful spirit leaves a worthy example for others to follow, and his memory will be forever treasured by all who were privileged to share in his life; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 87th Legislature, 3rd Called Session, hereby extend sincere condolences to the bereaved family of Michael Cao-Truong Nguyen; 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 Michael Nguyen.

HANCOCK
WHITMIRE