

**SALARY ADMINISTRATION AND EMPLOYMENT PROVISIONS**

Differences Only - Excludes Capital

**House**

**Senate**

**Sec. 3.04. Scheduled Exempt Positions.**

- (a) Except for the positions listed under Subsection (b)(3) or (c)(6), a position listed following an agency's appropriation in the agency's "Schedule of Exempt Positions" shall receive compensation at a rate not to exceed the amount indicated in that agency's "Schedule of Exempt Positions."
- (b) (1) Notwithstanding the rate listed in an agency's "Schedule of Exempt Positions," a position listed in Subsection (b)(3) may receive compensation at a rate set by the Governor in an amount not to exceed the "Maximum Salary" but not less than the "Minimum Salary" for the appropriate group as listed in Subsection (b)(2).
- (2) An exempt position listed in Subsection (b)(3) or (c)(6), for which the term "Group," followed by an Arabic numeral, is indicated, may receive compensation at a rate within the range indicated below for the respective salary group indicated.

**Scheduled Exempt Position Salary Rates**

Group	Minimum Salary	Maximum Salary
1	\$70,000	\$112,750
2	80,500	129,765
3	92,600	149,240
4	106,500	171,688
5	122,500	197,415
6	140,900	227,038
7	162,000	261,068
8	186,300	299,813
9	214,200	345,250

- |  |                           |              |
|--|---------------------------|--------------|
| (3) Agency                               | Position                  | Salary Group |
| (A) Secretary of State                   | Secretary of State        | Group 5      |
| (B) Office of State-Federal Relations    | Executive Director        | Group 4      |
| (C) Health and Human Services Commission | Executive Commissioner    | Group 9      |
| (D) Texas Education Agency               | Commissioner of Education | Group 8      |
| (E) Texas Military Department            | Adjutant General          | Group 6      |
| (F) Texas Department of Criminal Justice | Presiding Officer, Board  |              |

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- (b) (1) Notwithstanding the rate listed in an agency's "Schedule of Exempt Positions," a position listed in Subsection (b)(3) may receive compensation at a rate set by the Governor in an amount not to exceed the "Maximum Salary" but not less than the "Minimum Salary" for the appropriate group as listed in Subsection (b)(2).
- (2) An exempt position listed in Subsection (b)(3) or (c)(6), for which the term "Group," followed by an Arabic numeral, is indicated, may receive compensation at a rate within the range indicated below for the respective salary group indicated.

**Scheduled Exempt Position Salary Rates**

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|--|---------------------------|--------------|
| (3) Agency                               | Position                  | Salary Group |
| (A) Secretary of State                   | Secretary of State        | Group 5      |
| (B) Office of State-Federal Relations    | Executive Director        | Group 3      |
| (C) Health and Human Services Commission | Executive Commissioner    | Group 8      |
| (D) Texas Education Agency               | Commissioner of Education | Group 8      |
| (E) Texas Military Department            | Adjutant General          | Group 5      |
| (F) Texas Department of Criminal Justice | Presiding Officer, Board  |              |

**Part 3.**

**SALARY ADMINISTRATION AND EMPLOYMENT PROVISIONS**

Differences Only - Excludes Capital  
(Continued)

House			Senate		
	of Pardons and Paroles	Group 5		of Pardons and Paroles	Group 5
(G)	Texas Department of Criminal Justice Parole Board Members (6)	Group 3	(G)	Texas Department of Criminal Justice Parole Board Members (6)	Group 3
(H)	Texas Commission on Environmental Quality Commissioners (3)	Group 6	(H)	Texas Commission on Environmental Quality Commissioners (3)	Group 6
(I)	Texas Department of Housing and Community Affairs Executive Director	Group 6	(I)	Texas Department of Housing and Community Affairs Executive Director	Group 5
(J)	Texas Workforce Commission Commissioners (2)	Group 5	(J)	Texas Workforce Commission Commissioners (2)	Group 5
(K)	Texas Workforce Commission Commission Chair	Group 6	(K)	Texas Workforce Commission Commission Chair	Group 6
(L)	State Office of Administrative Hearings Chief Administrative Law Judge	Group 5	(L)	State Office of Administrative Hearings Chief Administrative Law Judge	Group 5
(M)	Texas Department of Insurance Commissioner of Insurance	Group 7	(M)	Texas Department of Insurance Commissioner of Insurance	Group 6
(N)	Office of Public Insurance Counsel Public Counsel	Group 4	(N)	Office of Public Insurance Counsel Public Counsel	Group 4
(O)	Public Utility Commission of Texas Commissioners (3)	Group 6	(O)	Public Utility Commission of Texas Commissioners (3)	Group 6
(P)	Office of Public Utility Counsel Public Counsel	Group 4	(P)	Office of Public Utility Counsel Public Counsel	Group 4
(Q)	Bond Review Board Executive Director	Group 4	(Q)	Bond Review Board Executive Director	Group 3
(R)	Texas Water Development Board Commission Chair	Group 6	(R)	Texas Water Development Board Commission Chair	Group 6
(S)	Texas Water Development Board Commissioner (2)	Group 6	(S)	Texas Water Development Board Commissioner (2)	Group 6
(T)	Texas Water Development Board Executive Administrator	Group 6	(T)	Texas Water Development Board Executive Administrator	Group 5

(c) (1) Notwithstanding the rate listed in an agency's "Schedule of Exempt Positions," an agency whose exempt position is listed in Subsection (c)(6) may request to set the rate of compensation provided for the agency's respective exempt position at an amount not to exceed the "Maximum Salary" but not less than the "Minimum Salary" for the appropriate group as listed in Subsection (b)(2).

(2) The request submitted by the governing board (when applicable for an agency with a governing board) of the state agency may include:

- (A) The date on which the board (when applicable for an agency with a governing board) approved the request;
- (B) A statement justifying the need to exceed the current salary limitation; and
- (C) The source of funds to be used to pay the additional salary amount.

(c) (1) Notwithstanding the rate listed in an agency's "Schedule of Exempt Positions," an agency whose exempt position is listed in Subsection (c)(6) may request to set the rate of compensation provided for the agency's respective exempt position at an amount not to exceed the "Maximum Salary" but not less than the "Minimum Salary" for the appropriate group as listed in Subsection (b)(2).

(2) The request submitted by the governing board (when applicable for an agency with a governing board) of the state agency may include:

- (A) The date on which the board (when applicable for an agency with a governing board) approved the request;
- (B) A statement justifying the need to exceed the current salary limitation; and
- (C) The source of funds to be used to pay the additional salary amount.

**Part 3.**

**SALARY ADMINISTRATION AND EMPLOYMENT PROVISIONS**

Differences Only - Excludes Capital  
(Continued)

**House**

**Senate**

- (3) The governing board (when applicable for an agency with a governing board) may make a request under Subsection (c)(1) a maximum of once per fiscal year and additionally upon a vacancy in an exempt position listed in Subsection (c)(6).
- (4) A proposed rate increase is approved if neither the Legislative Budget Board nor the Governor issues a written disapproval of the proposal not later than:
  - (A) for the Legislative Budget Board, the thirtieth business day after the date the staff of the Legislative Budget Board concludes its review of the proposed rate increase and forwards its review to the Chair of the House Committee on Appropriations, Chair of the Senate Committee on Finance, Speaker of the House, and Lieutenant Governor; and
  - (B) for the Governor, the thirtieth business day after the receipt of the proposed rate increase by the Governor.
- (5) Unless a proposed rate increase is disapproved, the Legislative Budget Board shall notify the affected agency, the Governor's Office, and the Comptroller of the new salary rate.

(6) Agency	Position	Salary Group
(A) Department of State Health Services	Commissioner	Group 8
(B) Department of Family and Protective Services	Commissioner	Group 8
(C) Higher Education Coordinating Board	Commissioner	Group 8
(D) Department of Information Resources	Executive Director	Group 6
(E) Texas Lottery Commission	Executive Director	Group 7
(F) Texas Juvenile Justice Department	Executive Director	Group 7
(G) Preservation Board	Executive Director	Group 6
(H) School for the Blind and Visually Impaired	Superintendent	Group 5
(I) School for the Deaf	Superintendent	Group 5

(d) In addition to all other requirements, any salary increase from appropriated funds within the limits provided by this section and salary increases within the limit established under an agency's bill pattern, must be:

- (1) in writing;

- (3) The governing board (when applicable for an agency with a governing board) may make a request under Subsection (c)(1) a maximum of once per fiscal year and additionally upon a vacancy in an exempt position listed in Subsection (c)(6).
- (4) A proposed rate increase is approved if neither the Legislative Budget Board nor the Governor issues a written disapproval of the proposal not later than:
  - (A) for the Legislative Budget Board, the thirtieth business day after the date the staff of the Legislative Budget Board concludes its review of the proposed rate increase and forwards its review to the Chair of the House Committee on Appropriations, Chair of the Senate Committee on Finance, Speaker of the House, and Lieutenant Governor; and
  - (B) for the Governor, the thirtieth business day after the receipt of the proposed rate increase by the Governor.
- (5) Unless a proposed rate increase is disapproved, the Legislative Budget Board shall notify the affected agency, the Governor's Office, and the Comptroller of the new salary rate.

(6) Agency	Position	Salary Group
(A) Department of State Health Services	Commissioner	Group 7
(B) Department of Family and Protective Services	Commissioner	Group 7
(C) Higher Education Coordinating Board	Commissioner	Group 8
(D) Department of Information Resources	Executive Director	Group 6
(E) Texas Lottery Commission	Executive Director	Group 6
(F) Texas Juvenile Justice Department	Executive Director	Group 6
(G) Preservation Board	Executive Director	Group 5
(H) School for the Blind and Visually Impaired	Superintendent	Group 4
(I) School for the Deaf	Superintendent	Group 4

(d) In addition to all other requirements, any salary increase from appropriated funds within the limits provided by this section and salary increases within the limit established under an agency's bill pattern, must be:

- (1) in writing;

**Part 3.**

**SALARY ADMINISTRATION AND EMPLOYMENT PROVISIONS**

Differences Only - Excludes Capital

(Continued)

**House**

**Senate**

- (2) approved by the governing board (for an agency with a governing board) in a public meeting;
  - (3) signed by the presiding officer of the governing board (for an agency with a governing board); and
  - (4) submitted to the Governor, the Legislative Budget Board and the Comptroller.
- (e) (1) Each title listed in a "Schedule of Exempt Positions" following an agency's appropriation authorizes one position for the agency unless the title is followed by an Arabic numeral indicating the number of positions authorized.
- (2) The number of authorized positions for a title listed in a "Schedule of Exempt Positions" may be exceeded only:
- (A) for the purpose of hiring a replacement in a key management position as certified by the chief administrator of the agency;
  - (B) if the current incumbent of the position has formally resigned or otherwise announced irrevocable plans to vacate the position;
  - (C) for a period of time not to exceed the equivalent of one month's salary per fiscal year per terminating incumbent (excluding time spent on the payroll for the purpose of exhausting accrued annual leave or state compensatory time); and
  - (D) if exceptions are reported as prescribed for payroll reporting procedures.

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- (A) for the purpose of hiring a replacement in a key management position as certified by the chief administrator of the agency;
  - (B) if the current incumbent of the position has formally resigned or otherwise announced irrevocable plans to vacate the position;
  - (C) for a period of time not to exceed the equivalent of one month's salary per fiscal year per terminating incumbent (excluding time spent on the payroll for the purpose of exhausting accrued annual leave or state compensatory time); and
  - (D) if exceptions are reported as prescribed for payroll reporting procedures.

**REPORTING REQUIREMENTS**

Differences Only - Excludes Capital  
(Continued)

House

Senate

**Sec. 7.13. Notification of Certain Expenditures Related to Mitigation of Adverse Environmental Impacts.** No state agency or institution of higher education may expend appropriated funds under this Act to enter into an agreement to comply with Title 23, Subchapter H, Part 777, Code of Federal Regulations, or Section 201.617, Transportation Code, until providing notice to the Legislative Budget Board including the nature and term of the agreement; the process used to award the agreement; and payment for goods and services within the scope of the agreement. The agency or institution shall respond promptly to any request from the Legislative Budget Board for additional information regarding the agreement.

## INFORMATION RESOURCES PROVISIONS

Differences Only - Excludes Capital

House

Senate

### Sec. 9.01. Purchases of Information Resources Technologies.

- (a) In this section:
- (1) "Information resources," "Information resources technologies," and "Major information resources project" have the meanings provided by §2054.003, Government Code.
  - (2) "Quality Assurance Team" and "QAT" means the quality assurance team established under §2054.158, Government Code.
  - (3) "Phases" of the development of a major information resources project include planning, systems analysis and requirements, systems design, development, integration and testing, implementation, and operations and maintenance.
- (b) A state agency may not expend appropriations for information resources technologies unless the information resources technologies are in a plan approved by the Legislative Budget Board.
- (c) A state agency shall provide to QAT, within 10 business days of receipt of a request from QAT, any verification and validation report, or quality assurance report required to be produced for a major information resources project.
- (d) A contract associated with any phase of the development of a major information resources project with an initial value expected to exceed \$10 million must be approved by QAT prior to execution. If this requirement is not met, QAT may provide written notification to the comptroller, the governor, and/or the Legislative Budget Board detailing the requirements that the agency did not meet and any recommendations to address identified risks related to the project or the contract. QAT, as authorized by Government Code, Section 2054.1181, may require the agency to establish a corrective action plan including modifications to the design, deployment, or costs related to the project, or to discontinue the project subject to Legislative Budget Board approval.

QAT may conduct a preliminary review of the draft contract prior to vendor negotiation and, based on this review and QAT's determination that the agency has developed a risk mitigation strategy sufficient to protect the state's interests, may waive further review and the approval requirement of this section.

- (e) Prior to amending a contract associated with any phase of the development of a major

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  - (3) "Phases" of the development of a major information resources project include planning, systems analysis and requirements, systems design, development, integration and testing, implementation, and operations and maintenance.
- (b) A state agency may not expend appropriations for information resources technologies unless the information resources technologies are in a plan approved by the Legislative Budget Board.
- (c) A state agency shall provide to QAT, within 10 business days of receipt of a request from QAT, any verification and validation report, or quality assurance report required to be produced for a major information resources project.
- (d) Prior to the start of vendor negotiations with regards to a major information resources project with an initial value expected to exceed \$10 million, a state agency shall submit to QAT a draft copy of the contract containing the proposed terms. QAT may provide the state agency with recommendations pertaining to the draft copy of the contract. Upon conclusion of vendor negotiations, a state agency shall submit the final negotiated copy of the contract to QAT for review. QAT shall either provide the state agency with recommendations pertaining to the final negotiated copy of the contract or waive review. A state agency shall not submit the final negotiated copy of the contract to the vendor for the purpose of execution prior to receiving either QAT's recommendations or waiver.

QAT may conduct a preliminary review of the draft contract prior to vendor negotiation and, based on this review and QAT's determination that the agency has developed a risk mitigation strategy sufficient to protect the state's interests, may waive further review and the approval requirement of this section.

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## House

## Senate

information resources project, when the expected total value of the contract subsequent to the amendment exceeds the total value of the initial contract awarded by 10 percent or more, the agency shall notify the Governor, Lieutenant Governor, Speaker of the House, Senate Finance Committee, House Appropriations Committee, and QAT.

- (f) (1) An amendment to a major information resources project or contract associated with any phase of the development of a major information resources project with a total initial project or contract value that exceeds \$1 million must be approved by QAT prior to execution when:
- (A) the expected total value of the project or contract subsequent to the amendment exceeds the total value of the initial project or contract awarded by 10 percent or more; or
  - (B) the expected total value of an element in the project or contract subsequent to the amendment exceeds the total value of the same element in the initial project or contract awarded by 10 percent or more.
- (2) If this requirement is not met, QAT may provide written notification to the comptroller, the governor, and/or the Legislative Budget Board detailing the requirements that the agency did not meet and any recommendations to address identified risks related to the project or contract. QAT, as authorized by Government Code, Section 2054.1181, may require the agency to:
- (A) establish a corrective action plan including modifications to the design, deployment, or costs related to the project; or
  - (B) to discontinue the project, subject to Legislative Budget Board approval.
- (g) In order to obtain approval under Subsection (f) a state agency shall provide to QAT a copy of the final version of the amendment, including all appendices and attachments, prior to execution. QAT may conduct a preliminary review of the draft contract amendment prior to vendor negotiation and, based on this review and QAT's determination that the agency has

information resources project, when the expected total value of the contract subsequent to the amendment exceeds the total value of the initial contract awarded by 10 percent or more, the agency shall notify the Governor, Lieutenant Governor, Speaker of the House, Senate Finance Committee, House Appropriations Committee, and QAT.

- (f) (1) An amendment to a major information resources project or contract associated with any phase of the development of a major information resources project with a total initial project or contract value that exceeds \$5 million must be reported to QAT prior to execution when:
- (A) the expected total value of the project or contract subsequent to the amendment exceeds the total value of the initial project or contract awarded by 10 percent or more;
  - (B) the expected total value of an element in the project or contract subsequent to the amendment exceeds the total value of the same element in the initial project or contract awarded by 10 percent or more; or
  - (C) the amendment requires the vendor to provide consultative services, technical expertise, or other assistance in defining project scope or deliverables.
- (2) If this requirement is not met, QAT may provide written notification to the comptroller, the governor, and/or the Legislative Budget Board detailing the requirements that the agency did not meet and any recommendations to address identified risks related to the project or contract. QAT, as authorized by Government Code, Section 2054.1181, may require the agency to:
- (A) establish a corrective action plan including modifications to the design, deployment, or costs related to the project; or
  - (B) to discontinue the project, subject to Legislative Budget Board approval.
- (g) For the purposes of reporting contracts under Subsection (f) a state agency shall provide to QAT a copy of the final version of the amendment, including all appendices and attachments.

## House

## Senate

developed a risk mitigation strategy sufficient to protect the state's interests, may waive further review and the approval requirement of Subsection (f).

- (h) If a state agency cancels a contract for development of a major information resources project, which if amended would be subject to the requirements of Subsection (f), and issues a solicitation for identical or similar goods and/or services for development of the same project, then the contract must be approved by QAT prior to execution.
- (i) In lieu of formally approving an amendment pursuant to Subsection (f) or a contract pursuant to Subsection (d), QAT may waive the requirements of the respective subsection by providing written notice to the state agency seeking approval of the amendment or contract.

- (h) If a state agency cancels a contract for development of a major information resources project, which if amended would be subject to the requirements of Subsection (f), and issues a solicitation for identical or similar goods and/or services for development of the same project, then the contract must be approved by QAT prior to execution.
- (i) QAT may waive the requirements with regards to a contract under Subsection (d) or an amendment under Subsection (f) by providing notice of waiver to the state agency required to submit contract documents under the respective Subsections.

**Sec. 9.02. Quality Assurance Review of Major Information Resources Projects.**

- (a) In this section:
  - (1) "Major information resources project" has the meaning provided by §2054.003, Government Code.
  - (2) "Quality Assurance Team" and "QAT" means the quality assurance team established under §2054.158, Government Code.
- (b) A state agency may not expend appropriated funds for a major information resources project unless the project has been reviewed by QAT and approved by the Legislative Budget Board in the agency's biennial operating plan. The Comptroller of Public Accounts may not issue warrants for the expenditure of appropriated funds by a state agency until written approval of the major information resources project is received from QAT. QAT shall recommend approval based on an analysis of the major information resources project's risk. QAT may request any information necessary to determine a major information resources project's potential risk. QAT may waive the major information resources project review requirements for a project.
- (c) (1) QAT may require independent verification and validation services of all major information resources projects projected to result in more than \$10 million of overall lifetime

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- (c) (1) QAT may require independent verification and validation services of all major information resources projects projected to result in more than \$10 million of overall



## INFORMATION RESOURCES PROVISIONS

Differences Only - Excludes Capital

(Continued)

## House

## Senate

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lifetime expenditures. In addition, QAT may require independent project monitoring, project status reporting, project expenditure reporting, or any additional information necessary to assess a major information resources project's on-going potential for success.

- (2) A state agency must notify QAT when the agency advertises a request for proposal, request for bid, or other similar process common to participation in the competitive bidding processes of a major information resources project. The corresponding agency requisition number must be provided at the time of notification.
- (3) A state agency must notify QAT within 10 business days when the agency awards a contract for a major information resources project that is equal to or greater than \$10 million for QAT review.
- (4) After a major information resources project has been completed, QAT may also require an agency to submit a project post-implementation evaluation report to determine if the project met its planned objectives.
- (5) QAT may take any additional actions or request information as specified in §2054.1181, Government Code.
- (6) Without regard to the source of funds associated with the expenditures for a major information resources project and without regard to the method of finance of an appropriation associated with a project, QAT may make the requests and impose the requirements or additional actions provided by this section on all major information resources projects regardless of whether undertaken entirely or partially by:
  - (A) outsourcing or contracting of any sort; or
  - (B) agency employees.
- (d) On request by QAT, the State Auditor's Office shall provide audit and review of:
  - (1) the major information resources projects;
  - (2) the information provided by the agencies; and

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- (5) QAT may take any additional actions or request information as specified in §2054.1181, Government Code.
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**Part 9.**

**INFORMATION RESOURCES PROVISIONS**

Differences Only - Excludes Capital  
(Continued)

**House**

**Senate**

- (3) project management policies and practices.
- (e) QAT may request the assistance of the Comptroller in regard to the accuracy of major information resources project expenditures and compliance with this Act.
- (f) The State Auditor's Office may:
  - (1) provide an independent evaluation of the post implementation evaluation review process of a major information resources project to ensure the validity of its results; and
  - (2) send the evaluation to the Legislative Audit Committee.
- (g) The Legislative Budget Board may issue guidelines for software development, quality assurance, and the review of major information resources projects.
- (h) Unless waived by the Legislative Budget Board QAT shall require each affected agency to:
  - (1) quantitatively define the expected outcomes and outputs for each major information resource project at the outset;
  - (2) monitor cost; and
  - (3) evaluate the final results to determine whether expectations have been met.
- (i) After a major information resources project has been completed, QAT may also require a project demonstration to determine if the project is functioning as intended.

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  - (1) provide an independent evaluation of the post implementation evaluation review process of a major information resources project to ensure the validity of its results; and
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- (i) After a major information resources project has been completed, QAT may also require a project demonstration to determine if the project is functioning as intended.

## INFORMATION RESOURCES PROVISIONS

Differences Only - Excludes Capital  
(Continued)

House

Senate

**Sec. 9.11. Staff Telecommunications Survey and Analysis.** Out of funds appropriated in this Act, each state agency shall survey its employees with regards to telecommunications preferences. The survey shall solicit information pertaining to the necessity of retaining multiple forms of telecommunications hardware, voicemail and other supplemental features for which the agency is assessed a premium. The employees to be surveyed shall consist of individuals assigned a dedicated landline telephone, mobile phone, or VoIP system. In addition to conducting the survey, each state agency shall analyze the cost savings achieved, and/or projected to be achieved, by the agency as a direct result of implementing the preferences expressed in the survey. The survey results and analysis shall be reported to the Department of Information Resources by September 1, 2020, in a format prescribed by the department.

**Sec. 9.12. Assignment of Contract Responsibility.**

(a) In this section:

- (1) “Agency” and “state agency” mean a state officer, board, commission, or department in the executive branch of government appropriated funds under this General Appropriations Act.
- (2) “Assignment” includes any legal means for transferring the responsibilities for fulfillment of any duties, rights, or obligations due to a state agency or institution of higher education under a contract, from the original party obligated to the agency or institution (the assignor) to another party (the assignee) assuming the duties, rights, or obligations due to a state agency or institution of higher education under a contract.
- (3) “Contract” has the meaning provided by Sec. 7.04 (Contract Notification: Amounts Greater than \$50,000), Article IX, of this General Appropriations Act.
- (4) “Information resources technologies” has the meaning provided by Sec. 2054.003, Government Code.
- (5) “Institution of higher education” or “institution” has the meaning provided by Sec. 61.003(8), Education Code, except that the term does not include a public junior college.

## INFORMATION RESOURCES PROVISIONS

Differences Only - Excludes Capital  
(Continued)

House

Senate

- (6) “Quality assurance team” means the quality assurance team established under Sec. 2054.158, Government Code.
- (7) “Total value of the contract” includes the value of all payments, as calculated by the quality assurance team, made and expected to be made in the future by a state agency or institution of higher education over the life of the contract beginning from the date of execution of the original contract between the state agency or institution of higher education and the original party with responsibilities for fulfillment of any duties, rights, or obligations due to a state agency or institution of higher education under the contract and including total payments made before assignment of the contract and the total payments expected to be made in the future after the assignment of the contract.
- (b) A contract is subject to the requirements of this Sec. 9.12 if:
- (1) (A) under the contract a state agency or institution of higher education acquires information resources technologies;
- (B) there is a proposal for the transfer by assignment of the responsibility for fulfillment of any duties, rights, or obligations due to a state agency or institution of higher education under the contract; and
- (C) the total value of the contract exceeds \$10 million; or
- (2) the contract contains "sensitive personal information," as that term is defined in Section 521.002, Business & Commerce Code.
- (c) An assignment of a contract subject to this Sec. 9.12 shall not be valid and an agency or institution of higher education may not expend appropriated funds to make a payment on a contract subject to this Sec. 9.12 until the notice described by Subsection (d) has been provided and written approval for making payment has been obtained by the agency or institution from the quality assurance team.
- (d) (1) An agency or institution must provide notice that a contract is subject to this Sec. 9.12 not later than the tenth calendar day following the date of obtaining knowledge of a proposal described by Subsection (b).

**INFORMATION RESOURCES PROVISIONS**

Differences Only - Excludes Capital  
(Continued)

House

Senate

- (2) The notice provided by the state agency or institution of higher education must be:
  - (A) in writing and meet the requirements of Subsection (e); and
  - (B) provided to:
    - (i) the lieutenant governor;
    - (ii) the speaker of the house of representatives;
    - (iii) chair of the house appropriations committee;
    - (iv) chair of the senate finance committee;
    - (v) the quality assurance team; and
    - (vi) the comptroller.
- (e) The notice provided by a state agency or institution must include all documents relevant to the decision to be made by the quality assurance team regarding whether to approve or deny the permission to expend appropriated funds to make a payment on a contract subject to this Sec. 9.12. The documents must include a contract between the state agency or institution of higher education signed by the assignor or the proposed assignee party but not signed by the state agency or institution of higher education.
- (f) Simultaneous with transmittal by the quality assurance team of written approval or denial of permission to expend appropriated funds for payments related to a contract subject to this Sec. 9.12 to a state agency or institution of higher education, the quality assurance team must provide a copy of any notice of the approval or denial to:
  - (1) the lieutenant governor;
  - (2) the speaker of the house of representatives;
  - (3) chair of the house appropriations committee;
  - (4) chair of the senate finance committee; and
  - (5) the comptroller.

## INFORMATION RESOURCES PROVISIONS

Differences Only - Excludes Capital  
(Continued)

House

Senate

- (g) The quality assurance team shall review and analyze a contract subject to this Sec. 9.12 for risks to determine whether to approve the expenditure of funds as payment for a contract subject to this Sec. 9.12 as if the contract was a major information resources project under Sec. 2054.118, Government Code. When conducting this review, the quality assurance team shall comply with Department of Information Resources rules and guidelines for a review of a major information resources project under Sec. 2054.118, Government Code. A state agency or institution of higher education shall provide the quality assurance team any information necessary for the quality assurance team to determine the project's potential risk. The quality assurance team may not approve a project without the review.
- (h) The quality assurance team may require a state agency or institution of higher education to provide information regarding:
- (1) the projected total value of the contract subject to this Sec. 9.12;
  - (2) the risk associated with a contract subject to this Sec. 9.12; and
  - (3) the potential for success of a contract subject to this Sec. 9.12.
- (i) On request by the quality assurance team, the state auditor may audit or review the information provided by a state agency or institution of higher education required to report a contract under this Sec. 9.12.
- (j) On request by the quality assurance team, the comptroller may provide assistance regarding:
- (1) verifying the accuracy of information provided by a state agency or institution of higher education required to report a contract under this Sec. 9.12; and
  - (2) determining a state agency's or institution of higher education's compliance with the requirements of this Sec. 9.12.
- (k) Before granting approval as provided by this Sec. 9.12, the quality assurance team may require independent verification and validation services related to a contract subject to this Sec. 9.12.
- (l) The quality assurance team must evaluate a contract under this Sec. 9.12 to determine if the contract and the state agency or institution of higher education generally comply with the

**INFORMATION RESOURCES PROVISIONS**

Differences Only - Excludes Capital  
(Continued)

House

Senate

applicable standards established for a contract and for the state agency or institution of higher education by Sec. 17.10 (Contract Management and Oversight), Article IX, of this General Appropriations Act and other laws of this state.

**Sec. 9.13. Report on Monitoring Assessments by State Auditor.**

- (a) Before July 1 of each year, the state auditor shall assign one of the following ratings to each of the 25 largest state agencies in the state fiscal year as determined by the Legislative Budget Board:
  - (1) additional monitoring warranted;
  - (2) no additional monitoring warranted; or
  - (3) reduced monitoring warranted.
- (b) On or before September 1 of each year, the state auditor shall submit to the comptroller of public accounts a report that:
  - (1) lists each state agency that was assigned a rating as described in Subsection (a); and
  - (2) for a state agency that was assigned a rating, specifies that additional or reduced monitoring, as applicable, is required during one or more of the following periods:
    - (A) contract solicitation development;
    - (B) contract formation and award; or
    - (C) contract management and termination.
- (c) The comptroller shall develop guidelines for the additional or reduced monitoring of a state agency during the periods described for a contract that falls under the monetary thresholds for review and monitoring by the Contract Advisory Team or the Quality Assurance Team.

**INFORMATION RESOURCES PROVISIONS**

Differences Only - Excludes Capital  
(Continued)

**House**

**Senate**

- (d) The state auditor may request any information necessary from a state agency, the Contract Advisory Team, or the Quality Assurance Team to comply with the requirements of any statutory provisions relating to monitoring assessments by the state auditor, and the agency or team, as applicable, shall provide the requested information.



**HEALTH-RELATED PROVISIONS**

Differences Only - Excludes Capital  
(Continued)

House

Senate

**Sec. 10.04. Statewide Behavioral Health Strategic Plan and Coordinated Expenditures.**

- (a) **Informational Listing - Behavioral Health and Substance Abuse Services Appropriations.** The following is an informational listing of appropriations for behavioral health services made elsewhere in this Act.

Behavioral health services are programs or services directly or indirectly related to the research, prevention, or detection of mental disorders and disabilities, and all services necessary to treat, care for, control, supervise, and rehabilitate persons who have a mental disorder or disability, including persons whose mental disorders or disabilities result from alcoholism or drug addiction. Certain non-behavioral health-related costs which could not be disaggregated from other healthcare costs are also included in the listing below.

	Fiscal Year 2020	Fiscal Year 2021
<b>Article I</b>		
Trusted Programs, Office of the Governor	\$31,701,616	\$121,083,087
Veterans Commission	\$5,789,000	\$5,789,000
<b>Article II</b>		
Department of Family and Protective Services	\$30,058,047	\$30,488,425
Department of State Health Services	\$2,661,560	\$2,661,558
Health and Human Services Commission	\$2,417,708,974	\$1,581,902,814
Texas Civil Commitment Office	\$154,611	\$154,611
<b>Article III</b>		
Texas Education Agency	\$36,228,500	\$750,000
Texas School for the Deaf	\$63,864	\$63,864
University of Texas - Health Science Center Houston	\$8,000,000	\$8,000,000

**Sec. 10.04. Statewide Behavioral Health Strategic Plan and Coordinated Expenditures.**

- (a) **Informational Listing - Behavioral Health and Substance Abuse Services Appropriations.** The following is an informational listing of appropriations for behavioral health services made elsewhere in this Act.

Behavioral health services are programs or services directly or indirectly related to the research, prevention, or detection of mental disorders and disabilities, and all services necessary to treat, care for, control, supervise, and rehabilitate persons who have a mental disorder or disability, including persons whose mental disorders or disabilities result from alcoholism or drug addiction. Certain non-behavioral health-related costs which could not be disaggregated from other healthcare costs are also included in the listing below.

	Fiscal Year 2020	Fiscal Year 2021
<b>Article I</b>		
Trusted Programs, Office of the Governor	\$31,701,616	\$121,083,087
Veterans Commission	\$5,789,000	\$5,789,000
<b>Article II</b>		
Department of Family and Protective Services	\$35,012,129	\$35,148,620
Department of State Health Services	\$1,491,560	\$1,491,558
Health and Human Services Commission	\$1,529,053,765	\$1,521,909,387
Texas Civil Commitment Office	\$154,611	\$154,611
<b>Article III</b>		
University of Texas - Health Science Center Houston	\$8,000,000	\$8,000,000
University of Texas - Health Science Center Tyler	\$4,000,000	\$4,000,000

**Part 10.**

**HEALTH-RELATED PROVISIONS**

Differences Only - Excludes Capital

(Continued)

<b>House</b>			<b>Senate</b>		
University of Texas - Health Science Center Tyler	\$4,000,000	\$4,000,000	Texas Higher Education Coordinating Board	\$50,000,000	\$50,000,000
Texas Tech University Health Sciences Center	\$10,000,000	\$10,000,000			
<b>Article IV</b>			<b>Article IV</b>		
Supreme Court of Texas	\$1,000,000	\$1,000,000	Supreme Court of Texas	\$1,000,000	\$1,000,000
Court of Criminal Appeals	\$318,500	\$318,500	Court of Criminal Appeals	\$318,500	\$318,500
Office of Court Administration	\$5,000,000	\$5,000,000			
<b>Article V</b>			<b>Article V</b>		
Commission on Jail Standards	\$185,856	\$185,856	Commission on Jail Standards	\$185,856	\$185,856
Department of Criminal Justice	\$264,546,849	\$264,496,856	Department of Criminal Justice	\$257,894,349	\$257,894,356
Juvenile Justice Department	\$92,359,719	\$92,335,100	Juvenile Justice Department	\$87,744,719	\$87,720,100
Military Department	\$1,058,700	\$1,036,900	Military Department	\$966,700	\$944,900
<b>Article VIII</b>			<b>Article VIII</b>		
State Board of Dental Examiners	\$131,928	\$131,928	State Board of Dental Examiners	\$131,928	\$131,928
Board of Pharmacy	\$243,004	\$243,005	Board of Pharmacy	\$243,004	\$243,005
Board of Veterinary Medical Examiners	\$45,000	\$45,000	Board of Veterinary Medical Examiners	\$45,000	\$45,000
Optometry Board	\$36,000	\$36,000	Optometry Board	\$36,000	\$36,000
Board of Nursing	\$1,005,458	\$1,005,458	Board of Nursing	\$1,005,458	\$1,005,458
Medical Board	\$542,492	\$542,492	Medical Board	\$542,492	\$542,492
<b>Total</b>	<b>\$2,912,839,678</b>	<b>\$2,131,270,454</b>	<b>Total</b>	<b>\$2,015,316,687</b>	<b>\$2,097,643,858</b>
<b>Method of Financing</b>			<b>Method of Financing</b>		
General Revenue	\$1,624,678,511	\$1,614,569,844	General Revenue	\$1,591,954,899	\$1,590,281,262
General Revenue - Dedicated	\$14,143,771	\$14,143,771	General Revenue - Dedicated	\$14,143,771	\$14,143,771
Federal Funds	\$322,136,381	\$411,517,850	Federal Funds	\$323,804,116	\$413,185,585
Other Funds	\$951,881,015	\$91,038,989	Other Funds	\$85,413,901	\$80,033,240
			<b>Subtotal</b>	<b>\$2,015,316,687</b>	<b>\$2,097,643,858</b>

**Part 10.**

**HEALTH-RELATED PROVISIONS**

Differences Only - Excludes Capital  
(Continued)

	<b>House</b>			<b>Senate</b>	
<b>Subtotal</b>	<b>\$2,912,839,678</b>	<b>\$2,131,270,454</b>	Estimated Medicaid Expenditures (All Funds)	\$1,674,457,760	\$1,733,515,041
Estimated Medicaid Expenditures (All Funds)	\$1,674,457,760	\$1,733,515,041	Estimated CHIP Expenditures (All Funds)	\$53,124,970	\$58,574,456
Estimated CHIP Expenditures (All Funds)	\$53,124,970	\$58,574,456	<b>Total</b>	<b>\$3,742,899,417</b>	<b>\$3,889,733,355</b>
<b>Total</b>	<b>\$4,640,422,408</b>	<b>\$3,923,359,951</b>			

Medicaid and CHIP amounts in this table reflect estimated expenditures and may not align with the appropriations made elsewhere in this Act for Medicaid and CHIP.

Medicaid and CHIP amounts in this table reflect estimated expenditures and may not align with the appropriations made elsewhere in this Act for Medicaid and CHIP.

(b) **Statewide Behavioral Health Coordinating Council.** Each agency identified in subsection (a) of this provision, with the exception of Article IV and Article VIII, shall designate an individual to serve as a member of the statewide behavioral health coordinating council, established by Article IX, Section 10.04(b), 2016-17 General Appropriations Act (GAA), Eighty-fourth Legislature, 2015, and may use funds appropriated by this Act to support that council. In addition to the agencies identified in subsection (a) of this provision, the Texas Department of Housing and Community Affairs, and the Texas Workforce Commission shall each designate an individual to serve as a representative on the council. Any other state agency or institution that receives funding in this Act and provides specific behavioral health services may participate in the meetings and discussions of the coordinating council. The Mental Health Statewide Coordinator at the Health and Human Services Commission (HHSC) shall serve as chair of this council. The coordinating council shall meet at least once quarterly during fiscal years 2020 and 2021, or more frequently if determined necessary by the Mental Health Statewide Coordinator at HHSC.

(b) **Statewide Behavioral Health Coordinating Council.** Each agency identified in subsection (a) of this provision, with the exception of the Texas Higher Education Coordinating Board and Article VIII, shall designate an individual to serve as a member of the statewide behavioral health coordinating council, established by Article IX Section 10.04(b), 2016-17 General Appropriations Act (GAA), Eighty-fourth Legislature, 2015, and may use funds appropriated by this Act to support that council. In addition to the agencies identified in subsection (a) of this provision, the Texas Department of Housing and Community Affairs, the Texas Workforce Commission, and the Texas Education Agency shall each designate an individual to serve as a representative on the council. The Texas Mental Health Care Consortium shall designate an individual to serve as a representative on the council, contingent upon the enactment of Senate Bill 10, relating to the creation of the Texas Mental Health Care Consortium, or similar legislation by the Eighty-sixth Legislature, Regular Session. Any other state agency or institution that receives funding in this Act and provides specific behavioral health services may participate in the meetings and discussions of the coordinating council. The Mental Health Statewide Coordinator at the Health and Human Services Commission (HHSC) shall serve as chair of this council. The coordinating council shall meet at least once quarterly during fiscal years 2020 and 2021, or more frequently if determined necessary by the Mental Health Statewide Coordinator at HHSC.

HHSC shall require certain community collaboratives that receive state grant funding to present twice annually on the impact each collaborative has had on project implementation and mental health outcomes on the population served by the grant funding. These community collaboratives shall include community collaboratives as defined by Government Code, Chapter 539; community recipients of a grant for veterans' mental health pursuant to Government Code, Section 531.0092; recipients of a grant through the Mental Health Grant Program for Justice-Involved Individuals; and recipients of a grant through the Community Mental Health Grant Program. It is the intent of the Legislature that these presentations serve as an opportunity to increase collaboration for the effective expenditure of behavioral health funds between state and

HHSC shall require certain community collaboratives that receive state grant funding to present twice annually on the impact each collaborative has had on project implementation and mental health outcomes on the population served by the grant funding. These community collaboratives shall include community collaboratives as defined by Government Code

## House

## Senate

local entities. No provision of this Act may be construed as granting the statewide behavioral health coordinating council authority over local projects implemented by the collaboratives listed above.

- (c) **Statewide Behavioral Health Strategic Plan.** The purpose of the statewide behavioral health coordinating council shall be to implement the five-year Statewide Behavioral Health Strategic Plan published May 1, 2016 per Article IX, Section 10.04(b), 2016-17 GAA, Eighty-fourth Legislature, 2015. The Statewide Behavioral Health Coordinating Council shall submit an annual report to the Governor, and the Legislative Budget Board including the progress of the strategic plan's implementation no later than December 1 of fiscal years 2020 and 2021. The report shall include coordinating council agency participation and how the strategic plan's implementation serves to coordinate programs and services to eliminate redundancy, utilize best practices in contracting standards, perpetuate identified, successful models for mental health and substance abuse treatment, ensure optimal service delivery, and identify and collect comparable data on results and effectiveness. The coordinating council shall annually update the inventory of behavioral health programs and services. The inventory shall describe how the identified programs, services, initiatives, and expenditures further the goals of the Statewide Behavioral Health Strategic Plan. HHSC shall make available the five-year strategic plan update and the inventory of programs on HHSC's website no later than December 1 of each year.

The Council shall also collaborate with the Board of Pharmacy and the Medical Board to create a sub-plan related to substance abuse. The sub-plan shall include challenges of existing prevention, intervention, and treatment programs, evaluation of substance use disorder prevalence, service ability, gaps in current services, and strategies for working with state agencies to expand treatment capacity.

- (d) **Coordination of Behavioral Health Expenditures.** The coordinating council shall submit to the Executive Commissioner of HHSC for approval a coordinated statewide expenditure proposal for each agency, which shall include the appropriation amounts identified in subsection (a) of this provision. The expenditure proposal shall describe how the identified

Chapter 539; community recipients of a grant for veterans' mental health pursuant to Government Code 531.0092; recipients of a grant through the Mental Health Grant Program for Justice-Involved Individuals; and recipients of a grant through the Community Mental Health Grant Program. It is the intent of the Legislature that these presentations serve as an opportunity to increase collaboration for the effective expenditure of behavioral health funds between state and local entities. No provision of this Act may be construed as granting the statewide behavioral health coordinating council authority over local projects implemented by the collaboratives listed above.

- (c) **Statewide Behavioral Health Strategic Plan.** The purpose of the statewide behavioral health coordinating council shall be to implement the five-year Statewide Behavioral Health Strategic Plan published May 1, 2016, per Article IX Section 10.04(b), 2016-17 GAA, Eighty-fourth Legislature, 2015. The Statewide Behavioral Health Coordinating Council shall submit an annual report to the Governor, and the Legislative Budget Board including the progress of the strategic plan's implementation no later than December 1 of fiscal years 2020 and 2021. The report shall include coordinating council agency participation and how the strategic plan's implementation serves to coordinate programs and services to eliminate redundancy, utilize best practices in contracting standards, perpetuate identified, successful models for mental health and substance abuse treatment, ensure optimal service delivery, and identify and collect comparable data on results and effectiveness. The coordinating council shall annually update the inventory of behavioral health programs and services. The inventory shall describe how the identified programs, services, initiatives, and expenditures further the goals of the Statewide Behavioral Health Strategic Plan. HHSC shall make available the five-year strategic plan update and the inventory of programs on HHSC's website no later than December 1 of each year.

- (d) **Coordination of Behavioral Health Expenditures.** The coordinating council shall submit to the Executive Commissioner of HHSC for approval a coordinated statewide expenditure proposal for each agency, which shall include the appropriation amounts identified in subsection (a) of this provision. The expenditure proposal shall describe how

House

Senate

appropriations at each agency or institution would be spent in accordance with, and to further the goals of the approved statewide behavioral health strategic plan. HHSC shall submit the coordinated statewide behavioral health expenditure proposal to the Legislative Budget Board by September 1, 2019 for fiscal year 2020 and by July 1, 2020 for fiscal year 2021. The plan shall be considered to be approved unless the Legislative Budget Board issues a written disapproval by November 1, 2019 for fiscal year 2020, or by September 1, 2020 for fiscal year 2021.

the identified appropriations at each agency or institution would be spent in accordance with, and to further the goals of the approved statewide behavioral health strategic plan. HHSC shall submit the coordinated statewide behavioral health expenditure proposal to the Legislative Budget Board by September 1, 2019, for fiscal year 2020 and by July 1, 2020, for fiscal year 2021. The plan shall be considered to be approved unless the Legislative Budget Board issues a written disapproval by November 1, 2019, for fiscal year 2020, or by September 1, 2020, for fiscal year 2021.

Notwithstanding any other appropriation authority granted by this Act, the Comptroller of Public Accounts shall not allow the expenditure of General Revenue-Related funds identified in subsection (a) by a particular agency if the Legislative Budget Board provides notification to the Comptroller of Public Accounts that the agency's expenditure proposal has not satisfied the requirements of this provision. If fiscal year 2020 or fiscal year 2021 General Revenue-Related funds are used to provide services required by federal law, are related to court-ordered treatment, or required as the result of administrative proceedings, the funding for these services shall still be included in the proposal, but these funds shall not be contingent upon approval.

The coordinated expenditure proposal shall be developed in a format specified by the Legislative Budget Board, and shall, at a minimum, include expenditures related to each program identified in the program inventory required by subsection (c) of this provision, identified by fund type. Behavioral health-related Medicaid expenditures shall also be included as a separate line item for each agency.

**Sec. 10.06. Cross-Agency Coordination on Healthcare Strategies and Measures.**

- (a) Out of funds appropriated elsewhere in this Act, the Health and Human Services Commission shall coordinate with the Department of State Health Services, the Employees Retirement System of Texas, the Texas Department of Criminal Justice, and the Teacher Retirement System to compare healthcare data, including outcome measures, to identify outliers and improvements for efficiency and quality that can be implemented within each healthcare system. To administer the data comparison, HHSC shall expend \$5 million per year with the

**Sec. 10.06. Cross-Agency Coordination on Healthcare Strategies and Measures.**

- (a) Out of funds appropriated elsewhere in this Act, the Health and Human Services Commission shall coordinate with the Department of State Health Services, the Employees Retirement System of Texas, the Texas Department of Criminal Justice, and the Teacher Retirement System to compare healthcare data, including outcome measures, to identify outliers and improvements for efficiency and quality that can be implemented within each healthcare system. As applicable, agencies shall collaborate on the development and implementation of

**HEALTH-RELATED PROVISIONS**

Differences Only - Excludes Capital

(Continued)

**House**

**Senate**

Center for Healthcare Data at the University of Texas Health Science Center at Houston (UT Data Center) for data analysis, including individual benchmark and progress data for each agency. As applicable, agencies shall collaborate on the development and implementation of potential value-based payment strategies, including opportunities for episode-based bundling and pay for quality initiatives.

potential value-based payment strategies, including opportunities for episode-based bundling and pay for quality initiatives.

- (b) The agencies shall submit a report to the Legislative Budget Board and the Governor no later than September 1, 2020 describing coordination activities, efficiencies identified, individual agency policies and practices that have been improved due to the application of the data, and recommendations on future ways to reduce cost and improve quality of care in each healthcare system.

- (b) The agencies shall meet quarterly to carry out coordination activities as described above.

- (c) The agencies shall submit a report to the Legislative Budget Board and the Governor no later than September 1, 2020, describing coordination activities, efficiencies identified, and recommendations on future ways to reduce cost and improve quality of care in each healthcare system.

**Sec. 10.07. Cross-agency Collaboration on Value-based Payment Strategies.** The Health and Human Services Commission, the Employees Retirement System of Texas, and the Teacher Retirement System shall collaborate on the development and implementation of potential value-based payment strategies, including opportunities for episode-based bundling and pay for quality initiatives. To the extent possible, these agencies shall work toward similar outcome measures.

## FEDERAL FUNDS

Differences Only - Excludes Capital

House

Senate

### Sec. 13.02. Report of Additional Funding.

- (a) Immediately upon receipt or notice of future receipt of any funds appropriated under §13.01 of this Article IX in an amount in excess of \$10 million greater than the amount for which an agency was appropriated federal funds for the same purpose in this Act, each agency shall report to the Legislative Budget Board and the Governor. The agency shall also provide notice of the receipt to the Comptroller and the Chair of the House Select Committee on State and Federal Power and Responsibility. The notification shall specify the amount of federal funds received or to be received and the proposed use of the funds.
- (b) If after the thirtieth business day after notification from the agency neither the Legislative Budget Board nor the Governor issue a written disapproval, the Comptroller of Public Accounts shall release the funds.

### Sec. 13.02. Report of Additional Funding.

- (a) upon receipt or notice of future receipt of any funds appropriated under §13.01 of this Article IX in an amount in excess of \$10 million greater than the amount for which an agency was appropriated federal funds for the same purpose in this Act, each agency shall request approval from the Legislative Budget Board and the Governor to expend the funds. The agency shall also provide notice of the receipt to the Comptroller and the Chair of the House Select Committee on State and Federal Power and Responsibility. Both the request and the notification shall specify the amount of federal funds received and the proposed use of the funds.
- (b) If after the thirtieth business day after the approval request is submitted by the agency neither the Legislative Budget Board nor the Governor issue a written disapproval, the Comptroller of Public Accounts shall release the funds.
- (c) Notwithstanding Subsection 13.02(b) of this Article IX, in the event of a disaster proclamation by the governor under the Texas Disaster Act of 1975, Chapter 418, Government Code, the Comptroller of Public Accounts shall immediately release funds which have been appropriated to an agency pursuant to Subsection 13.01 of this Article IX. An agency receiving funds under this Subsection 13.02(c) shall provide notice of the receipt to the Legislative Budget Board and the Governor which specifies the amount of federal funds received and the proposed use of the funds.

## MISCELLANEOUS PROVISIONS

Differences Only - Excludes Capital

### House

**Sec. 17.04. Veterans Services at Other State Agencies.** Out of funds appropriated elsewhere in this Act, any state agency or institution of higher education, including the Veterans Commission, Department of State Health Service, Texas Military Department, Texas Workforce Commission, General Land Office, or any other state agency or institution that receives funding in this Act and provides specific services to veterans, shall provide information to veterans seeking assistance from that state agency or institution of other state agencies or institutions that provide additional veterans specific services, as identified by the Texas Coordinating Council for Veterans Services. In addition to all modes of communication, that information shall be made available on each of the agencies' websites.

### Sec. 17.06. Additional Payroll Contribution for Retirement Contribution.

- (a) Notwithstanding any other provision of this Act, out of appropriations made elsewhere in this Act to state agencies for the state fiscal biennium beginning September 1, 2019, each agency shall contribute, in an amount equal to 1.0 percent of the total base wages and salaries for each eligible employee of a state agency during the state fiscal biennium beginning September 1, 2019 to the Employees Retirement System's Retirement Program.
- (b) State agencies shall contribute pursuant to this section to the Employees Retirement System to increase the state contribution for retirement by the value of the 1.0 percent contribution, estimated to be \$135,130,850 for state agencies for the 2020-21 biennium.
- (c) The calculation of base salary for purposes of the reductions made under this section excludes longevity pay, hazardous duty pay, benefit replacement pay, overtime pay, and other payments that are not part of the base salary of the employee.
- (d) Transfers made under this section shall be consistent with provisions requiring salaries and benefits to be proportional to the source of funds.
- (e) The Comptroller of Public Accounts shall promulgate rules and regulations as necessary to administer this section.

### Senate

**Sec. 17.04. Veterans Services at Other State Agencies.** Out of funds appropriated elsewhere in this Act, any state agency or institution of higher education, including the Veterans Commission, Department of State Health Service, Texas Military Department, Texas Workforce Commission, General Land Office, or any other state agency or institution that receives funding in this Act and provides specific services to veterans, shall provide information to veterans seeking assistance from that state agency or institution of other state agencies or institutions that provide additional veterans specific services, as identified by the Texas Coordinating Council for Veterans Services.

### Sec. 17.06. Additional Payroll Contribution for Retirement Contribution.

- (a) Notwithstanding any other provision of this Act, out of appropriations made elsewhere in this Act to state agencies for the state fiscal biennium beginning September 1, 2019, each agency shall contribute, in an amount equal to 0.5 percent of the total base wages and salaries for each eligible employee of a state agency during the state fiscal biennium beginning September 1, 2019, to the Employees Retirement System's Retirement Program.
- (b) State agencies shall contribute pursuant to this section to the Employees Retirement System to increase the state contribution for retirement by the value of the 0.5 percent contribution, estimated to be \$67,565,425 for state agencies for the 2020-21 biennium.
- (c) The calculation of base salary for purposes of the reductions made under this section excludes longevity pay, hazardous duty pay, benefit replacement pay, overtime pay, and other payments that are not part of the base salary of the employee.
- (d) Transfers made under this section shall be consistent with provisions requiring salaries and benefits to be proportional to the source of funds.
- (e) The Comptroller of Public Accounts shall promulgate rules and regulations as necessary to administer this section.



**Sec. 17.10. Contract Management and Oversight.**

- (a) It is the intent of the Legislature that all agencies and institutions of higher education establish effective processes and controls to manage contracts and ensure the cost-effective use of state appropriations for contracted goods and services.
- (b) Agencies and institutions should manage contracts consistent with state statute, the General Appropriations Act, and the State of Texas Procurement and Contract Management Guide and ensure proper oversight of contract processes including:
  - (1) Provide adequate time for applicable external reviews by the Quality Assurance Team (QAT) and Contract Advisory Team when establishing procurement timelines;
  - (2) Follow recommendations made by the Contract Advisory Team or adequately explain any deviations from the recommendations and why the deviation is necessary;
  - (3) Ensure proper justification for proprietary purchases and that contracts are established and approved by the Statewide Procurement Division of the Office of the Comptroller;
  - (4) Ensure that contract award decisions are determined based on best value criteria established in solicitation documents to ensure fair and open competition;
  - (5) Ensure that staff involved in contract management or administration duties are adequately trained to perform those duties;
  - (6) Periodically review internal contracting practices and manuals to ensure that they are current and up to date with current regulations and best practices;
  - (7) Ensure that provisions related to service level and pricing mechanisms in existing contracts are correctly enforced;
  - (8) Enforce damage provisions for vendor non-performance and collect monetary refunds for improper payments to vendors;

**Sec. 17.10. Contract Management and Oversight.**

- (a) It is the intent of the Legislature that all agencies and institutions of higher education establish effective processes and controls to manage contracts and ensure the cost-effective use of state appropriations for contracted goods and services.
- (b) Agencies and institutions should manage contracts consistent with state statute, the General Appropriations Act, and the State of Texas Procurement and Contract Management Guide and ensure proper oversight of contract processes including:
  - (1) Provide adequate time for applicable external reviews by the Quality Assurance Team (QAT) and Contract Advisory Team when establishing procurement timelines;
  - (2) Follow recommendations made by the Contract Advisory Team or adequately explain any deviations from the recommendations and why the deviation is necessary;
  - (3) Ensure proper justification for proprietary purchases and that contracts are established and approved by the Statewide Procurement Division of the Office of the Comptroller;
  - (4) Ensure that contract award decisions are determined based on best value criteria established in solicitation documents to ensure fair and open competition;
  - (5) Ensure that staff involved in contract management or administration duties are adequately trained to perform those duties;
  - (6) Periodically review internal contracting practices and manuals to ensure that they are current and up to date with current regulations and best practices;
  - (7) Ensure that provisions related to service level and pricing mechanisms in existing contracts are correctly enforced;
  - (8) Enforce damage provisions for vendor non-performance and collect monetary refunds for improper payments to vendors;

## MISCELLANEOUS PROVISIONS

Differences Only - Excludes Capital  
(Continued)

## House

- (9) Ensure dollar values of performance bonds and insurance are consistent with risk of non-performance; and
- (10) Ensure that vendor performance is reported to the Vendor Performance Tracking System (VPTS) and that VPTS data is used in selecting vendors for contract awards.
- (c) Agencies shall make a good faith effort to identify and execute savings and efficiencies in their use of contracted goods and services. An agency or institution of higher education may not use funds appropriated elsewhere in this Act to pay for a contract for goods or services unless it:
  - (1) Seeks competitive bids before renewing or extending a contract that has been in effect more than five fiscal years as of August 31, 2019, and is valued at the lesser of \$10,000,000 or 10 percent of the agency's All Funds budget for the 2020-21 biennium. The following contracts are exempt from the requirements of this Subsection (c)(1) of this §17.10:
    - (A) TxSmartBuy, term, and cooperative contracts administered by the Comptroller or Department of Information Resources;
    - (B) grants;
    - (C) interagency contracts;
    - (D) contracts that relate to a construction project as defined by §2166.001, Government Code;
    - (E) contracts that relate to highway construction or highway engineering;
    - (F) contracts that relate to developing information resource applications or information resource technologies; and
    - (G) contracts not required by law to be competitively bid; and

## Senate

- (9) Ensure dollar values of performance bonds and insurance are consistent with risk of non-performance ; and
- (10) Ensure that vendor performance is reported to the Vendor Performance Tracking System (VPTS) and that VPTS data is used in selecting vendors for contract awards.
- (c) Agencies shall make a good faith effort to identify and execute savings and efficiencies in their use of contracted goods and services. An agency or institution of higher education may not use funds appropriated elsewhere in this Act to pay for a contract for goods or services unless it:
  - (1) Seeks competitive bids before renewing or extending a contract that has been in effect more than three fiscal years as of August 31, 2019, and is valued at the lesser of \$10,000,000 or 10 percent of the agency's All Funds budget for the 2020-21 biennium. The following contracts are exempt from the requirements of this Subsection (c)(1) of this § 17.10:
    - (A) TxSmartBuy, term, and cooperative contracts administered by the Comptroller or Department of Information Resources;
    - (B) grants;
    - (C) interagency contracts;
    - (D) contracts that relate to a construction project as defined by §2166.001, Government Code;
    - (E) contracts that relate to highway construction or highway engineering;
    - (F) contracts that relate to developing information resource applications or information resource technologies;
    - (G) contracts not required by law to be competitively bid; and
    - (H) managed care contracts in the Medicaid and CHIP program; and

## House

## Senate

- (2) Conducts a cost-benefit analysis to compare canceling or continuing any major information resource project and related contracts subject to QAT monitoring that is more than 50 percent over budget or over schedule. QAT must approve the cost-benefit analysis for the project to continue. If this requirement is not met, corrective actions in Article IX, Section 9.02, of this Act apply.
- (d) An agency or institution may request, with regards to a contract, an additional exemption from the requirements of Subsection (c)(1) of this §17.10 by submitting a request to the Legislative Budget Board (LBB) which outlines the justification for requesting the exemption. The request shall be considered to be approved unless the Legislative Budget Board issues a written disapproval within 30 business days of the date on which the staff of the Legislative Budget Board concludes its review of the proposal to exempt the contract and forwards its review to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House of Representatives, and Lieutenant Governor.

The request shall state that the agency or institution agrees to enhanced oversight of the contract upon LBB approval of the exemption. The LBB shall determine the level of enhanced oversight that is necessary or may choose to waive oversight. Enhanced oversight may include, but is not limited to, the following elements: additional reporting requirements; increased monitoring of the contract; and the formation of an executive steering committee for the project to which the contract relates. For information technology related contracts, an executive steering committee may include members of QAT and/or its designee(s). Responsibilities of an executive steering committee may include, but are not limited to, review of procurement and contract terms prior to solicitation/execution; and ongoing oversight of the management of the contract. The LBB shall determine whether an agency or institution has met the requirements of enhanced oversight. If the LBB determines that the requirements have not been met, additional corrective actions, including, but not limited to, those specified in Article IX, Section 9.02 may be applied.

- (e) It is the intent of the Legislature that agencies and institutions minimize the use of extensions that extend a contract beyond the base term and any optional extensions provided in a contract. An agency or institution may not use funds appropriated elsewhere in this Act to pay for an extension to an existing agency contract beyond the base term and optional extensions provided for in that contract unless all of the following conditions are met:

- (1) The extension is limited in duration and cost to not more than one additional option period,

- (2) Conducts a cost-benefit analysis to compare canceling or continuing any major information resource project and related contracts subject to QAT monitoring that is more than 50 percent over budget or over schedule. QAT must approve the cost-benefit analysis for the project to continue. If this requirement is not met, corrective actions in Article IX, Section 9.02, of this Act apply.
- (d) Each agency and institution of higher education that receives appropriations in this Act, shall provide a report to the Legislative Budget Board and the Governor that details the steps taken to ensure compliance with state procurement requirements and any other information required by the Legislative Budget Board. The report for activities undertaken in fiscal year 2020 is due not later than September 30, 2020, and a summary report for the 2020-21 biennium is due August 31, 2021.

## House

## Senate

as defined in the contract, to address the immediate operational or service delivery needs. If a contract does not contain a defined option period, the extension is limited to one year.

- (2) The agency or institution provides notice of the extension, at least 30 days prior to execution of the extension, by uploading required information to the LBB contracts database on a form prescribed by the LBB. Required information includes, but is not limited to: the cost of the contract; the duration of the contract; the reason for the extension of the contract; and a plan to ensure that the contract can be completed within the extension period, signed by the executive director or other similar agency or institution administrator, or designee of the agency or institution.
- (3) The agency or institution shall ensure, prior to providing notice pursuant to Subsection (e)(2), that all information and documents specified in Article IX, Section 7.12 (d) have been uploaded to the LBB contracts database regardless of whether the information and documents are otherwise required to be uploaded under Article IX, Section 7.12.
- (f) Each agency and institution of higher education that receives appropriations in this Act, shall provide a report to the Legislative Budget Board and the Governor that details the steps taken to ensure compliance with state procurement requirements and any other information required by the Legislative Budget Board. The report for activities undertaken in fiscal year 2020 is due not later than September 30, 2020, and a summary report for the 2020-21 biennium is due August 31, 2021.

**Sec. 17.11. Information Listing of Program Funding.** The Legislative Budget Board shall produce an informational report on House Bill 1 appropriations that allocates 2020-21 biennial funding to the program level. The Legislative Budget Board shall provide printed copies to the members of the Legislature, and shall post the report on its web site.

**Sec. 17.11. Energy Efficiency Savings for State Facilities.**

- (a) In this section, "facility" means a facility with at least 100,000 gross square feet.
- (b) It is the intent of the legislature that a state agency that is appropriated money by this Act with charge and control over a facility shall have a remote or on-site assessment of the facility performed by the Energy Systems Laboratory at Texas A&M Engineering Experiment Station or another qualified provider to determine whether implementation of continuous commissioning or existing building commissioning practices would result in estimated savings of at least 10 percent in utility costs for the facility. A state agency shall supply any documents necessary to perform the assessment. The state agency shall report to the Legislative Budget Board on the results of the assessment.
- (c) If the results of an assessment performed under Subsection (b) of this section show estimated utility cost savings of at least 10 percent, the state agency shall have the Energy Systems Laboratory at Texas A&M Engineering Experiment Station or another qualified provider prepare a plan for implementation of continuous commissioning or existing building commissioning practices and monitoring of the implementation for the state agency.

**Sec. 17.12. Additional Funding for School Safety - Informational Listing.** Included elsewhere in this Act is \$109.4 million for school safety in addition to funding provided in the 2018-19 biennium and continued in this bill for the general purpose of addressing the need for school safety during the 2020-21 biennium. The following is an informational list of the additional amounts appropriated elsewhere in this Act for school safety to the Health and Human Services Commission for Children's Community Mental Health, Texas Education Agency for Communities in Schools and for Safe and Healthy Schools, Texas School for the Blind and Visually Impaired for campus safety infrastructure, Texas School for the Deaf for campus safety staff and infrastructure, Texas State University for the School Safety Center and the Advanced Law Enforcement Rapid Response Training ("ALERRT"), and the Texas Tech University Health Sciences Center for The Telemedicine Wellness Intervention Triage and Referral ("TWITR") Project. Amounts identified below are in addition to any amounts provided to the Santa Fe Independent School District to address campus facilities and student safety.

**Part 17.**

**MISCELLANEOUS PROVISIONS**

Differences Only - Excludes Capital  
(Continued)

**House**

**Senate**

	<b>Fiscal Years 2020-21 (Millions rounded)</b>
Health and Human Services Commission: Children’s Community Mental Health	\$11.8
Texas Education Agency: Communities in Schools	\$10.0
Texas Education Agency: Safe and Healthy Schools	\$54.5
Texas School for the Blind and Visually Impaired: Campus Safety Infrastructure	\$0.8
Texas School for the Deaf: Campus Safety Staff and Infrastructure	\$1.1
Texas State University: ALERRT	\$4.0
Texas State University: School Safety Center	\$7.2
Texas Tech University Health Sciences Center: TWITR Project	\$20.0
<b>GRAND TOTA, ALL AGENCIES</b>	<b>\$109.4</b>

**Sec. 17.12 Human Trafficking Prevention Coordinating Council.**

- (a) The following is an informational listing of appropriations made elsewhere in this Act to address human trafficking.

Human trafficking-related activities include programs and services directly and indirectly related to state and local grant programs, law enforcement, research, trainings, regulatory efforts, criminal justice actions, and child welfare. Certain non-human trafficking-related costs which could not be disaggregated from other costs are also included in the listing below.

	<b>Fiscal Year 2020</b>	<b>Fiscal Year 2021</b>
<b>Article I</b>		
Office of the Attorney General	\$2,641,529	\$3,083,626
Trusted Programs Within the Office of the Governor	\$3,837,650	\$1,830,650
<b>Article II</b>		
Department of Family and Protective Services	\$668,230	\$639,269
Department of State Health Services	\$30,000	\$30,000

**MISCELLANEOUS PROVISIONS**

Differences Only - Excludes Capital  
(Continued)

House

Senate

**Article V**

Alcoholic Beverage Commission	\$3,035,825	\$3,035,825
Department of Public Safety	\$43,018,146	\$27,002,382

**Article VIII**

Department of Licensing and Regulation	\$858,439	\$850,865
<b>Total, All Articles</b>	<b>\$54,089,819</b>	<b>\$36,472,617</b>

**Method of Financing**

General Revenue	\$46,772,037	\$31,155,596
General Revenue - Dedicated	\$6,950,011	\$4,950,011
Other Funds	\$367,771	\$367,010
<b>Total, Method of Financing</b>	<b>\$54,089,819</b>	<b>\$36,472,617</b>

- (b) The Attorney General or their designee shall serve as the presiding officer of the Human Trafficking Prevention Coordinating Council (the council). The Office of the Attorney General shall make the strategic plan described in Subsection (c) and the annual reports described in Subsection (d) available on the office’s internet website. Each agency identified in Subsection (a) of this provision shall designate an individual to serve as a member of the council and may use funds appropriated by this Act to support the council. Any other state agency or institution that receives funding in this Act and provides specific human trafficking prevention services may participate in the meetings and discussion of the council.
  
- (c) The council shall develop and implement a five-year Strategic Plan for Preventing Human Trafficking encompassing fiscal years 2020 through 2024. No later than May 1, 2020, the council shall submit the five-year Strategic Plan for Preventing Human Trafficking to the Legislature. The five-year Strategic Plan for Preventing Human Trafficking shall include:
  - (1) An inventory of human trafficking prevention programs and services in this state that are administered by state agencies, including institutions of higher education, and political subdivisions;
  - (2) A report on the number of persons served by the programs inventoried in Subsection (c)(1);
  - (3) A plan to coordinate the programs inventoried in Subsection (c)(1) with the goals of

**MISCELLANEOUS PROVISIONS**

Differences Only - Excludes Capital  
(Continued)

House

Senate

eliminating redundancy, ensuring the use of best practices in preventing human trafficking, as well as identifying and collecting data regarding the efficacy of the programs inventoried in Subsection (c)(1); and

- (4) A plan, aligned with the goals provided in Subsection (c)(3), to coordinate the expenditure of state funds appropriated in this Act for the prevention of human trafficking, including funds expended by the task force established under Government Code, Section 402.035 or by a successor entity established by the Office of the Attorney General.
- (d) Not later than December 1, 2021 the council shall submit an annual report detailing the progress of implementing the strategic plan described in Subsection (c) to the Legislature. The annual report shall include:
  - (1) A description of the level of participation in the strategic plan by each agency represented on the council;
  - (2) How the implementation of the strategic plan serves to coordinate the programs and services inventoried in Subsection (c)(1) and achieve the goals provided in Subsection (c)(3);
  - (3) An update of the inventory described in Subsection (c)(1) and how each new program or service furthers the goals provided in Subsection (c)(3).

**Sec. 17.13. Informational Listing of Certain Appropriations.** The following is an informational listing of appropriations made in Articles I-VIII in this Act from the Economic Stabilization Fund.

**ARTICLE I**

Commission on the Arts	\$ 50,000
Office of the Attorney General	10,720,846
Bond Review Board	148,000
Cancer Prevention and Research Institute of Texas	164,000,000
Commission on State Emergency Communications	15,853,666



**Part 17.****MISCELLANEOUS PROVISIONS**Differences Only - Excludes Capital  
(Continued)

	<b>House</b>	<b>Senate</b>
Texas Emergency Services Retirement System	170,000	
Texas Ethics Commission	699,000	
Facilities Commission	255,924,378	
Public Finance Authority	41,200	
Trusted Programs within the Office of the Governor	150,000,000	
Historical Commission	44,115,411	
Department of Information Resources	8,713,150	
Library and Archives Commission	27,806,348	
Preservation Board	19,340,000	
Secretary of State	2,600,000	
Veterans Commission	482,064	
 <b>ARTICLE II</b>		
Department of State Health Services	\$ 34,992,518	
Health and Human Services Commission	774,502,814	
 <b>ARTICLE III</b>		
Texas Education Agency	\$ 42,500,000	
School for the Blind and Visually Impaired	1,485,942	
School for the Deaf	14,660,756	
Teacher Retirement System	230,756,971	
Higher Education Coordinating Board	1,040,000	
 <b>ARTICLE IV</b>		
Office of Court Administration	\$ 29,651,160	
State Law Library	30,000	
 <b>ARTICLE V</b>		
Alcoholic Beverage Commission	\$ 14,574,523	
Department of Criminal Justice	175,636,753	
Juvenile Justice Department	23,750,000	
Commission on Law Enforcement	584,104	
Military Department	25,916,288	
Department of Public Safety	51,933,880	
 <b>ARTICLE VI</b>		

**Part 17.**

**MISCELLANEOUS PROVISIONS**

Differences Only - Excludes Capital  
(Continued)

	<b>House</b>	<b>Senate</b>
Department of Agriculture	\$ 1,414,472	
Animal Health Commission	400,000	
Commission on Environmental Quality	6,153,171	
General Land Office	3,000,000	
Parks and Wildlife	120,525,143	
Railroad Commission	65,998,353	
Water Development Board	588,063	
 <b>ARTICLE VII</b>		
Texas Lottery Commission	\$ 1,815,137	
Texas Workforce Commission	704,445	
 <b>ARTICLE VIII</b>		
Board of Chiropractic Examiners	\$ 60,000	
Department of Licensing and Regulation	1,952,000	
Texas Medical Board	114,050	
Board of Pharmacy	305,000	
Board of Plumbing Examiners	15,098	
Racing Commission	166,400	
Securities Board	344,080	
Public Utility Commission of Texas	332,000	
 <b>TOTAL</b>	 <b>\$ 2,326,567,184</b>	

**Sec. 17.14. Reports on Interagency Contracts.** It is the intent of the Legislature that, to the extent their capabilities and resources allow, state agencies shall make available on their Internet website quarterly reports during each state fiscal year of the state fiscal biennium beginning September 1, 2019, providing information on each interagency contract. Each report must be made available not later than the 30th day after the end of each quarter. Each report must identify:

- (1) each state agency that is a party to an interagency contract and whether the agency is disbursing or receiving money under the contract;
- (2) the amount spent by the disbursing agency for the contract and the method of finance;

**Part 17.**

**MISCELLANEOUS PROVISIONS**

Differences Only - Excludes Capital  
(Continued)

**House**

**Senate**

and

- (3) the agency programs for which the agencies entered the contract and the appropriation line items from which funds were spent by the agencies to perform the contract.

**Sec. 17.15. Realtime Captioning of Open Meetings.** It is the intent of the Legislature that, to the extent their capabilities and resources allow, state agencies include communication access realtime translation captioning in any live video broadcast, including a video broadcast over the Internet, of an open meeting of the agency.