

AN ACT

relating to the creation of a savings incentive program for state agencies.

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

SECTION 1. Chapter 2108, Government Code, is amended by adding Subchapter C to read as follows:

SUBCHAPTER C. SAVINGS INCENTIVE PROGRAM FOR STATE AGENCY

Sec. 2108.101. NOTICE. A state agency that spends less undedicated general revenue derived from nonfederal sources than is appropriated to the agency for a fiscal year shall send to the comptroller a notice of the amount of the savings before October 30 following the end of the fiscal year in which the savings are realized.

Sec. 2108.102. VERIFICATION OF SAVINGS. The comptroller shall verify the amount of savings contained in the notice not later than the 60th day following the date the comptroller receives the notice.

Sec. 2108.103. RETENTION OF FUNDS. (a) The affected agency retains one-fourth of the amount of savings verified by the comptroller, not to exceed one percent of the amount of undedicated general revenue derived from nonfederal sources appropriated to the agency for the fiscal year in which the savings are realized.

(b) Savings retained under this section may only be appropriated by the legislature to the affected agency. The agency

1 may spend the savings only on an activity or expense that does not:

2 (1) create new or expanded services; or

3 (2) require ongoing funding at a later date.

4 Sec. 2108.104. DEMONSTRATION NECESSARY TO RECEIVE SAVINGS.

5 In order for a state agency to receive any savings derived from

6 lowered utility costs under this section, the state agency must

7 demonstrate to the comptroller that the agency has maximized

8 savings on utility expenses by implementing all energy and water

9 conservation programs in compliance with rules adopted under

10 Section 447.002.

11 SECTION 2. This Act takes effect September 1, 2003.

Rand Newhart

President of the Senate

Jim Cusick

Speaker of the House

I certify that H.B. No. 651 was passed by the House on April 9, 2003, by a non-record vote; and that the House concurred in Senate amendments to H.B. No. 651 on May 30, 2003, by a non-record vote.

Robert Hawes
Chief Clerk of the House

I certify that H.B. No. 651 was passed by the Senate, with amendments, on May 28, 2003, by a viva-voce vote.

Patsy Saw
Secretary of the Senate

APPROVED: 20 JUN '03

Date

Rick Perry

Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
10:30 pm O'CLOCK

JUN 20 2003
Ann Shea
Secretary of State