



February 1, 2011

To: Urban Counties

From: Program Managers
Cindy Bloodsworth
Windy Johnson
Kristen Thurman
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Re: **Issues of Interest in 82R HB 1, as filed (2012-2013)**

The following are issues of note to counties identified in 82R HB 1, as filed on January 18, 2011. This list will be updated with additional information as it becomes available.

Article I General Government

Comptroller of Public Accounts

1. Virtually eliminate the Local Government Assistance Office.

<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
\$9,317,871	\$7,674,646	\$113,624	\$113,195

Source: LBB Summary of Legislative Budget Estimates, Article I, page 42

2. Eliminate Lateral Road and Bridge Fund distributions to counties.

<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
\$5,636,564	\$7,500,000	\$0	\$0

Source: LBB Summary of Legislative Budget Estimates, Article I, page 45

3. Rate cut by 22% City & County Mixed Drink Tax reimbursements. 6% reduction in payments.

Analysis: The Comptroller of Public Accounts shall reimburse eligible incorporated municipalities and counties a portion of receipts from the collection of the mixed beverage tax at a rate not to exceed 8.3065 percent in accordance with Tax Code 183.051.

<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
\$128,318,000	\$132,937,000	\$119,714,964	\$126,305,843

Source: LBB Summary of Legislative Budget Estimates, Article I, page 45

Commission on State Emergency Communications

4. Cut by 27% the 9-1-1 network (47.6m cut).

<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
\$71,113,126	\$64,825,202	\$46,837,797	\$41,493,893

Source: LBB Summary of Legislative Budget Estimates page 48; LBB Legislative Budget Recommendations, Article I, page I-26; and HB 1, page I-32

Trusted Program within the Office of the Governor

5. Eliminate State Disaster Funds.

<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
\$53,951,746	\$42,860,970	\$153,248	\$153,248

Source: LBB Summary of Legislative Budget Estimates, Article I, page 53

6. Reduce by 56% Criminal Justice grants.

<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
\$176,736,148	\$142,218,862	\$70,416,890	\$70,426,889

Source: LBB Summary of Legislative Budget Estimates, Article I, page 53

7. County Essential Services Grants reduced by 100%.

<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
\$2,099,704	\$780,190	\$0	\$0

Source: LBB Summary of Legislative Budget Estimates, Article I, page 54

8. Economic Development and Tourism reduced by 85%.

<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
\$81,938,434	\$66,769,961	\$10,355,016	\$11,376,541

Source: LBB Summary of Legislative Budget Estimates, Article I, page 55

9. Courthouse Preservation reduced by 98%.

<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
\$24,384,742	\$3,041,437	\$213,276	\$213,276

Source: LBB Summary of Legislative Budget Estimates, Article I, page 58

Library Commission

10. Eliminate funding for Loan Star Libraries grants.

<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
\$15,071,997	19,632,625	7,937,497	1,782,600

Source: LBB Summary of Legislative Budget Estimates, Article I, page 65, Article I - 61 LBBR

Pension Review Board

11. Fund pension review board with fees on public pensions.

<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
\$696,036	668,103	0	0

Source: LBB Summary of Legislative Budget Estimates, Article I, page 66

Secretary of State

12. Reduces by 12% funding for elections administration and assistance to election officials.

<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
\$2,426,560	\$2,579,895	\$2,195,170	\$2,196,344

Source LBB Legislative Budget Recommendations, Page I – 74

13. Reduces by 11% funding used to finance primary elections and reimburse counties for voter registration expenses.

Analysis: The Election/Voter Registration section (\$13.1 million) manages funds for the primary election financing program and reimburses counties for postage for voter registration applications. A reduction of \$1.3 million in General Revenue Funds is associated with the reduction of poll worker wages from \$8.50 to \$7.00 per hour.

<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
\$14,585,305	\$56,779	\$13,000,547	\$63,761 & UB

Source LBB Legislative Budget Recommendations, Page I – 74

Article II Health and Human Services

Department of Family and Protective Services

14. 10% reduction to Medicaid provider rates.

Source: LBB Summary of Legislative Budget Estimates, Article II, page 80

15. Cut by 7% funding for Child Protective Services.

<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
\$1,109,748,118	\$1,140,758,331	\$1,014,465,220	\$1,070,017,973

Source: LBB Legislative Budget Recommendations, Article II, Department of Family and Protective Services, Page II-22, Total, Goal B

16. Reduce by 45% Child Abuse and Neglect Prevention Programs.

<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
\$42,225,883	\$45,883,574	\$24,123,549	\$24,123,550

Source: LBB Legislative Budget Recommendations, Article II, Department of Family and Protective Services, Page II-22, Total, Goal C

Department of State Health Services

17. Cut by 20% Community Mental Health Adult Services.

*Analysis: Cuts to community mental health services trigger a loss of Texas' entire federal Mental Health Block grant, estimated at \$64m in federal funds. To save the Mental Health Block grant funds the state must meet federal maintenance of effort requirements that **increase** funding for services by \$35 million in General Revenue per year.*

<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
\$288,820,793	\$290,098,775	\$225,483,831	\$237,401,181

Source: LBB Legislative Budget Recommendations, Article II, Department of State Health Services, Page II-31 Strategy B.2.1

18. Reduce by 19% Children's Community Mental Health Services.

<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
\$65,508,824	\$67,423,386	\$52,601,678	\$54,991,788

Source: LBB Legislative Budget Recommendations, Article II, Department of State Health Services, Page II-31, Strategy B.2.2

19. Reduce by 6% Mental Health Crisis Stabilization programs.

<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
\$82,923,472	\$82,030,378	\$77,951,578	\$77,917,036

Source: LBB Legislative Budget Recommendations, Article II, Department of State Health Services, Page II-31, Strategy B.2.3

20. Reduce the NorthStar (Dallas area) mental health managed care system by 10%.

<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
\$100,536,574	\$100,972,858	\$85,636,886	\$95,778,255

Source: LBB Legislative Budget Recommendations, Article II, Department of State Health Services, Page II-31, Strategy B.2.4

21. Reduce by 4% State Mental Health Hospital services.

<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
\$388,059,400	\$390,849,556	\$376,433,048	\$370,351,279

Source: LBB Legislative Budget Recommendations, Article II, Department of State Health Services, Page II-32, Strategy C.1.3

22. Reduce by 3% of funding for Community Mental Health Hospital services.

<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
\$30,118,077	\$30,118,077	\$29,239,096	\$29,239,096

Source: LBB Legislative Budget Recommendations, Article II, Department of State Health Services, Page II-32, Strategy C.2.1

23. Reduce by 8% Substance Abuse Prevention/Treatment programs.

<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
\$157,712,862	\$149,169,836	\$141,642,850	\$141,642,849

Source: LBB Legislative Budget Recommendations, Article II, Department of State Health Services, Page II-31, Strategy B.2.5

24. Reduce by 38% UTMB funds for reimbursement for Indigent Health Care.

<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
\$8,500,000.00	\$10,000,000.00	\$5,750,000.00	\$5,750,000.00

Source: LBB Legislative Budget Recommendations, Article II, Department of State Health Services, Page II-31, Strategy B.3.3

25. Cut by 53% State funds for County Indigent Health Care Services.

<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
\$4,680,278.00	\$4,703,430.00	\$2,201,880.00	\$2,201,879.00

Source: LBB Legislative Budget Recommendations, Article II, Department of State Health Services, Page II-31, Strategy B.3.4

26. Reduce by 18% EMS and Trauma Care Systems.

<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
\$84,127,585.00	\$79,149,704.00	\$66,653,513.00	\$66,653,514.00

Source: LBB Legislative Budget Recommendations, Article II, Department of State Health Services, Page II-31, Strategy B.3.1

27. Eliminate the FQHC Incubator Grants.

<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
\$3,400,000.00	\$3,500,000.00	\$0.00	\$0.00

Source: LBB Legislative Budget Recommendations, Article II, Department of State Health Services, Page II-31, Strategy B.3.2

Article IV The Judiciary

Office of Court Administration, Texas Judicial Council

28. Indigent Defense grants funding reduced by 15% (\$8.6m cut), dedicated funds.

Analysis: Further reduces the already low state funding of indigent defense and may negatively impact multi-year grants already approved starting in 2013.

<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
\$29,421,355	\$33,956,724	\$27,337,007	\$27,337,006 & UB

Source: LBB Summary of Legislative Budget Estimates, Article IV, page 139

UB – Unexpended Balance rolls over – HB1 Page IV-27, Rider 8

Office of Capital Writs

29. Diverts Fair Defense Act funds to Office of Capital Writs (\$0.8m cut).

Analysis: The state continues down the path of using funds raised for local indigent defense mandates to pay for its own costs for death penalty appeal representation.

<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
\$0	\$469,794 (GR)	\$0	\$0
\$0	\$521,468 (FDA)	\$922,135 (FDA)	\$862,136 (FDA)

Source: LBB Budget Recommendations, Office of Capital Writs, page IV-38

Judiciary Section, Comptroller’s Department

30. Reshuffle of appropriations strategies for District Attorney Salaries

Analysis: This appears to be a reduction of DA salaries (Strategy B.1.1) but is actually just a shuffling of appropriations between strategies (B.1.2); overall funding is about the same.

<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
\$1,262,720	\$1,348,420	\$551,727	\$551,727 B.1.1
\$17,807,120	\$17,721,420	\$18,518,112	\$18,518,112 B.1.2

Source: LBB Budget Recommendations, Judiciary Section, Comptroller’s Department, page IV-47

31. Reduce Assistant Prosecutor Longevity Pay reimbursements to counties by \$187,950.

Analysis: Counties have some protection here since they can reduce or stop paying if the state does not adequately fund reimbursements for this longevity pay.

<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
\$3,759,000	\$3,759,000	\$3,571,050	\$3,571,050

Source: LBB Budget Recommendations, Judiciary Section, Comptroller's Department, Page IV-48

32. Reduce by 15% state juror pay reimbursements to counties (\$3.2m cut).

Analysis: The statute requiring increased juror pay requires the comptroller to dedicate future incoming funds to pay any existing shortfalls first.

<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
\$10,802,000	\$10,802,000	\$9,181,700	\$9,181,700 & UB

Source: LBB Budget Recommendations, Judiciary Section, Comptroller's Department, Page IV-49

Article V Public Safety and Criminal Justice

Texas Department of Criminal Justice

33. Close the Central unit in Sugarland, Texas in Fort Bend County (\$31.1m cut).

Source: LBB Summary of Legislative Budget Estimates, Article V, page 157 and HB 1, Page V-28, Rider 58

34. Eliminate academic/vocational training at TDCJ (\$4.8m cut).

Analysis: Elimination of educational training will leave parolees with fewer options for legitimate work.

<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
\$2,508,565	\$2,332,714	\$0	\$0

Source: LBB Legislative Budget recommendations, strategy C.2.2, page V-10

35. Eliminate Project RIO (Re-Integration of Offenders) (\$9.4m cut).

Analysis: Elimination of integration programs will increase the likelihood parolees will reoffend.

<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
\$4,684,794	\$4,809,423	\$0	\$0

Source: LBB Legislative Budget recommendations, strategy C.2.3, page V-10

36. Reduce by 44 % in-prison substance abuse treatment and coordination (\$33m cut).

<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
\$36,498,284	\$38,262,187	\$20,839,752	\$20,839,754

Source: LBB Legislative Budget recommendations, strategy C.2.6, page V-11

37. Reduce by 20% prison diversion programs (treatment alternatives, community corrections, etc.) (\$106m cut).

<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
\$273,612,879	\$286,024,332	\$220,576,139	\$222,975,344

Source: LBB Legislative Budget recommendations, page V-10

38. Parole re-entry supervision and residential facilities (halfway houses, intermediate sanction facilities, etc.) funding reduced by 8.9%.

Analysis: Fewer opportunities for supervision and reentry assistance reduce the likelihood of a successful parole.

<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
\$150,866,097	\$159,034,914	\$141,105,518	\$141,105,515

Source: LBB Legislative Budget recommendations, page V-11

39. Harris County Community Corrections Facility funding rider is deleted.

Source: HB 1, Page V-28, Rider 7

Commission on Jail Standards

40. Require Counties to pay fees to fund jail inspections (\$0.6 cut).

Analysis: Changing Jail inspections to fee-based shifts the focus of jail standards to creating income from inspections and re-inspections. Counties will bear the costs of compliance with standards and for the inspections to prove compliance.

<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
\$362,414(GR)	\$362,414 (GR)	\$40,470 (GR)	\$40,469 (GR)
\$0	\$0	\$288,200	\$288,200

Source: LBB Summary of Legislative Budget Estimates, Article V, page 161 and HB 1, page V-36, Rider 2

Department of Public Safety

41. Reduces by 17% funding for border security.

<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
\$13,691,474	\$9,671,199	\$9,736,024	\$9,736,023

Source LBB Legislative Budget Recommendations, Page V-29

Texas Juvenile Probation Commission

42. Reduces mandatory JJAEP reimbursement from \$79 to \$59 (Also removes statement of adequate funding).

Analysis: Counties previously fought to get to \$79 because \$59 is not adequate to reimburse counties for their costs. The removal of the statement of adequate funding removes the ability of a county to make do with the funding provided.

<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
\$11,883,376	\$11,905,771	\$8,570,701	\$8,614,302

Source: LBB Summary of Legislative Budget Estimates, Article V, page 163 and HB 1, page V-39, Rider 5

43. Harris County Boot Camp funding zeroed out.

Source: LBB Legislative Budget Recommendations, Article V, page V-22 and HB 1, page V-40, deleted Rider 5

44. Juvenile Probation cuts equate to \$11m cut in probation services.

Analysis: While the "Probation Training" strategy (C.1.1) appears to have taken a large cut, the IV-E funds that were previously in that strategy have been moved to the "Basic Probation Services" (A.1.1.) strategy which creates an actual loss in probation services.

Source: LBB Legislative Budget Recommendations, Article V, Strategies A.1.1 and, C.1.1., page V-22

Texas Youth Commission

45. Reduction in TYC capacity from 1,783 to 1,600 beds.

Source: HB 1, Page V-69, Rider 22

Article VI Natural Resources

Texas Commission on Environmental Quality

46. TERP cut by 50% (\$114.3m for the biennium).

Analysis: The state continues to starve TERP to certify the budget; TERP funds will soon be vital to keep the state's urban areas in attainment of the Clean Air Act.

<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
\$182,505,601	\$249,403,615	\$96,046,069	\$92,422,977

Source: LBB Summary of Legislative Budget Estimates, Article VI, page 174; LBB Legislative Budget Recommendations, Article VI, page VI-12; and HB 1, page VI-24, Rider 21

47. Eliminates funding for (LIRAP) (\$100m for the biennium) and the Local Initiative Program (\$10m included in the larger amount).

Analysis: LIRAP has been a very successful program, not only removing hundreds of polluting cars from the roads, but also providing funds for local air quality projects.

Source: LBB Summary of Legislative Budget Estimates, Article VI, pages 174 and 181; and HB 1, page VI-22, deleted Rider 16

48. 53% reduction for solid waste planning.

<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
\$12,186,324	\$10,986,324	\$5,493,162	\$5,493,162

Source: LBB Summary of Legislative Budget Estimates, Article VI, pages 185

General Land Office

49. Coastal Erosion Grants is increased.

Analysis: There is a decrease of \$24.9 million in Federal Funds, including a decrease of \$20.8 million due to the one-time appropriation of reimbursements from FEMA for debris cleanup. GR has been increased in anticipation of an increase in coastal erosion projects in which local governments will share the cost.

Source: LBB Summary of Legislative Budget Estimates, Article VI, page 196; LBB Legislative Budget Recommendations, Article VI, page VI-20; and HB 1, page VI-28

Parks and Wildlife Department

50. Virtually eliminates Local Park Grants, transfers 7 state parks to local governments.

<u>2010</u>	<u>2011</u>	<u>2012</u>	<u>2013</u>
\$20,779,929	\$10,392,128	\$434,480	\$434,480

Source: LBB Summary of Legislative Budget Estimates, Article VI, page 201; LBB Legislative Budget Recommendations, Article VI, page VI-26; and HB 1, page VI-35

Soil and Water Conservation Board

51. Eliminates the Flood Control Dam Grant Program (\$13.4m cut).

Analysis: Would end grants by the state soil and water conservation Board to Soil and Water Conservation districts to provide for maintenance of earthen dams for flood control. Eligible dams exist in: Bell, Bexar, Brazos, Collin, Comal, Dallas, Denton, Grayson, Guadalupe, Hays, Hunt, Johnson, Kaufman, McLennan, Rockwall, Williamson, and Wise counties.

Source: LBB Summary of Legislative Budget Estimates, Article VI, page 208

Water Development Board

52. Eliminates the Colonia self-help program (\$300,000 cut).

Analysis: No direct impact on county operations. These funds are primarily used to provide funding for sweat equity projects by colonia residents in economically distressed areas.

Source: HB 1, Page VI-65, deleted Rider 19

Article VII Business and Economic Development

Department of Motor Vehicles

53. Eliminates Automobile Burglary and Theft grants (\$31m cut) Dedicated Fund - \$1 fee from auto insurance.

Analysis: Several urban counties received some grant funding in 2011 for auto theft prevention purposes: Dallas, El Paso Galveston, Harris, Lubbock, Smith, Tarrant, and Travis.

Source: LBB Legislative Budget Recommendations, Article VII, page VII-12

Texas Department of Transportation

54. Cuts Transportation Planning, Design, and Management by 20% (\$243.5m for the biennium).

Source: LBB Summary of Legislative Budget Estimates, Article VII, Page 225

55. Cuts right-of-way acquisition by 32% (\$354.7m for the biennium).

Analysis: Extremely short sighted cut as the economy begins moving costs will rise, making projects more expensive.

Source: LBB Summary of Legislative Budget Estimates, Article VII, Page 225

56. Cuts Transportation Construction by 1% (\$47.5m for the biennium)

Source: LBB Summary of Legislative Budget Estimates, Article VII, Page 226

57. Increases Transportation Maintenance by 2.2% (\$122m for the biennium).

Source: LBB Summary of Legislative Budget Estimates, Article VII, Page 227

58. Increases by 50% rail transportation planning, design, construction and maintenance (\$17.8m for the biennium).

Source: LBB Summary of Legislative Budget Estimates, Article VII, Page 227

59. Increases funding for issuing overweight truck permits and increases by 9% the goal for permits issued. Adds a rider to require a study on road damage caused done by overweight trucks.

Source: LBB Legislative Budget Recommendations, Article VII, pages VII-21 and VII-26; HB1, Article VII, page VII-39, Rider 37