



Legislative Appropriations Request

Fiscal Years 2022 – 2023

**Submitted to the Office of the Governor, Budget Division,
and the Legislative Budget Board**

by

State Office of Administrative Hearings

September 23, 2020

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I – Administrator’s Statement

Administrator's Statement

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INTRODUCTION

The State Office of Administrative Hearings (SOAH) operates under Chapter 2003 of the Texas Government Code. Chapter 2003 charges SOAH to separate the adjudicative function from the investigative, prosecutorial, and policymaking functions within the executive department, and to centralize those hearings functions and their attendant administrative costs. To these ends, SOAH conducts administrative hearings in contested cases under the Administrative Procedure Act for agencies that do not employ hearing officers, other administrative hearings as required or permitted by law, and alternative dispute resolution proceedings. In a given year, SOAH will hear cases referred by more than fifty state agencies.

SOAH is headed by a Chief Administrative Law Judge (Chief ALJ), who is appointed by the Governor and subject to Senate confirmation. The current Chief ALJ is Kristofer S. Monson, of Driftwood, Texas. Chief Judge Monson was appointed to his second two-year appointment in 2020.

SOAH is headquartered in Austin, and the majority of its Administrative Law Judges (ALJs), staff, and hearing rooms are located in the William P. Clements Building. SOAH also has field offices in Corpus Christi, Dallas, El Paso, Fort Worth, Houston, Lubbock, and San Antonio. And SOAH utilizes a number of remote sites throughout the state, in cooperation with other governmental bodies, which are primarily used for the administration of administrative license revocation (ALR) hearings.

The hearings division is headed by the Deputy Chief for Hearings. All eight SOAH offices handle high volume caseloads, such as ALR, as well as other issues that are subject to statutory venue requirements, such as licensing decisions by the Texas Alcoholic Beverage Commission.

The Austin office handles more-complex matters, and is subdivided into teams. The largest number of Austin office ALJs is assigned to the general docket, and is divided into two teams: the Central Panel, which comprises less-experienced ALJs and focuses on shorter, less complex cases; and the Master Panel, which is comprised of "Master ALJs" and focuses on more-complex, multi-day cases. These attorneys share general-docket responsibilities with the Alternative Dispute Resolution (ADR) and Utilities teams, which take the lead in their specific subject matters. Two special-topic teams, Tax and IDEA (Individuals with Disabilities Education Act), comprise attorneys with specialized expertise who focus almost exclusively on those dockets. The various teams are supported by a docketing office, a core of secretaries and legal assistants, and a clerk, who is responsible for maintaining documents that will become part of the administrative record before the agency and during judicial review.

Most of SOAH's non-hearings functions are also housed in the Austin Office. The General Counsel and staff handle issues of statutory and rule compliance, implements the complaints-process required by Chapter 2003, and handles the agency's open records obligations. SOAH's operations staff is overseen by the agency's Chief Operating Officer and provides support for finance, budgeting, and purchasing; information technology services and support; and human resources. The Chief Operating Officer also serves as SOAH's Chief Financial Officer.

SUMMARY

SOAH's work consists of conducting administrative hearings and ADR proceedings upon referral by a governmental body. SOAH serves more than 50 agencies in a typical year, most of which are state agencies. In FY 2019, SOAH disposed of more than 35,000 cases.

SOAH has three methods of funding: General Revenue (GR), Interagency Contract (IAC), and appropriated receipts (a small fund used solely for coordinating the purchase of transcripts). Whether a particular category of hearings is funded by GR or an IAC varies by program. The majority of SOAH's IACs fall within Government

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Code section 2003.024, which provides for a lump-sum contract based on projected workload.

To project workload for the coming biennium, SOAH develops estimates for case referrals and casework hours for each referring agency, based on the past three years of data and other known factors. SOAH then provides this information to the referring agency and gives the agency the opportunity to provide its perspective on the projections. After collaborating with the referring agencies, SOAH finalizes its workload projections for the coming biennium based on all known information.

SOAH's appropriations request was compiled using zero-based budgeting.

KEY ISSUES

COVID-19 has required SOAH to accelerate its ongoing technology-modernization project. As a result, SOAH has been able to quickly move its proceedings to remote-hearings technology. This accelerated adoption of new technology has added some unforeseen costs related to technology maintenance for various information-technology resources, particularly the Zoom platform for providing remote hearings. The Zoom hearings have provided so many benefits, however, that SOAH plans to maintain a Zoom capability into the future, in order ultimately to save money and improve SOAH's ability to provide hearings to Texans throughout the state, without regard to geographic location or financial resources.

In early March, SOAH implemented the same electronic filing system used by the Texas courts, known as "EFile Texas." The EFile Texas implementation was part of a multi-year project to replace SOAH's antiquated document-management system with a modern Administrative Case Tracking System (ACTS) that will improve oversight and allow SOAH to provide better electronic records, in a form that will function better when the administrative record is forwarded to the district courts. When it is implemented in the summer of 2021, SOAH expects the new system to unlock new efficiencies and allow a better alignment of resources with the need for administrative hearings to protect constitutional rights.

This new system, and the efficiencies it allows, will require ongoing maintenance to realize its full promise. SOAH seeks an exceptional item to cover the cost of this maintenance during the new system's initial years.

Because EFile Texas was already in place, SOAH was able to maintain operations from the beginning of the COVID-19 shutdown. While the shutdown lowered the number of cases being filed by other agencies, SOAH had the opportunity to purchase additional laptops and transfer the bulk of operations to remote work. SOAH took that opportunity to implement a number of new programs, including adding Zoom video hearings to its already robust practice of telephonic hearings. SOAH also implemented a new system for accommodating public comment in Texas Commission on Environmental Quality permitting cases, through online forms and streaming on YouTube. As the number of cases filed has ramped back up, SOAH expects its volume of work to return to pre-Pandemic levels as the referring agencies ramp up the amount of work referred.

SOAH's default, in most cases, is to set hearings by Zoom videoconference. The Zoom hearings have been a significant improvement in service for several categories of cases within SOAH's jurisdiction. SOAH's mediators report that it is much easier to schedule and resolve alternative-dispute-resolution matters using the new technology. Videoconference technology has also improved the efficiency of many pre-trial proceedings; it allows parties to discuss and share documents and other evidence in real time, which is a great improvement on telephonic hearings. Moreover, video conferencing has relieved parties of the burden of finding transportation to and parking at the Austin office. SOAH anticipates that, as it improves its external website, videoconferencing will become a viable means of providing due process to

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Texans who live far from one of SOAH's facilities, while saving money for the State and for parties.

BASE REDUCTION

To meet the 5% base reduction, SOAH will continue to freeze four ALJ positions into the 2022/23 biennium.

EXEMPT POSITIONS

The Chief ALJ is the only exempt position within SOAH.

BACKGROUND CHECKS

For attorney positions, SOAH verifies that applicants are in good standing with the State Bar of Texas. For information technology employees, SOAH exercises its authority to conduct criminal background checks, pursuant to Chapter 411 of the Texas Government Code. If applicable to the position, SOAH also checks an applicant's driving record at the point of hire and annually thereafter.

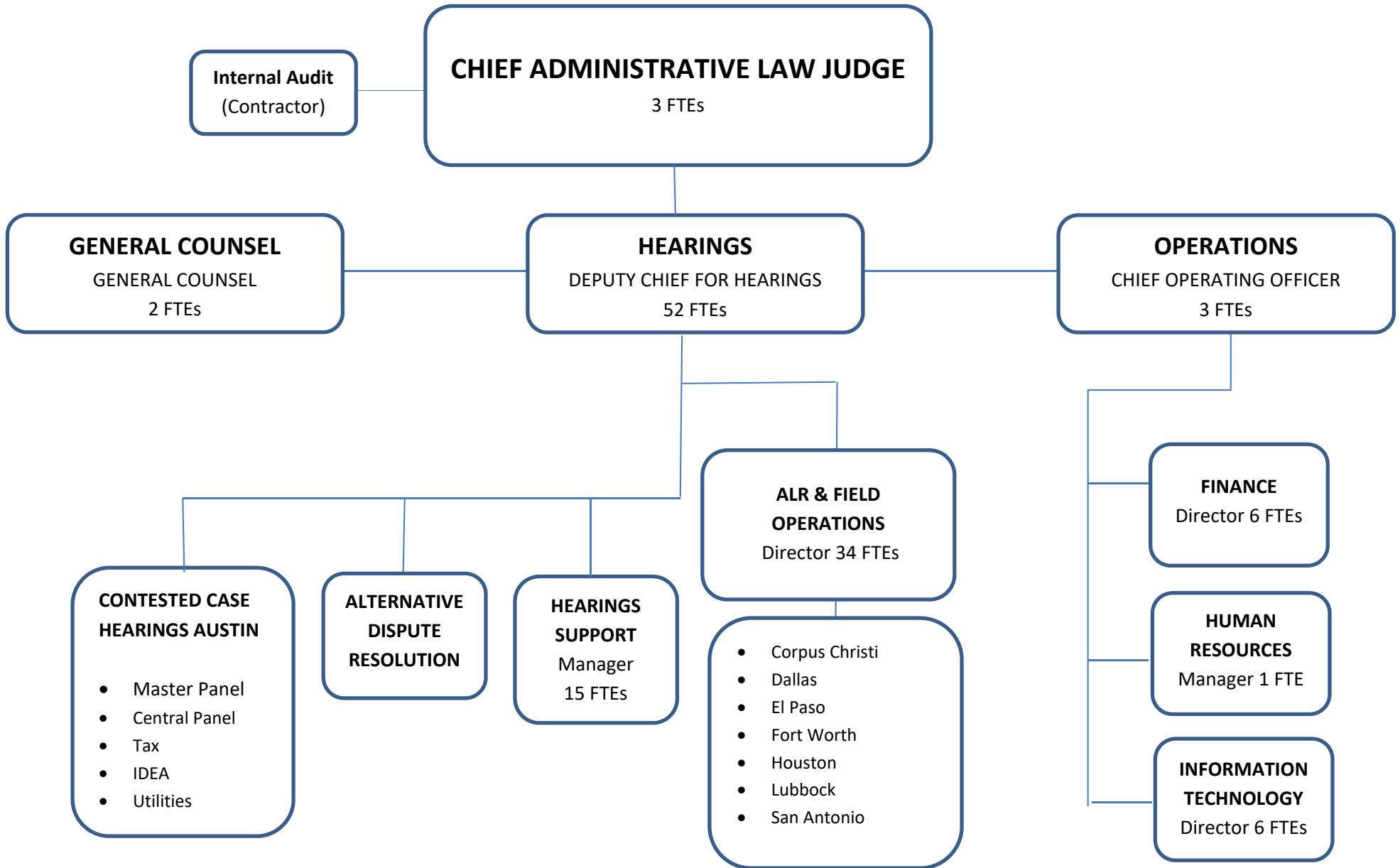
SOAH's lack of statutory authority to perform background checks of lawyers has hindered SOAH hiring. Certain programs require a criminal-background check for the ALJ to hear those specific cases, but SOAH's lack of authority to institute such checks has required it to rely on the services, and the scheduling, of other agencies. SOAH is requesting authority to perform background checks on potential hires in new legislation this session.

TRANSITION TO CAPPS

SOAH has already transitioned to the following modules in the State's Centralized Accounting and Payroll/Personnel System (CAPPS): Financials (September 2016), Human Resources/Payroll (July 2017), Performance Management (December 2017), and Recruit (May 2018).

STATE OFFICES OF ADMINISTRATIVE HEARINGS

Organization Chart





CERTIFICATE

Agency Name STATE OFFICES OF ADMINISTRATIVE HEARINGS (#360)

This is to certify that the information contained in the agency Legislative Appropriation Request filed with the Legislative Budget Board (LBB) and the Governor's Office Budget Division (Governor's Office) is accurate to the best of my knowledge and that the electronic submission to the LBB via the Automated Budget and Evaluation System of Texas (ABEST) and the PDF file submitted via the LBB Document Submission application are identical.

Additionally, should it become likely at any time that unexpended balances will accrue for any account, the LBB and the Governor's Office will be notified in writing in accordance with Article IX, Section 7.01 (2020-21 GAA).

Chief Administrative Law Judge



Signature

Kristofer S. Monson

Printed Name

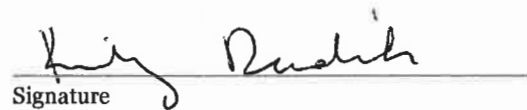
Chief Administrative Law Judge

Title

September 23, 2020

Date

Chief Financial Officer



Signature

Kimberly Dudish

Printed Name

Chief Operating Officer

Title

September 23, 2020

Date

II – Summary of Request

2.A. Summary of Base Request by Strategy

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360 State Office of Administrative Hearings

Goal / Objective / STRATEGY	Exp 2019	Est 2020	Bud 2021	Req 2022	Req 2023
1 Provide for a Fair and Efficient Administrative Hearings Process					
1 <i>Ensure that All Hearings are Conducted in a Fair and Impartial Manner</i>					
1 CONDUCT HEARINGS	11,186,953	9,090,904	10,047,871	9,194,990	9,194,989
2 <i>Provide an Opportunity for Alternative Dispute Resolution Proceedings</i>					
1 CONDUCT ALT DISPUTE RESOLUTION	242,924	246,736	249,234	246,237	246,237
TOTAL, GOAL 1	\$11,429,877	\$9,337,640	\$10,297,105	\$9,441,227	\$9,441,226
2 Indirect Administration					
1 <i>Indirect Administration</i>					
1 INDIRECT ADMINISTRATION	1,823,703	1,747,219	1,850,059	1,784,785	1,784,785
TOTAL, GOAL 2	\$1,823,703	\$1,747,219	\$1,850,059	\$1,784,785	\$1,784,785
TOTAL, AGENCY STRATEGY REQUEST	\$13,253,580	\$11,084,859	\$12,147,164	\$11,226,012	\$11,226,011
TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST*				\$0	\$0
GRAND TOTAL, AGENCY REQUEST	\$13,253,580	\$11,084,859	\$12,147,164	\$11,226,012	\$11,226,011

2.A. Summary of Base Request by Strategy

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360 State Office of Administrative Hearings

Goal / Objective / STRATEGY	Exp 2019	Est 2020	Bud 2021	Req 2022	Req 2023
METHOD OF FINANCING:					
General Revenue Funds:					
1 General Revenue Fund	8,588,979	6,317,759	7,235,064	6,776,412	6,776,411
SUBTOTAL	\$8,588,979	\$6,317,759	\$7,235,064	\$6,776,412	\$6,776,411
Other Funds:					
666 Appropriated Receipts	50,544	35,000	80,000	60,000	60,000
777 Interagency Contracts	4,614,057	4,732,100	4,832,100	4,389,600	4,389,600
SUBTOTAL	\$4,664,601	\$4,767,100	\$4,912,100	\$4,449,600	\$4,449,600
TOTAL, METHOD OF FINANCING	\$13,253,580	\$11,084,859	\$12,147,164	\$11,226,012	\$11,226,011

*Rider appropriations for the historical years are included in the strategy amounts.

2.B. Summary of Base Request by Method of Finance

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Automated Budget and Evaluation System of Texas (ABEST)

Agency code: **360**

Agency name: **State Office of Administrative Hearings**

METHOD OF FINANCING	Exp 2019	Est 2020	Bud 2021	Req 2022	Req 2023
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GENERAL REVENUE

1 General Revenue Fund

REGULAR APPROPRIATIONS

Regular Appropriations from MOF Table (2018-19 GAA)

\$7,141,646	\$0	\$0	\$0	\$0
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Regular Appropriations from MOF Table (2020-21 GAA)

\$0	\$7,133,065	\$7,133,065	\$0	\$0
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Regular Appropriations from MOF Table (2022-23 GAA)

\$0	\$0	\$0	\$6,776,412	\$6,776,411
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RIDER APPROPRIATION

Article VIII, Rider 9 UB and Capital Authority (2018-19 GAA) - Case Management System

\$1,420,000	\$0	\$0	\$0	\$0
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Art IX, Sec 14.03(i), Capital Budget UB (2018-19 GAA) - Case Management System

\$75,000	\$0	\$0	\$0	\$0
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Art IX, Sec 14.03(i), Capital Budget UB (2018-19 GAA) - DCS Disaster Recovery

\$46,016	\$0	\$0	\$0	\$0
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2.B. Summary of Base Request by Method of Finance

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Agency code: 360	Agency name: State Office of Administrative Hearings				
METHOD OF FINANCING	Exp 2019	Est 2020	Bud 2021	Req 2022	Req 2023
<u>GENERAL REVENUE</u>					
Art IX, Sec 14.03(i), Capital Budget UB (2018-19 GAA) - PC Replacement	\$1,827	\$0	\$0	\$0	\$0
Art IX, Sec 14.03(i), Capital Budget UB (2020-21 GAA) - Case Management System	\$0	\$(75,000)	\$75,000	\$0	\$0
Art IX, Sec 14.03(i), Capital Budget UB (2020-21 GAA) - DCS Disaster Recovery	\$0	\$(26,999)	\$26,999	\$0	\$0
<i>LAPSED APPROPRIATIONS</i>					
Committed Lapse - Case Management System	\$(54,521)	\$0	\$0	\$0	\$0
Committed Lapse - DCS Disaster Recovery	\$(40,474)	\$0	\$0	\$0	\$0
Committed Lapse - PC Replacement	\$(515)	\$0	\$0	\$0	\$0

2.B. Summary of Base Request by Method of Finance

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Agency code:	360	Agency name:	State Office of Administrative Hearings			
METHOD OF FINANCING		Exp 2019	Est 2020	Bud 2021	Req 2022	Req 2023
<u>GENERAL REVENUE</u>						
	Biennium 5% Reduction Plan	\$0	\$(713,307)	\$0	\$0	\$0
TOTAL,	General Revenue Fund	\$8,588,979	\$6,317,759	\$7,235,064	\$6,776,412	\$6,776,411
TOTAL, ALL	GENERAL REVENUE	\$8,588,979	\$6,317,759	\$7,235,064	\$6,776,412	\$6,776,411

OTHER FUNDS

666 Appropriated Receipts

REGULAR APPROPRIATIONS

Regular Appropriations from MOF Table (2018-19 GAA)

\$100,000 \$0 \$0 \$0 \$0

Regular Appropriations from MOF Table (2020-21 GAA)

\$0 \$80,000 \$80,000 \$0 \$0

Regular Appropriations from MOF Table (2022-23 GAA)

\$0 \$0 \$0 \$60,000 \$60,000

LAPSED APPROPRIATIONS

2.B. Summary of Base Request by Method of Finance

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Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 360		Agency name: State Office of Administrative Hearings				
METHOD OF FINANCING		Exp 2019	Est 2020	Bud 2021	Req 2022	Req 2023
<u>OTHER FUNDS</u>						
	Collected Lapse	\$ (44)	\$ 0	\$ 0	\$ 0	\$ 0
	Revenue Not Collected	\$ (49,412)	\$ (45,000)	\$ 0	\$ 0	\$ 0
	Comments: 2019 Appropriated Receipts lapses were due to the agency receiving fewer transcript requests than anticipated.					
TOTAL,	Appropriated Receipts	\$50,544	\$35,000	\$80,000	\$60,000	\$60,000
<u>777</u>	Interagency Contracts					
	<i>REGULAR APPROPRIATIONS</i>					
	Regular Appropriations from MOF Table (2018-19 GAA)	\$4,390,852	\$ 0	\$ 0	\$ 0	\$ 0
	Regular Appropriations from MOF Table (2020-21 GAA)	\$ 0	\$4,832,100	\$4,832,100	\$ 0	\$ 0
	Regular Appropriations from MOF Table (2022-23 GAA)	\$ 0	\$ 0	\$ 0	\$4,389,600	\$4,389,600

2.B. Summary of Base Request by Method of Finance

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Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 360		Agency name: State Office of Administrative Hearings				
METHOD OF FINANCING		Exp 2019	Est 2020	Bud 2021	Req 2022	Req 2023
<u>OTHER FUNDS</u>						
<i>RIDER APPROPRIATION</i>						
Excess Collected Revenue, Art IX, Sec 8.02, Reimbursements and Payments (2018-19 GAA)						
		\$881,532	\$0	\$0	\$0	\$0
Excess Collected Revenue, Art IX, Sec 8.02, Reimbursements and Payments (2020-21 GAA)						
		\$0	\$99,167	\$0	\$0	\$0
<i>LAPSED APPROPRIATIONS</i>						
Excess Collected Revenue Lapse						
		\$(658,327)	\$(99,167)	\$0	\$0	\$0
Lapse Collected Revenue						
		\$0	\$(100,000)	\$0	\$0	\$0
TOTAL,	Interagency Contracts	\$4,614,057	\$4,732,100	\$4,832,100	\$4,389,600	\$4,389,600
TOTAL, ALL	OTHER FUNDS	\$4,664,601	\$4,767,100	\$4,912,100	\$4,449,600	\$4,449,600
GRAND TOTAL		\$13,253,580	\$11,084,859	\$12,147,164	\$11,226,012	\$11,226,011

2.B. Summary of Base Request by Method of Finance

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Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 360	Agency name: State Office of Administrative Hearings				
METHOD OF FINANCING	Exp 2019	Est 2020	Bud 2021	Req 2022	Req 2023
FULL-TIME-EQUIVALENT POSITIONS					
REGULAR APPROPRIATIONS					
Regular Appropriations from MOF Table (2018-19 GAA)	123.0	0.0	0.0	0.0	0.0
Regular Appropriations from MOF Table (2020-21 GAA)	0.0	123.0	123.0	0.0	0.0
Regular Appropriations from MOF Table (2022-23 GAA)	0.0	0.0	0.0	123.0	123.0
LAPSED APPROPRIATIONS					
Vacancy Equivalents	0.0	0.0	0.0	(4.0)	(4.0)
Comments: 5% Reduction positions held vacant.					
UNAUTHORIZED NUMBER OVER (BELOW) CAP					
Unauthorized Number Over(Below) Cap (2018-2019 GAA)	(10.2)	0.0	0.0	0.0	0.0
Comments: Vacancy and Turnover Equivalents.					
Unauthorized Number Over(Below) Cap (2020-2021 GAA)	0.0	(5.0)	0.0	0.0	0.0
Comments: Vacancy and Turnover Equivalents.					
Unauthorized Number Over(Below) Cap (2020-2021 GAA)	0.0	(8.0)	0.0	0.0	0.0
Comments: 5% Reduction positions held vacant.					
TOTAL, ADJUSTED FTES	112.8	110.0	123.0	119.0	119.0

2.B. Summary of Base Request by Method of Finance

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Automated Budget and Evaluation System of Texas (ABEST)

Agency code: **360**

Agency name: **State Office of Administrative Hearings**

METHOD OF FINANCING

Exp 2019

Est 2020

Bud 2021

Req 2022

Req 2023

**NUMBER OF 100% FEDERALLY FUNDED
FTEs**

0.0

0.0

0.0

0.0

0.0

2.C. Summary of Base Request by Object of Expense

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Automated Budget and Evaluation System of Texas (ABEST)

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OBJECT OF EXPENSE	Exp 2019	Est 2020	Bud 2021	BL 2022	BL 2023
1001 SALARIES AND WAGES	\$8,968,015	\$8,748,506	\$9,747,642	\$9,214,564	\$9,214,564
1002 OTHER PERSONNEL COSTS	\$338,692	\$254,345	\$360,853	\$233,132	\$233,131
2001 PROFESSIONAL FEES AND SERVICES	\$1,865,940	\$191,802	\$265,798	\$221,680	\$221,680
2003 CONSUMABLE SUPPLIES	\$34,046	\$22,495	\$31,408	\$22,125	\$22,125
2004 UTILITIES	\$128,891	\$185,681	\$197,133	\$186,276	\$186,276
2005 TRAVEL	\$125,110	\$52,728	\$98,977	\$88,000	\$88,000
2006 RENT - BUILDING	\$316,283	\$321,577	\$330,968	\$373,768	\$373,768
2007 RENT - MACHINE AND OTHER	\$39,634	\$49,381	\$51,750	\$44,800	\$44,800
2009 OTHER OPERATING EXPENSE	\$1,436,969	\$1,258,344	\$1,062,635	\$841,667	\$841,667
OOE Total (Excluding Riders)	\$13,253,580	\$11,084,859	\$12,147,164	\$11,226,012	\$11,226,011
OOE Total (Riders)					
Grand Total	\$13,253,580	\$11,084,859	\$12,147,164	\$11,226,012	\$11,226,011

2.D. Summary of Base Request Objective Outcomes
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 Automated Budget and Evaluation system of Texas (ABEST)

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360 State Office of Administrative Hearings

Goal/ Objective / Outcome	Exp 2019	Est 2020	Bud 2021	BL 2022	BL 2023
1 Provide for a Fair and Efficient Administrative Hearings Process					
1 <i>Ensure that All Hearings are Conducted in a Fair and Impartial Manner</i>					
KEY 1 Percentage of Participants Surveyed Satisfied with Overall Process					
	90.58%	92.00%	92.00%	92.00%	92.00%
KEY 2 % of Proposed Tax Decisions Issued within 60 Days of Record Closing					
	100.00%	100.00%	100.00%	100.00%	100.00%
2 <i>Provide an Opportunity for Alternative Dispute Resolution Proceedings</i>					
KEY 1 Percentage of Participants Surveyed Satisfied with Overall ADR Process					
	97.03%	94.00%	94.00%	94.00%	94.00%

2.E. Summary of Exceptional Items Request
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 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 9/23/2020
 TIME : 12:21:58PM

Agency code: 360

Agency name: State Office of Administrative Hearings

Priority	Item	2022			2023			Biennium	
		GR and GR/GR Dedicated	All Funds	FTEs	GR and GR Dedicated	All Funds	FTEs	GR and GR Dedicated	All Funds
1	ACTS Maintenance	\$125,000	\$125,000	0.0	\$125,000	\$125,000	0.0	\$250,000	\$250,000
Total, Exceptional Items Request		\$125,000	\$125,000	0.0	\$125,000	\$125,000	0.0	\$250,000	\$250,000
Method of Financing									
	General Revenue	\$125,000	\$125,000		\$125,000	\$125,000		\$250,000	\$250,000
	General Revenue - Dedicated								
	Federal Funds								
	Other Funds								
		\$125,000	\$125,000		\$125,000	\$125,000		\$250,000	\$250,000
Full Time Equivalent Positions				0.0				0.0	
Number of 100% Federally Funded FTEs				0.0				0.0	

2.F. Summary of Total Request by Strategy
 87th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE : 9/23/2020
 TIME : 12:21:58PM

Agency code: 360 Agency name: State Office of Administrative Hearings

	Base	Base	Exceptional	Exceptional	Total Request	Total Request
Goal/Objective/STRATEGY						
1 Provide for a Fair and Efficient Administrative Hearings Process						
1 <i>Ensure that All Hearings are Conducted in a Fair and Impartial Ma</i>						
1 CONDUCT HEARINGS	\$9,194,990	\$9,194,989	\$125,000	\$125,000	\$9,319,990	\$9,319,989
2 <i>Provide an Opportunity for Alternative Dispute Resolution Proceedi</i>						
1 CONDUCT ALT DISPUTE RESOLUTION	246,237	246,237	0	0	246,237	246,237
TOTAL, GOAL 1	\$9,441,227	\$9,441,226	\$125,000	\$125,000	\$9,566,227	\$9,566,226
2 Indirect Administration						
1 <i>Indirect Administration</i>						
1 INDIRECT ADMINISTRATION	1,784,785	1,784,785	0	0	1,784,785	1,784,785
TOTAL, GOAL 2	\$1,784,785	\$1,784,785	\$0	\$0	\$1,784,785	\$1,784,785
TOTAL, AGENCY STRATEGY REQUEST	\$11,226,012	\$11,226,011	\$125,000	\$125,000	\$11,351,012	\$11,351,011
TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST						
GRAND TOTAL, AGENCY REQUEST	\$11,226,012	\$11,226,011	\$125,000	\$125,000	\$11,351,012	\$11,351,011

2.F. Summary of Total Request by Strategy
 87th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE : 9/23/2020
 TIME : 12:21:58PM

Agency code: 360 Agency name: State Office of Administrative Hearings

<i>Goal/Objective/STRATEGY</i>	Base	Base	Exceptional	Exceptional	Total Request	Total Request
General Revenue Funds:						
1 General Revenue Fund	\$6,776,412	\$6,776,411	\$125,000	\$125,000	\$6,901,412	\$6,901,411
	\$6,776,412	\$6,776,411	\$125,000	\$125,000	\$6,901,412	\$6,901,411
Other Funds:						
666 Appropriated Receipts	60,000	60,000	0	0	60,000	60,000
777 Interagency Contracts	4,389,600	4,389,600	0	0	4,389,600	4,389,600
	\$4,449,600	\$4,449,600	\$0	\$0	\$4,449,600	\$4,449,600
TOTAL, METHOD OF FINANCING	\$11,226,012	\$11,226,011	\$125,000	\$125,000	\$11,351,012	\$11,351,011
FULL TIME EQUIVALENT POSITIONS	119.0	119.0	0.0	0.0	119.0	119.0

2.G. Summary of Total Request Objective Outcomes
 87th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation system of Texas (ABEST)

Date : 9/23/2020
 Time: 12:21:59PM

Agency code: 360

Agency name: State Office of Administrative Hearings

Goal/ Objective / Outcome

		BL	BL	Excp	Excp	Total	Total
		2022	2023	2022	2023	Request	Request
						2022	2023
1	Provide for a Fair and Efficient Administrative Hearings Process						
1	<i>Ensure that All Hearings are Conducted in a Fair and Impartial Manner</i>						
KEY	1 Percentage of Participants Surveyed Satisfied with Overall Process						
		92.00%	92.00%			92.00%	92.00%
KEY	2 % of Proposed Tax Decisions Issued within 60 Days of Record Closing						
		100.00%	100.00%			100.00%	100.00%
2	<i>Provide an Opportunity for Alternative Dispute Resolution Proceedings</i>						
KEY	1 Percentage of Participants Surveyed Satisfied with Overall ADR Process						
		94.00%	94.00%			94.00%	94.00%

III – Strategy and Rider Revision Request

360 State Office of Administrative Hearings

GOAL: 1 Provide for a Fair and Efficient Administrative Hearings Process
 OBJECTIVE: 1 Ensure that All Hearings are Conducted in a Fair and Impartial Manner
 STRATEGY: 1 Conduct Hearings and Prepare Proposals for Decisions and Final Orders

Service Categories:

Service: 01 Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2019	Est 2020	Bud 2021	BL 2022	BL 2023
Output Measures:						
KEY 1	Number of Hours Billed (General Docket Hearings and ALR Hearings)	73,878.75	68,000.00	80,400.00	74,300.00	74,300.00
KEY 2	Number of Administrative License Revocation Cases Disposed	29,887.00	18,800.00	25,000.00	22,800.00	22,800.00
KEY 3	Number of General Docket Cases Disposed	5,346.00	3,600.00	5,900.00	4,900.00	4,900.00
KEY 4	Percent of Available Administrative Law Judge Time Spent on Case Work	76.50 %	76.25 %	75.00 %	75.00 %	75.00 %
KEY 5	Percent of Case Time Spent on General Docket (Non-ALR) Cases	64.00 %	66.00 %	66.00 %	66.00 %	66.00 %
KEY 6	# of Proposals for Decision Related to Tax Hearings Issued by ALJs	271.00	400.00	400.00	377.00	377.00
Efficiency Measures:						
KEY 1	Average # of Days from Close of Record to PFD or Final Order Issuance	26.00	40.00	40.00	40.00	40.00
KEY 2	Median Number of Days to Dispose Case	104.00	75.00	75.00	75.00	75.00
KEY 3	Avg Days to Issue Proposed Tax Decision Following Record Closing	7.79	9.00	9.00	9.00	9.00

Explanatory/Input Measures:

360 State Office of Administrative Hearings

GOAL: 1 Provide for a Fair and Efficient Administrative Hearings Process
 OBJECTIVE: 1 Ensure that All Hearings are Conducted in a Fair and Impartial Manner
 STRATEGY: 1 Conduct Hearings and Prepare Proposals for Decisions and Final Orders

Service Categories:

Service: 01 Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2019	Est 2020	Bud 2021	BL 2022	BL 2023
KEY 1	Number of Administrative License Revocation Cases Received	27,045.00	18,200.00	25,300.00	22,800.00	22,800.00
KEY 2	Number of General Docket Cases Received	6,992.00	3,600.00	5,900.00	4,900.00	4,900.00
KEY 3	Number of Agencies Served	55.00	50.00	50.00	50.00	50.00
4	Number of Complaints Received Regarding Hearing Process	6.00	5.00	5.00	5.00	5.00
5	Percent of PFDs Changed, Vacated or Modified by Governing Boards	5.91 %	5.00 %	5.00 %	5.00 %	5.00 %
Objects of Expense:						
1001	SALARIES AND WAGES	\$7,214,031	\$6,996,150	\$7,954,132	\$7,423,332	\$7,423,332
1002	OTHER PERSONNEL COSTS	\$291,989	\$215,425	\$300,000	\$175,132	\$175,131
2001	PROFESSIONAL FEES AND SERVICES	\$1,815,620	\$180,541	\$255,798	\$207,843	\$207,843
2003	CONSUMABLE SUPPLIES	\$30,528	\$20,296	\$30,000	\$20,000	\$20,000
2004	UTILITIES	\$119,025	\$173,719	\$185,000	\$173,011	\$173,011
2005	TRAVEL	\$121,093	\$48,427	\$92,000	\$85,000	\$85,000
2006	RENT - BUILDING	\$316,115	\$321,475	\$330,605	\$373,618	\$373,618
2007	RENT - MACHINE AND OTHER	\$37,458	\$42,931	\$45,000	\$38,800	\$38,800
2009	OTHER OPERATING EXPENSE	\$1,241,094	\$1,091,940	\$855,336	\$698,254	\$698,254

360 State Office of Administrative Hearings

GOAL: 1 Provide for a Fair and Efficient Administrative Hearings Process
 OBJECTIVE: 1 Ensure that All Hearings are Conducted in a Fair and Impartial Manner
 STRATEGY: 1 Conduct Hearings and Prepare Proposals for Decisions and Final Orders

Service Categories:
 Service: 01 Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2019	Est 2020	Bud 2021	BL 2022	BL 2023
TOTAL, OBJECT OF EXPENSE		\$11,186,953	\$9,090,904	\$10,047,871	\$9,194,990	\$9,194,989
Method of Financing:						
1	General Revenue Fund	\$7,244,574	\$5,177,715	\$5,983,565	\$5,543,828	\$5,543,827
SUBTOTAL, MOF (GENERAL REVENUE FUNDS)		\$7,244,574	\$5,177,715	\$5,983,565	\$5,543,828	\$5,543,827
Method of Financing:						
666	Appropriated Receipts	\$50,544	\$35,000	\$80,000	\$60,000	\$60,000
777	Interagency Contracts	\$3,891,835	\$3,878,189	\$3,984,306	\$3,591,162	\$3,591,162
SUBTOTAL, MOF (OTHER FUNDS)		\$3,942,379	\$3,913,189	\$4,064,306	\$3,651,162	\$3,651,162
TOTAL, METHOD OF FINANCE (INCLUDING RIDERS)					\$9,194,990	\$9,194,989
TOTAL, METHOD OF FINANCE (EXCLUDING RIDERS)		\$11,186,953	\$9,090,904	\$10,047,871	\$9,194,990	\$9,194,989
FULL TIME EQUIVALENT POSITIONS:		91.1	88.7	101.0	97.0	97.0
STRATEGY DESCRIPTION AND JUSTIFICATION:						

360 State Office of Administrative Hearings

GOAL: 1 Provide for a Fair and Efficient Administrative Hearings Process
 OBJECTIVE: 1 Ensure that All Hearings are Conducted in a Fair and Impartial Manner Service Categories:
 STRATEGY: 1 Conduct Hearings and Prepare Proposals for Decisions and Final Orders Service: 01 Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2019	Est 2020	Bud 2021	BL 2022	BL 2023
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Tex. Gov't Code § 2003.021(b) requires SOAH to conduct all administrative hearings in contested cases under Gov't Code ch. 2001 for state agencies that do not employ hearings officers; requires SOAH to conduct administrative hearings in matters for which SOAH is required to conduct the hearing under other law; and authorizes SOAH to conduct for a fee and under a contract administrative hearings in matters voluntarily referred to SOAH by a governmental entity. In addition, Tex. Transp. Code chs. 522, 524, and 724 require SOAH to conduct administrative license revocation (ALR) hearings to determine whether a person's driver's license should be administratively suspended or denied because the person had an intoxication level above the legal limit while driving or boating or because the person refused to submit to a breath or blood test to determine intoxication. The ALR hearings comprise approximately 33% of SOAH's casework. The strategy includes the docketing section's responsibilities to receive agencies' requests to initiate cases before SOAH; receive and distribute pleadings; open, maintain, and close all SOAH case files; schedule hearings rooms; and prepare daily hearing dockets. Docketing is SOAH's direct link with all referring agencies and other parties involved in pending cases. Additional duties include capturing data SOAH uses to calculate performance measures.

EXTERNAL/INTERNAL FACTORS IMPACTING STRATEGY:

SOAH's hearings workload and the related budgetary requirements are directly related to the cases filed with SOAH by approximately 50 state agencies and governmental entities within SOAH's jurisdiction. The hearings requirements may be affected by population or economic growth, changes in the referring agencies' regulatory authority, increases in referring agencies' funding for enforcement or regulation, and the effectiveness of public education or awareness programs, for example, on the dangers of driving while intoxicated.

360 State Office of Administrative Hearings

GOAL: 1 Provide for a Fair and Efficient Administrative Hearings Process
 OBJECTIVE: 1 Ensure that All Hearings are Conducted in a Fair and Impartial Manner
 STRATEGY: 1 Conduct Hearings and Prepare Proposals for Decisions and Final Orders

Service Categories:
 Service: 01 Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2019	Est 2020	Bud 2021	BL 2022	BL 2023
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EXPLANATION OF BIENNIAL CHANGE (includes Rider amounts):

<u>STRATEGY BIENNIAL TOTAL - ALL FUNDS</u>		<u>BIENNIAL</u>	<u>EXPLANATION OF BIENNIAL CHANGE</u>	
Base Spending (Est 2020 + Bud 2021)	Baseline Request (BL 2022 + BL 2023)	CHANGE	\$ Amount	Explanation(s) of Amount (must specify MOFs and FTEs)
\$19,138,775	\$18,389,979	\$(748,796)	\$95,156	Rent Increases, GR.
			\$(22,880)	COVID-19 Pandemic resources, GR.
			\$(43,944)	COVID-19 Zoom technology resources, GR.
			\$(30,000)	Field Office moves - Corpus Christi & Lubbock, GR.
			\$(237,865)	Staff Augmentation, IAC.
			\$(143,064)	Employee Retirements, IAC.
			\$(33,848)	Furniture, IAC.
			\$(150,351)	Internal/External Website Design, IAC.
			\$(172,000)	Field Hearing Rooms Audio Equipment, IAC.
			\$(10,000)	Print Savings, IAC.
			\$(748,796)	Total of Explanation of Biennial Change

360 State Office of Administrative Hearings

GOAL: 1 Provide for a Fair and Efficient Administrative Hearings Process
 OBJECTIVE: 2 Provide an Opportunity for Alternative Dispute Resolution Proceedings Service Categories:
 STRATEGY: 1 Conduct Alternative Dispute Resolution Proceedings Service: 01 Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2019	Est 2020	Bud 2021	BL 2022	BL 2023
Output Measures:						
1	Number of Hours Billed to Alternative Dispute Resolution Cases	2,252.00	2,500.00	2,000.00	2,000.00	2,000.00
2	Number of Cases Resolved through Alternative Dispute Resolution	139.00	100.00	100.00	100.00	100.00
Efficiency Measures:						
KEY 1	Median Number of Days to Dispose Alternative Dispute Resolution Cases	82.00	90.00	90.00	90.00	90.00
Explanatory/Input Measures:						
KEY 1	Number of Alternative Dispute Resolution Cases Requested or Referred	190.00	110.00	110.00	110.00	110.00
Objects of Expense:						
1001	SALARIES AND WAGES	\$233,009	\$240,626	\$239,891	\$240,626	\$240,626
1002	OTHER PERSONNEL COSTS	\$2,940	\$1,900	\$4,337	\$2,000	\$2,000
2005	TRAVEL	\$355	\$600	\$0	\$0	\$0
2009	OTHER OPERATING EXPENSE	\$6,620	\$3,610	\$5,006	\$3,611	\$3,611
TOTAL, OBJECT OF EXPENSE		\$242,924	\$246,736	\$249,234	\$246,237	\$246,237

Method of Financing:

360 State Office of Administrative Hearings

GOAL: 1 Provide for a Fair and Efficient Administrative Hearings Process
 OBJECTIVE: 2 Provide an Opportunity for Alternative Dispute Resolution Proceedings Service Categories:
 STRATEGY: 1 Conduct Alternative Dispute Resolution Proceedings Service: 01 Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2019	Est 2020	Bud 2021	BL 2022	BL 2023
1	General Revenue Fund	\$158,030	\$141,071	\$148,581	\$149,436	\$149,436
SUBTOTAL, MOF (GENERAL REVENUE FUNDS)		\$158,030	\$141,071	\$148,581	\$149,436	\$149,436
Method of Financing:						
777	Interagency Contracts	\$84,894	\$105,665	\$100,653	\$96,801	\$96,801
SUBTOTAL, MOF (OTHER FUNDS)		\$84,894	\$105,665	\$100,653	\$96,801	\$96,801
TOTAL, METHOD OF FINANCE (INCLUDING RIDERS)					\$246,237	\$246,237
TOTAL, METHOD OF FINANCE (EXCLUDING RIDERS)		\$242,924	\$246,736	\$249,234	\$246,237	\$246,237
FULL TIME EQUIVALENT POSITIONS:		2.0	2.0	2.0	2.0	2.0

STRATEGY DESCRIPTION AND JUSTIFICATION:

Tex. Gov't Code § 2003.021(b) requires SOAH to conduct alternative dispute resolution procedures that SOAH is required to conduct under law, and it authorizes SOAH to conduct for a fee and under a contract dispute resolution procedures in matters voluntarily referred to SOAH by a governmental entity. ADR comprises a variety of processes, ranging from formal arbitration to informal mediation, intended to resolve disputes through agreement of the parties. The form of ADR used most frequently at SOAH, mediation, is a confidential form of ADR that offers parties an opportunity to resolve their disputes without having an administrative hearing. In mediation, an impartial SOAH ALJ trained in mediation facilitates effective communication between the parties and helps them explore settlement options. By resolving disputes through mediation, the parties control the outcome and often save considerable effort and expense. The strategy also provides adequate support for ADR services.

360 State Office of Administrative Hearings

GOAL: 1 Provide for a Fair and Efficient Administrative Hearings Process
 OBJECTIVE: 2 Provide an Opportunity for Alternative Dispute Resolution Proceedings Service Categories:
 STRATEGY: 1 Conduct Alternative Dispute Resolution Proceedings Service: 01 Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2019	Est 2020	Bud 2021	BL 2022	BL 2023
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EXTERNAL/INTERNAL FACTORS IMPACTING STRATEGY:

SOAH's hearings and ADR workload and the related budgetary requirements are directly related to the cases filed with SOAH. Also, notwithstanding the assignment of qualified and experienced ALJs to conduct mediations, the proceedings may not always result in a successful settlement.

EXPLANATION OF BIENNIAL CHANGE (includes Rider amounts):

<u>STRATEGY BIENNIAL TOTAL - ALL FUNDS</u>		<u>BIENNIAL</u>	<u>EXPLANATION OF BIENNIAL CHANGE</u>	
<u>Base Spending (Est 2020 + Bud 2021)</u>	<u>Baseline Request (BL 2022 + BL 2023)</u>	<u>CHANGE</u>	<u>\$ Amount</u>	<u>Explanation(s) of Amount (must specify MOFs and FTEs)</u>
\$495,970	\$492,474	\$(3,496)	\$(3,496)	Employee Retirement, IAC.
			<u>\$(3,496)</u>	Total of Explanation of Biennial Change

360 State Office of Administrative Hearings

GOAL: 2 Indirect Administration
 OBJECTIVE: 1 Indirect Administration
 STRATEGY: 1 Indirect Administration

Service Categories:
 Service: 09 Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2019	Est 2020	Bud 2021	BL 2022	BL 2023
Objects of Expense:						
1001	SALARIES AND WAGES	\$1,520,975	\$1,511,730	\$1,553,619	\$1,550,606	\$1,550,606
1002	OTHER PERSONNEL COSTS	\$43,763	\$37,020	\$56,516	\$56,000	\$56,000
2001	PROFESSIONAL FEES AND SERVICES	\$50,320	\$11,261	\$10,000	\$13,837	\$13,837
2003	CONSUMABLE SUPPLIES	\$3,518	\$2,199	\$1,408	\$2,125	\$2,125
2004	UTILITIES	\$9,866	\$11,962	\$12,133	\$13,265	\$13,265
2005	TRAVEL	\$3,662	\$3,701	\$6,977	\$3,000	\$3,000
2006	RENT - BUILDING	\$168	\$102	\$363	\$150	\$150
2007	RENT - MACHINE AND OTHER	\$2,176	\$6,450	\$6,750	\$6,000	\$6,000
2009	OTHER OPERATING EXPENSE	\$189,255	\$162,794	\$202,293	\$139,802	\$139,802
TOTAL, OBJECT OF EXPENSE		\$1,823,703	\$1,747,219	\$1,850,059	\$1,784,785	\$1,784,785
Method of Financing:						
1	General Revenue Fund	\$1,186,375	\$998,973	\$1,102,918	\$1,083,148	\$1,083,148
SUBTOTAL, MOF (GENERAL REVENUE FUNDS)		\$1,186,375	\$998,973	\$1,102,918	\$1,083,148	\$1,083,148
Method of Financing:						
777	Interagency Contracts	\$637,328	\$748,246	\$747,141	\$701,637	\$701,637

360 State Office of Administrative Hearings

GOAL: 2 Indirect Administration
 OBJECTIVE: 1 Indirect Administration
 STRATEGY: 1 Indirect Administration

Service Categories:

Service: 09 Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2019	Est 2020	Bud 2021	BL 2022	BL 2023
SUBTOTAL, MOF (OTHER FUNDS)		\$637,328	\$748,246	\$747,141	\$701,637	\$701,637
TOTAL, METHOD OF FINANCE (INCLUDING RIDERS)					\$1,784,785	\$1,784,785
TOTAL, METHOD OF FINANCE (EXCLUDING RIDERS)		\$1,823,703	\$1,747,219	\$1,850,059	\$1,784,785	\$1,784,785
FULL TIME EQUIVALENT POSITIONS:		19.7	19.3	20.0	20.0	20.0

STRATEGY DESCRIPTION AND JUSTIFICATION:

This strategy provides SOAH with necessary administrative support in the areas of executive management, legal counsel, accounting, budgeting, billing, facilities management, information resources, human resources, payroll, employee benefits, and training. This area is also responsible for reporting agency information, including the legislatively mandated Hearings Activity Report and various special reports. These functions and reports are required and necessary for efficient and effective agency operations.

EXTERNAL/INTERNAL FACTORS IMPACTING STRATEGY:

Agency growth, workload increases and modernization of information technology positively effects the level of resources needed to provide these required services.

360 State Office of Administrative Hearings

GOAL: 2 Indirect Administration
 OBJECTIVE: 1 Indirect Administration
 STRATEGY: 1 Indirect Administration

Service Categories:
 Service: 09 Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2019	Est 2020	Bud 2021	BL 2022	BL 2023
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EXPLANATION OF BIENNIAL CHANGE (includes Rider amounts):

<u>STRATEGY BIENNIAL TOTAL - ALL FUNDS</u>		BIENNIAL	<u>EXPLANATION OF BIENNIAL CHANGE</u>	
Base Spending (Est 2020 + Bud 2021)	Baseline Request (BL 2022 + BL 2023)	CHANGE	\$ Amount	Explanation(s) of Amount (must specify MOFs and FTEs)
\$3,597,278	\$3,569,570	\$(27,708)	\$(26,533)	Internal/External Website Design, IAC.
			\$(1,175)	Print Savings, IAC.
			<u>\$(27,708)</u>	Total of Explanation of Biennial Change

3.A. Strategy Request

9/23/2020 12:21:59PM

87th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

SUMMARY TOTALS:

OBJECTS OF EXPENSE:	\$13,253,580	\$11,084,859	\$12,147,164	\$11,226,012	\$11,226,011
METHODS OF FINANCE (INCLUDING RIDERS):				\$11,226,012	\$11,226,011
METHODS OF FINANCE (EXCLUDING RIDERS):	\$13,253,580	\$11,084,859	\$12,147,164	\$11,226,012	\$11,226,011
FULL TIME EQUIVALENT POSITIONS:	112.8	110.0	123.0	119.0	119.0

3.B. Rider Revisions and Additions Request

Agency Code: 360	Agency Name: State Office of Administrative Hearings	Prepared By: Zachary Chandonnet	Date: 09/15/2020	Request Level: Base
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Current Rider Number	Page Number in 2020-21 GAA	Proposed Rider Language																																																																																
1.	VIII-2	<p>Performance Measure Targets. The following is a listing of the key performance target levels for the State Office of Administrative Hearings. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the State Office of Administrative Hearings. In order to achieve the objectives and service standards established by this Act, the State Office of Administrative Hearings shall make every effort to attain the following designated key performance target levels associated with each item of appropriation</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%;">A. Goal: ADMINISTRATIVE HEARINGS</td> <td style="width: 10%; text-align: center;"><u>2022</u></td> <td style="width: 10%; text-align: center;"><u>2020</u></td> <td style="width: 10%; text-align: center;"><u>2023</u></td> <td style="width: 10%; text-align: center;"><u>2021</u></td> </tr> <tr> <td>Outcome (Results/Impact):</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Percentage of Participants Surveyed Expressing Satisfaction with Overall Process</td> <td></td> <td style="text-align: center;">92%</td> <td></td> <td style="text-align: center;">92%</td> </tr> <tr> <td>Percentage of Proposed Decisions Related to Tax Hearings Issued by Administrative Law Judges within 60 days of Record Closing</td> <td></td> <td style="text-align: center;">100%</td> <td></td> <td style="text-align: center;">100%</td> </tr> <tr> <td>Percentage of Participants Surveyed Satisfied with Overall Alternative Dispute Resolution Process</td> <td></td> <td style="text-align: center;">94%</td> <td></td> <td style="text-align: center;">94%</td> </tr> <tr> <td>A.1.1. Strategy: CONDUCT HEARINGS</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Output (Volume):</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Number of Hours Billed (both for General Docket Hearings and Administrative License Revocation Hearings)</td> <td></td> <td style="text-align: center;"><u>74,300</u></td> <td style="text-align: center;">80,400</td> <td style="text-align: center;"><u>74,300</u></td> </tr> <tr> <td>Number of Administrative License Revocation Cases Disposed</td> <td></td> <td style="text-align: center;"><u>22,800</u></td> <td style="text-align: center;">25,000</td> <td style="text-align: center;"><u>22,800</u></td> </tr> <tr> <td>Number of General Docket Cases Disposed</td> <td></td> <td style="text-align: center;"><u>4,900</u></td> <td style="text-align: center;">5,900</td> <td style="text-align: center;"><u>4,900</u></td> </tr> <tr> <td>Percent of Available Administrative Law Judge Time Spent on Case Work</td> <td></td> <td style="text-align: center;">75%</td> <td></td> <td style="text-align: center;">75%</td> </tr> <tr> <td>Number of Proposals for Decision Related to Tax Hearings Issued by Administrative Law Judges</td> <td></td> <td style="text-align: center;"><u>377</u></td> <td style="text-align: center;">400</td> <td style="text-align: center;"><u>377</u></td> </tr> <tr> <td>Efficiencies:</td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td>Average Number of Days from Close of Record to Issuance of Proposal for Decision or Final Order Issuance</td> <td></td> <td style="text-align: center;">40</td> <td></td> <td style="text-align: center;">40</td> </tr> <tr> <td>Median Number of Days to Dispose Case</td> <td></td> <td style="text-align: center;">75</td> <td></td> <td style="text-align: center;">75</td> </tr> <tr> <td>Average Length of Time (Days) Taken to Issue a Proposed Decision Related to Tax Hearings Following Record Closing</td> <td></td> <td style="text-align: center;">9</td> <td></td> <td style="text-align: center;">9</td> </tr> </table>	A. Goal: ADMINISTRATIVE HEARINGS	<u>2022</u>	<u>2020</u>	<u>2023</u>	<u>2021</u>	Outcome (Results/Impact):					Percentage of Participants Surveyed Expressing Satisfaction with Overall Process		92%		92%	Percentage of Proposed Decisions Related to Tax Hearings Issued by Administrative Law Judges within 60 days of Record Closing		100%		100%	Percentage of Participants Surveyed Satisfied with Overall Alternative Dispute Resolution Process		94%		94%	A.1.1. Strategy: CONDUCT HEARINGS					Output (Volume):					Number of Hours Billed (both for General Docket Hearings and Administrative License Revocation Hearings)		<u>74,300</u>	80,400	<u>74,300</u>	Number of Administrative License Revocation Cases Disposed		<u>22,800</u>	25,000	<u>22,800</u>	Number of General Docket Cases Disposed		<u>4,900</u>	5,900	<u>4,900</u>	Percent of Available Administrative Law Judge Time Spent on Case Work		75%		75%	Number of Proposals for Decision Related to Tax Hearings Issued by Administrative Law Judges		<u>377</u>	400	<u>377</u>	Efficiencies:					Average Number of Days from Close of Record to Issuance of Proposal for Decision or Final Order Issuance		40		40	Median Number of Days to Dispose Case		75		75	Average Length of Time (Days) Taken to Issue a Proposed Decision Related to Tax Hearings Following Record Closing		9		9
A. Goal: ADMINISTRATIVE HEARINGS	<u>2022</u>	<u>2020</u>	<u>2023</u>	<u>2021</u>																																																																														
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**3.B. Rider Revisions and Additions Request
(continued)**

	<p>Explanatory: Number of Administrative License Revocation Cases Received 22,800 25,300 22,800 25,300 Number of General Docket Cases Received 4,900 5,900 4,900 5,900 Number of Agencies Served 50 50 A.2.1. Strategy: CONDUCT ALT DISPUTE RESOLUTION Efficiencies: Median Number of Days to Dispose Alternative Dispute Resolution Cases 90 90 Explanatory: Number of Alternative Dispute Resolution Cases Requested or Referred 110 110</p> <p><i>This rider has been updated to reflect the years for this appropriation request and updates to Performance Measure Targets.</i></p>
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3.B. Rider Revisions and Additions Request (continued)

2.	VIII-2,3	<p>Capital Budget. None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in the provision as appropriations either for "Lease Payments to the Master Equipment Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code §1232.103.</p> <table style="width: 100%; margin-top: 20px;"> <thead> <tr> <th style="width: 80%;"></th> <th style="text-align: right; width: 10%;"><u>2022-2020</u></th> <th style="text-align: right; width: 10%;"><u>2023-2021</u></th> </tr> </thead> <tbody> <tr> <td colspan="3">a. Acquisition of Information Resource Technologies</td> </tr> <tr> <td>(1) Integrated case management system, case filing, and timekeeping system</td> <td style="text-align: right;">\$ 75,000</td> <td style="text-align: right;">\$ 75,000</td> </tr> <tr> <td colspan="3">b. Data Center Consolidation</td> </tr> <tr> <td>(1) Data Center Services Disaster Recovery</td> <td style="text-align: right;">\$ 43,799</td> <td style="text-align: right;">\$ 43,799</td> </tr> <tr> <td colspan="3">a. Data Center Consolidation</td> </tr> <tr> <td><u>(1) Data Center Services</u></td> <td style="text-align: right;"><u>\$ 76,117</u></td> <td style="text-align: right;"><u>\$ 76,221</u></td> </tr> <tr> <td>Total, Capital Budget</td> <td style="text-align: right;">\$ <u>76,117</u> 118,799</td> <td style="text-align: right;">\$ <u>76,221</u> 118,799</td> </tr> <tr> <td colspan="3">Method of Financing (Capital Budget):</td> </tr> <tr> <td>General Revenue Fund</td> <td style="text-align: right;">\$ <u>76,117</u> 118,799</td> <td style="text-align: right;">\$ <u>76,221</u> 118,799</td> </tr> <tr> <td>Total, Method of Financing</td> <td style="text-align: right;">\$ <u>76,117</u> 118,799</td> <td style="text-align: right;">\$ <u>76,221</u> 118,799</td> </tr> </tbody> </table> <p style="margin-top: 10px;"><i>This rider has been updated to reflect changes in the Capital Budget.</i></p>		<u>2022-2020</u>	<u>2023-2021</u>	a. Acquisition of Information Resource Technologies			(1) Integrated case management system, case filing, and timekeeping system	\$ 75,000	\$ 75,000	b. Data Center Consolidation			(1) Data Center Services Disaster Recovery	\$ 43,799	\$ 43,799	a. Data Center Consolidation			<u>(1) Data Center Services</u>	<u>\$ 76,117</u>	<u>\$ 76,221</u>	Total, Capital Budget	\$ <u>76,117</u> 118,799	\$ <u>76,221</u> 118,799	Method of Financing (Capital Budget):			General Revenue Fund	\$ <u>76,117</u> 118,799	\$ <u>76,221</u> 118,799	Total, Method of Financing	\$ <u>76,117</u> 118,799	\$ <u>76,221</u> 118,799
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3.	VIII-3	<p>Benefit Collection. Agencies that enter into contracts with the State Office of Administrative Hearings (SOAH), for the purpose of performing the hearings function, and make payments to SOAH from funding sources other than General Revenue, must reimburse SOAH for employee benefit costs for salaries and wages. These reimbursements to SOAH will then be paid to the General Revenue Fund in proportion to the source of funds from which the respective salary or wage is paid.</p> <p style="margin-top: 10px;"><i>No changes needed.</i></p>																																	

3.B. Rider Revisions and Additions Request (continued)

4.	VIII-3	<p>Contingency Appropriation for Expanded Jurisdiction. Contingent on the enactment of legislation by the Eighty-seventh-sixth Legislature transferring the hearings functions of other state agencies to the State Office of Administrative Hearings (SOAH), or otherwise expanding the jurisdiction of the office, SOAH may expend funds transferred to the office from those agencies or funds appropriated for the purpose of handling the expanded jurisdiction, pursuant to provisions elsewhere in this Act. Appropriations authorized pursuant to this provision may be expended only to implement the transferred functions or expanded jurisdiction. All funds collected by SOAH as payment for, or reimbursement of, the office's costs of providing services to other state agencies or governmental entities, or others as directed by the Legislature, are appropriated to SOAH for the use in expanded jurisdiction cases during the biennium. Any unexpended balances related to the transferring of hearing functions to SOAH or expanding jurisdiction of the office as of August 31, 20220 are appropriated to the State Office of Administrative Hearings for the fiscal year beginning September 1, 20220.</p> <p><i>This rider has been updated to reflect the legislative session for this appropriation request.</i></p>
5.	VIII-3	<p>Hearings Activity Report. By May 1st and November 1st of each fiscal year, the State Office of Administrative Hearings (SOAH) shall submit to the Legislative Budget Board and the Governor a report detailing hearings activity conducted during the prior two fiscal year quarters. The report shall indicate in a format prescribed by the Legislative Budget Board, for each agency served by method of finance, the projected and actual person hours allocated to the agency's cases and the cost, both direct and indirect, of conducting the hearings. The report shall also indicate in a format prescribed by the Legislative Budget Board, for each agency served, the projected and actual number of cases received, the number of cases disposed, the number of administrative fine cases disposed, and the median number of days between the date a case is received by SOAH and the date the case is finally disposed, and any other information requested by the Legislative Budget Board during the reporting period.</p> <p><i>This rider has been updated to remove reporting elements no longer consistent with performance measures and unable to be captured in the Administrative Case Tracking System.</i></p>
6.	VIII-3	<p>Contingency for Additional Self-directed Semi-independent Agencies. Contingent upon additional agencies becoming a self-directed semi-independent (SDSI) agencies during the 2020-21 2022-23 biennium, any agency becoming an SDSI agency that is listed in Rider 7 shall be removed from the exemption granted in Rider 7 below.</p> <p><i>This rider has been updated to reflect the appropriation years for this request.</i></p>

3.B. Rider Revisions and Additions Request (continued)

7.	VIII-3, 4	<p>Billing Rate for Workload.</p> <p>a. Unless otherwise provided, amounts appropriated above and elsewhere in this Act for funding for the payment of costs associated with administrative hearings conducted by the State Office of Administrative Hearings (SOAH) are based on SOAH's actual hourly costs as determined by the most recently published Hearing Activity Report (HARP). SOAH's billing rate shall be actual costs as determined by the most recently published HARP, but not to exceed \$150 per hour for each hour of work performed during each fiscal year as reflected by the SOAH's Legislative Appropriation Request and Hearings Activity Report to the Eighty-sixth <u>seventh</u> Legislature.</p> <p>b. Amounts appropriated above in Strategy A.1.1, Conduct Hearings, to SOAH from the General Revenue Fund include funding in each year of the biennium for billable casework hours performed by SOAH for conducting administrative hearings at the rate determined by SOAH and approved by the Legislature for those agencies that do not have appropriations for paying SOAH costs for administrative hearings and are not subject to subsection (a) of this Section:</p> <p><i>This rider has been updated to be consistent with the statute.</i></p>
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3.B. Rider Revisions and Additions Request (continued)

		<p>(1) Board of Chiropractic Examiners <u>Department of Agriculture</u></p> <p>(2) Texas State Board of Dental Examiners <u>Department of Public Safety</u></p> <p>(3) Funeral Service Commission <u>Employees Retirement System of Texas</u></p> <p>(4) Board of Professional Geoscientists <u>Executive Council of Physical and Occupational Therapy Examiners</u></p> <p>(5) Board of Professional Land Surveying <u>Parks and Wildlife Department</u></p> <p>(6) Texas Medical Board <u>Public Utility Commission of Texas (not including waste water cases)</u></p> <p>(7) Texas Board of Nursing <u>Secretary of State</u></p> <p>(8) Optometry Board <u>State Board of Dental Examiners</u></p> <p>(9) Board of Pharmacy <u>State Board of Veterinary Medical Examiners</u></p> <p>(10) Executive Council of Physical Therapy and Occupational Therapy Examiners <u>State Pension Review Board</u></p> <p>(11) Board of Plumbing Examiners <u>State Securities Board</u></p> <p>(12) Board of Examiners of Psychologists <u>Teacher Retirement System of Texas</u></p> <p>(13) Board of Veterinary Medical Examiners <u>Texas Alcoholic Beverage Commission</u></p> <p>(14) Secretary of State <u>Texas Board of Chiropractic Examiners</u></p> <p>(15) Securities Board <u>Texas Board of Nursing</u></p> <p>(16) Public Utility Commission of Texas (not including waste water cases) <u>Texas Board of Professional Geoscientists</u></p> <p>(17) Teacher Retirement System <u>Texas Commission on Fire Protection</u></p> <p>(18) Pension Review Board <u>Texas Commission on Law Enforcement</u></p> <p>(19) Employees Retirement System <u>Texas Department of Housing and Community Affairs</u></p> <p>(20) Department of Housing and Community Affairs <u>Texas Department of Insurance (not including the Division of Workers' Compensation)</u></p> <p>(21) Texas Lottery Commission <u>Texas Department of Licensing and Regulation</u></p> <p>(22) Department of Public Safety <u>Texas Department of Transportation</u></p> <p>(23) Texas Commission on Law Enforcement <u>Texas Funeral Service Commission</u></p> <p>(24) Commission on Fire Protection <u>Texas Higher Education Coordinating Board</u></p> <p>(25) Department of Insurance (not including the Division of Workers' Compensation) <u>Texas Lottery Commission</u></p> <p>(26) Alcoholic Beverage Commission <u>Texas Medical Board</u></p> <p>(27) Racing Commission <u>Texas Optometry Board</u></p> <p>(28) Department of Agriculture <u>Texas Racing Commission</u></p> <p>(29) Department of Transportation <u>Texas State Board of Pharmacy</u></p> <p>(30) Higher Education Coordinating Board <u>Texas State Board of Plumbing Examiners</u></p> <p>(31) Parks and Wildlife Department</p> <p>(32) Department of Licensing and Regulation</p>
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**3.B. Rider Revisions and Additions Request
(continued)**

		<i>This rider has been updated to reflect Legislative changes and re-ordered alphabetically.</i>
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IV – Exceptional Item Request

4.A. Exceptional Item Request Schedule
 87th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 9/23/2020
 TIME: 12:22:00PM

Agency code: 360

Agency name:
State Office of Administrative Hearings

CODE	DESCRIPTION	Excp 2022	Excp 2023
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Item Name:	Administrative Case Tracking System Ongoing Maintenance
Item Priority:	1
IT Component:	Yes
Anticipated Out-year Costs:	Yes
Involve Contracts > \$50,000:	Yes
Includes Funding for the Following Strategy or Strategies:	01-01-01 Conduct Hearings and Prepare Proposals for Decisions and Final Orders

OBJECTS OF EXPENSE:

2001	PROFESSIONAL FEES AND SERVICES	125,000	125,000
TOTAL, OBJECT OF EXPENSE		\$125,000	\$125,000

METHOD OF FINANCING:

1	General Revenue Fund	125,000	125,000
TOTAL, METHOD OF FINANCING		\$125,000	\$125,000

DESCRIPTION / JUSTIFICATION:

SOAH will implement a new Administrative Case Tracking System (ACTS) in the summer of 2021 utilizing the funds appropriated by the 84th Legislature. SOAH issued a Request For Offer and made an award in fiscal year 2019. This system replaces the agency’s antiquated document-management system with a robust modern one. ACTS will integrate with “EFile Texas,” used by the Texas courts, to achieve full automation for case filings. ACTS will provide a broad range of automated case management functions for the 28,000 cases SOAH hears, including the administrative license revocation cases referred by the Texas Department of Public Safety. ACTS will have a reporting tool to track and access data and enhance transparency, including judge performance.

The ACTS contract includes annual fees to be paid directly to the ACTS vendor. The contract requires \$125,000 for annual maintenance costs and an estimated \$75,000 per year for cloud storage. The agency requests an exceptional item for the costs related to the annual maintenance fees for the ACTS in the amount of \$125,000 per year.

EXTERNAL/INTERNAL FACTORS:

Proprietary software requires vendor specific maintenance.

PCLS TRACKING KEY:

N/A

DESCRIPTION OF IT COMPONENT INCLUDED IN EXCEPTIONAL ITEM:

The entire project is IT related software maintenance. The project is funded by General Revenue.

IS THIS IT COMPONENT RELATED TO A NEW OR CURRENT PROJECT?

CURRENT

4.A. Exceptional Item Request Schedule
 87th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 9/23/2020
 TIME: 12:22:00PM

Agency code: 360

Agency name:
State Office of Administrative Hearings

CODE	DESCRIPTION	Excp 2022	Excp 2023
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STATUS:

In Fiscal Year 2019, a vendor was selected and awarded the contract for the Administrative Case Tracking System (ACTS). SOAH has been working with the vendor to configure and customize the system with "go-live" in the summer of 2021. Annual maintenance fees are a required component of the contract.

OUTCOMES:

N/A

OUTPUTS:

N/A

TYPE OF PROJECT

Software as a Service

ALTERNATIVE ANALYSIS

The ACTS software product is proprietary requiring the contracted vendor to provide the maintenance.

ESTIMATED IT COST

2020	2021	2022	2023	2024	2025	2026	Total Over Life of Project
\$0	\$0	\$125,000	\$125,000	\$125,000	\$125,000	\$125,000	\$625,000

SCALABILITY

2020	2021	2022	2023	2024	2025	2026	Total Over Life of Project
\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0

FTE

2020	2021	2022	2023	2024	2025	2026
0.0	0.0	0.0	0.0	0.0	0.0	0.0

DESCRIPTION OF ANTICIPATED OUT-YEAR COSTS :

Maintenance fees for the Administrative Case Tracking System. Contract includes four years maintenance costs with two, two year renewals.

4.A. Exceptional Item Request Schedule
87th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 9/23/2020
TIME: 12:22:00PM

Agency code: 360

Agency name:

State Office of Administrative Hearings

<u>CODE</u>	<u>DESCRIPTION</u>	<u>Excp 2022</u>	<u>Excp 2023</u>
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ESTIMATED ANTICIPATED OUT-YEAR COSTS FOR ITEM:

<u>2024</u>	<u>2025</u>	<u>2026</u>
\$125,000	\$125,000	\$125,000

APPROXIMATE PERCENTAGE OF EXCEPTIONAL ITEM : 100.00%

CONTRACT DESCRIPTION :

The Administrative Case Tracking System contract includes annual fees for maintenance and cloud storage.

4.B. Exceptional Items Strategy Allocation Schedule
 87th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 9/23/2020
 TIME: 12:22:00PM

Agency code: **360** Agency name: **State Office of Administrative Hearings**

Code	Description	Excp 2022	Excp 2023
Item Name: Administrative Case Tracking System Ongoing Maintenance			
Allocation to Strategy: 1-1-1 Conduct Hearings and Prepare Proposals for Decisions and Final Orders			
OBJECTS OF EXPENSE:			
2001	PROFESSIONAL FEES AND SERVICES	125,000	125,000
TOTAL, OBJECT OF EXPENSE		\$125,000	\$125,000
METHOD OF FINANCING:			
1	General Revenue Fund	125,000	125,000
TOTAL, METHOD OF FINANCING		\$125,000	\$125,000
FULL-TIME EQUIVALENT POSITIONS (FTE):		0.0	0.0

4.C. Exceptional Items Strategy Request
 87th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 9/23/2020
TIME: 12:22:00PM

Agency Code: **360** Agency name: **State Office of Administrative Hearings**

GOAL: 1 Provide for a Fair and Efficient Administrative Hearings Process

OBJECTIVE: 1 Ensure that All Hearings are Conducted in a Fair and Impartial Manner

Service Categories:

STRATEGY: 1 Conduct Hearings and Prepare Proposals for Decisions and Final Orders

Service: 01 Income: A.2 Age: B.3

CODE DESCRIPTION	Exp 2022	Exp 2023
-------------------------	-----------------	-----------------

OBJECTS OF EXPENSE:

2001 PROFESSIONAL FEES AND SERVICES	125,000	125,000
Total, Objects of Expense	\$125,000	\$125,000

METHOD OF FINANCING:

1 General Revenue Fund	125,000	125,000
Total, Method of Finance	\$125,000	\$125,000

EXCEPTIONAL ITEM(S) INCLUDED IN STRATEGY:

Administrative Case Tracking System Ongoing Maintenance

V – Capital Budget

5.A. Capital Budget Project Schedule
 87th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: **9/23/2020**
 TIME : **12:22:01PM**

Agency code: **360**

Agency name: **State Office of Administrative Hearings**

Category Code / Category Name

Project Sequence/Project Id/ Name

OOE / TOF / MOF CODE

Est 2020

Bud 2021

BL 2022

BL 2023

7000 Data Center Consolidation

1/1 Data Center Services

OBJECTS OF EXPENSE

Capital

General	2001	PROFESSIONAL FEES AND SERVICES		\$14,733	\$70,799	\$76,117	\$76,221
	Capital Subtotal OOE, Project		1	\$14,733	\$70,799	\$76,117	\$76,221
	Subtotal OOE, Project		1	\$14,733	\$70,799	\$76,117	\$76,221
	TYPE OF FINANCING						
	<u>Capital</u>						
General	CA	1 General Revenue Fund		\$14,733	\$70,799	\$76,117	\$76,221
	Capital Subtotal TOF, Project		1	\$14,733	\$70,799	\$76,117	\$76,221
	Subtotal TOF, Project		1	\$14,733	\$70,799	\$76,117	\$76,221
	Capital Subtotal, Category	7000		\$14,733	\$70,799	\$76,117	\$76,221
	Informational Subtotal, Category	7000					
	Total, Category	7000		\$14,733	\$70,799	\$76,117	\$76,221
	AGENCY TOTAL -CAPITAL						
	AGENCY TOTAL -INFORMATIONAL						
	AGENCY TOTAL						
				\$14,733	\$70,799	\$76,117	\$76,221

5.A. Capital Budget Project Schedule
 87th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: **9/23/2020**
 TIME : **12:22:01PM**

Agency code: **360**

Agency name: **State Office of Administrative Hearings**

Category Code / Category Name

Project Sequence/Project Id/ Name

OOE / TOF / MOF CODE

Est 2020

Bud 2021

BL 2022

BL 2023

METHOD OF FINANCING:

Capital

General	1	General Revenue Fund	\$14,733	\$70,799	\$76,117	\$76,221
Total, Method of Financing-Capital			\$14,733	\$70,799	\$76,117	\$76,221
Total, Method of Financing			\$14,733	\$70,799	\$76,117	\$76,221

TYPE OF FINANCING:

Capital

General	CA	CURRENT APPROPRIATIONS	\$14,733	\$70,799	\$76,117	\$76,221
Total, Type of Financing-Capital			\$14,733	\$70,799	\$76,117	\$76,221
Total, Type of Financing			\$14,733	\$70,799	\$76,117	\$76,221

5.B. Capital Budget Project Information
 87th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 9/23/2020
 TIME: 12:22:01PM

Agency Code:	360	Agency name:	State Office of Administrative Hearings
Category Number:	7000	Category Name:	Data Center Consolidation
Project number:	1	Project Name:	Data Center Services

PROJECT DESCRIPTION

General Information

The agency elected to utilize Data Center Services (DCS) with the Texas Department of Information Resources in FY 2020 and started receiving backup services at the state data center. In FY 2021, the agency increased its utilization of available services provided by the DCS program such as Microsoft Volume licensing for MS365.

PLCS Tracking Key N/A
Number of Units / Average Unit Cost Not Applicable
Estimated Completion Date Ongoing

Additional Capital Expenditure Amounts Required		2024	2025
		0	0
Type of Financing	CA	CURRENT APPROPRIATIONS	
Projected Useful Life		\$152,338	
Estimated/Actual Project Cost		\$152,338	
Length of Financing/ Lease Period		N/A	

ESTIMATED/ACTUAL DEBT OBLIGATION PAYMENTS

	2022	2023	2024	2025	Total over project life
	0	0	0	0	0

<u>REVENUE GENERATION / COST SAVINGS</u>		
<u>REVENUE COST FLAG</u>	<u>MOF CODE</u>	<u>AVERAGE AMOUNT</u>

Explanation: The backups provide redundancy and security. The volume licensing for MS365 provides collaboration tools for a modern workforce.

Project Location: Services are provided to staff statewide.

Beneficiaries: Both the agency and the public benefit for redundant and secure information technology services, as well as cost savings realized in volume pricing.

Frequency of Use and External Factors Affecting Use:

The services are utilized daily. Reliance on the Department of Information Resources and third-party vendors.

5.C. Capital Budget Allocation to Strategies (Baseline)
 87th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 9/23/2020
 TIME: 12:22:01PM

Agency code: 360 Agency name: State Office of Administrative Hearings

Category Code/Name

Project Sequence/Project Id/Name

Goal/Obj/Str	Strategy Name	Est 2020	Bud 2021	BL 2022	BL 2023
7000 Data Center Consolidation					
<i>1/1</i>	<i>Data Center Services</i>				
<u>GENERAL BUDGET</u>					
Capital	1-1-1 CONDUCT HEARINGS	14,733	70,799	\$76,117	\$76,221
	TOTAL, PROJECT	\$14,733	\$70,799	\$76,117	\$76,221
	TOTAL CAPITAL, ALL PROJECTS	\$14,733	\$70,799	\$76,117	\$76,221
	TOTAL INFORMATIONAL, ALL PROJECTS				
	TOTAL, ALL PROJECTS	\$14,733	\$70,799	\$76,117	\$76,221

360 State Office of Administrative Hearings

Category Code/Name

Project Sequence/Name

Goal/Obj/Str	Strategy Name	Est 2020	Bud 2021	BL 2022	BL 2023
7000 Data Center Consolidation					
1 Data Center Services					
OOE					
Capital					
1-1-1 CONDUCT HEARINGS					
<u>General Budget</u>					
2001	PROFESSIONAL FEES AND SERVICES	14,733	70,799	76,117	76,221
TOTAL, OOE's		\$14,733	\$70,799	76,117	76,221
MOF					
GENERAL REVENUE FUNDS					
Capital					
1-1-1 CONDUCT HEARINGS					
<u>General Budget</u>					
1	General Revenue Fund	14,733	70,799	76,117	76,221
TOTAL, GENERAL REVENUE FUNDS		\$14,733	\$70,799	76,117	76,221
TOTAL, MOF's		\$14,733	\$70,799	76,117	76,221

360 State Office of Administrative Hearings

		Est 2020	Bud 2021	BL 2022	BL 2023
CAPITAL					
<u>General Budget</u>					
GENERAL REVENUE FUNDS					
	TOTAL, GENERAL BUDGET	\$14,733	\$70,799	76,117	76,221
		14,733	70,799	76,117	76,221
	TOTAL, ALL PROJECTS	\$14,733	\$70,799	76,117	76,221

VI – Supporting Information

6.A. Historically Underutilized Business Supporting Schedule
 87th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

Date: 9/23/2020
 Time: 12:22:02PM

Agency Code: 360 Agency: State Office of Administrative Hearings

COMPARISON TO STATEWIDE HUB PROCUREMENT GOALS

A. Fiscal Year - HUB Expenditure Information

Statewide HUB Goals	Procurement Category	% Goal	HUB Expenditures FY 2018			Total Expenditures FY 2018		HUB Expenditures FY 2019			Total Expenditures FY 2019
			% Actual	Diff	Actual \$	% Goal	% Actual	Diff	Actual \$	FY 2019	
11.2%	Heavy Construction	0.0 %	0.0%	0.0%	\$0	\$0	0.0 %	0.0%	0.0%	\$0	\$0
21.1%	Building Construction	0.0 %	0.0%	0.0%	\$0	\$0	0.0 %	0.0%	0.0%	\$0	\$0
32.9%	Special Trade	32.9 %	49.3%	16.4%	\$4,536	\$9,192	32.9 %	46.2%	13.3%	\$360	\$779
23.7%	Professional Services	23.7 %	100.0%	76.3%	\$23,480	\$23,480	23.7 %	100.0%	76.3%	\$26,800	\$26,800
26.0%	Other Services	26.0 %	30.3%	4.3%	\$190,791	\$629,134	26.0 %	71.1%	45.1%	\$944,817	\$1,329,705
21.1%	Commodities	21.1 %	89.2%	68.1%	\$849,710	\$952,823	21.1 %	51.6%	30.5%	\$277,291	\$536,871
	Total Expenditures		66.2%		\$1,068,517	\$1,614,629		66.0%		\$1,249,268	\$1,894,155

B. Assessment of Fiscal Year - Efforts to Meet HUB Procurement Goals

Attainment:

The State Office of Administrative Hearings attained or exceeded four of the applicable statewide HUB procurement goals in FY 2018. In FY 2019, the agency attained or exceeded four of the applicable statewide HUB procurement goals. The agency far exceeded the statewide goals in which the agency had expenditures. An assessment of Fiscal Year efforts to meet HUB procurement goals found that the agency expended 66.2% on HUBs in FY 2018 and 66% on HUBs in FY 2019 respectively.

Applicability:

The "Heavy Construction" and "Building Construction" categories were not applicable to agency operations in either FY 2018 or FY 2019 as the agency did not have any strategies or programs related to construction. Additionally, "Special Trade" categories are generally not applicable to the operations for the agency, however, in both FY 2018 and FY 2019, the agency had expenditures in this category.

Factors Affecting Attainment:

The factors that affected attainment were a lack of HUB vendors for certain purchases unique to the agency's operations.

"Good-Faith" Efforts:

The agency's procurement practices reflect a good faith effort to achieve the goal of maximizing opportunities for HUB business in the state procurement process. The agency has a strong history of HUB usage and follows a strict purchasing guidelines and procedures. It continues to explore opportunities to identify HUB vendors for purchasing considerations.

The agency refers to the Texas Comptroller's State Purchasing Division's bidders and HUB lists for purchases to explore opportunities to identify HUB vendors. This

6.A. Historically Underutilized Business Supporting Schedule
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Date: **9/23/2020**
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Agency Code: **360** Agency: **State Office of Administrative Hearings**

includes utilizing the Centralized Master Bidders List (CMBL) for purchases as well as sending notifications to potential vendors of bid opportunities as they arise.

Subject to budgetary constraints, the agency's purchasing staff attend HUB forums when and where practical and the agency participates in HUB work groups when available. The agency will continue its efforts to increase HUB usage.

**6.B. Current Biennium Onetime Expenditure Schedule
Summary of Onetime Expenditures**

Agency Code:	Agency Name:	Prepared By:	Date:
360	State Office of Administrative Hearings	Lance McMillan	September 2020

Projects	Estimated 2020	Budgeted 2021	Requested 2022	Requested 2023
Staff Augmentation	\$237,865	\$0	\$0	\$0
COVID 19 Pandemic (Laptops & PPE)	\$22,880	\$0	\$0	\$0
COVID 19 Pandemic (Zoom Video Conferencing)	\$21,972	\$21,972	\$0	\$0
Office Moves (Corpus & Lubbock)	\$15,000	\$15,000	\$0	\$0
Internal/External Website Design	\$0	\$176,884	\$0	\$0
Field Hearing Rooms Audio Equipment	\$0	\$172,000	\$0	\$0
Total, All Projects	\$297,717	\$385,856	\$0	\$0

**6.B. Current Biennium Onetime Expenditure Schedule
Strategy Allocation from 2020-21 Biennium to 2022-23 Biennium**

Agency Code: 360	Agency Name: State Office of Administrative Hearings	Prepared By: Lance McMillan	Date: September 2020
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2020-21 PROJECT: Staff Augmentation ALLOCATION TO STRATEGY: A.1.1	2022-23 PROJECT: N/A ALLOCATION TO STRATEGY:
--	---

Strategy Code	OOE/MOF Code	Strategy Allocation	Estimated 2020	Budgeted 2021	Requested 2022	Requested 2023
Object of Expense:						
A.1.1	2001	Professional Fees and Services	\$128,352	\$0	\$0	\$0
A.1.1	2009	Other Operating Expense	\$109,513			
Total, Object of Expense			\$237,865	\$0	\$0	\$0
Method of Financing:						
A.1.1	0777	Interagency Contracts	\$237,865	\$0	\$0	\$0
Total, Method of Financing			\$237,865	\$0	\$0	\$0

Project Description for the 2020-21 Biennium:

The agency procured professional and contracted services for staff augmentation.

Project Description and Allocation Purpose for the 2022-23 Biennium:

N/A

**6.B. Current Biennium Onetime Expenditure Schedule
Strategy Allocation from 2020-21 Biennium to 2022-23 Biennium**

Agency Code: 360	Agency Name: State Office of Administrative Hearings	Prepared By: Lance McMillan	Date: September 2020
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2020-21 PROJECT: COVID 19 Pandemic (Laptops & PPE) ALLOCATION TO STRATEGY: A.1.1 and B.1.1	2022-23 PROJECT: N/A ALLOCATION TO STRATEGY:
---	---

Strategy Code	OOE/MOF Code	Strategy Allocation	Estimated 2020	Budgeted 2021	Requested 2022	Requested 2023
Object of Expense:						
A.1.1.	2003	Consumable Supplies	\$940	\$0	\$0	\$0
A.1.1.	2009	Other Operating Expense	\$21,940	\$0		
Total, Object of Expense			\$22,880	\$0	\$0	\$0
Method of Financing:						
A.1.1	0001	General Revenue	\$22,880	\$0	\$0	\$0
Total, Method of Financing			\$22,880	\$0	\$0	\$0

Project Description for the 2020-21 Biennium:

The agency procured additional laptop resources for our field operations teams so they could work remotely during the pandemic. Gloves, masks, and plexishields were procured in an effort to mitigate the risk of spreading COVID 19 for essential staff working with the public.

Project Description and Allocation Purpose for the 2022-23 Biennium:

N/A

**6.B. Current Biennium Onetime Expenditure Schedule
Strategy Allocation from 2020-21 Biennium to 2022-23 Biennium**

Agency Code: 360	Agency Name: State Office of Administrative Hearings	Prepared By: Lance McMillan	Date: September 2020
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2020-21 PROJECT: COVID 19 Pandemic (Zoom Video Conferencing) ALLOCATION TO STRATEGY: A.1.1	2022-23 PROJECT: N/A ALLOCATION TO STRATEGY:
---	---

Strategy Code	OOE/MOF Code	Strategy Allocation	Estimated 2020	Budgeted 2021	Requested 2022	Requested 2023
Object of Expense:						
A.1.1.	2009	Other Operating Expense	\$21,972	\$21,972	\$0	\$0
Total, Object of Expense			\$21,972	\$21,972	\$0	\$0
Method of Financing:						
A.1.1	0001	General Revenue	\$21,972	\$21,972	\$0	\$0
Total, Method of Financing			\$21,972	\$21,972	\$0	\$0

Project Description for the 2020-21 Biennium:
The agency procured software licenses for video conferencing in order for our Administrative Law Judges to conduct Hearings remotely.

Project Description and Allocation Purpose for the 2022-23 Biennium:
N/A

**6.B. Current Biennium Onetime Expenditure Schedule
Strategy Allocation from 2020-21 Biennium to 2022-23 Biennium**

Agency Code: 360	Agency Name: State Office of Administrative Hearings	Prepared By: Lance McMillan	Date: September 2020
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2020-21 PROJECT: Field Office Moves (Corpus & Lubbock) ALLOCATION TO STRATEGY: A.1.1	2022-23 PROJECT: N/A ALLOCATION TO STRATEGY:
---	---

Strategy Code	OOE/MOF Code	Strategy Allocation	Estimated 2020	Budgeted 2021	Requested 2022	Requested 2023
Object of Expense:						
A.1.1.	2009	Other Operating Expenses	\$15,000	\$15,000	\$0	\$0
Total, Object of Expense			\$15,000	\$15,000	\$0	\$0
Method of Financing:						
A.1.1	0777	Interagency Contracts	\$15,000	\$15,000	\$0	\$0
Total, Method of Financing			\$15,000	\$15,000	\$0	\$0

Project Description for the 2020-21 Biennium:
To procure equipment, furniture, movers, cabling, and VOIP installation for relocating the Corpus Christi and Lubbock field offices.

Project Description and Allocation Purpose for the 2022-23 Biennium:
N/A

**6.B. Current Biennium Onetime Expenditure Schedule
Strategy Allocation from 2020-21 Biennium to 2022-23 Biennium**

Agency Code: 360	Agency Name: State Office of Administrative Hearings	Prepared By: Lance McMillan	Date: September 2020
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2020-21 PROJECT: Internal/External Website Design ALLOCATION TO STRATEGY: A.1.1 and B.1.1.	2022-23 PROJECT: N/A ALLOCATION TO STRATEGY:
---	---

Strategy Code	OOE/MOF Code	Strategy Allocation	Estimated 2020	Budgeted 2021	Requested 2022	Requested 2023
Object of Expense:						
A.1.1.	2001	Professional Fees and Services	\$0	\$150,351	\$0	\$0
B.1.1	2001	Professional Fees and Services	\$0	\$26,533	\$0	\$0
Total, Object of Expense			\$0	\$176,884	\$0	\$0
Method of Financing:						
A.1.1	0777	Interagency Contracts	\$0	\$150,351	\$0	\$0
B.1.1	0777	Interagency Contracts	\$0	\$26,533	\$0	\$0
Total, Method of Financing			\$0	\$176,884	\$0	\$0

Project Description for the 2020-21 Biennium:
The agency procured professional services to perform website services. This is for the one time project costs and doesn't include any ongoing maintenance or support.

Project Description and Allocation Purpose for the 2022-23 Biennium:
N/A

**6.B. Current Biennium Onetime Expenditure Schedule
Strategy Allocation from 2020-21 Biennium to 2022-23 Biennium**

Agency Code: 360	Agency Name: State Office of Administrative Hearings	Prepared By: Lance McMillan	Date: September 2020
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2020-21 PROJECT: Field Hearing Rooms Audio Equipment ALLOCATION TO STRATEGY: A.1.1	2022-23 PROJECT: N/A ALLOCATION TO STRATEGY:
---	---

Strategy Code	OOE/MOF Code	Strategy Allocation	Estimated 2020	Budgeted 2021	Requested 2022	Requested 2023
Object of Expense:						
A.1.1.	2009	Other Operating Expense	\$0	\$172,000	\$0	\$0
					\$0	\$0
Total, Object of Expense			\$0	\$172,000	\$0	\$0
Method of Financing:						
A.1.1	0777	Interagency Contracts	\$0	\$172,000	\$0	\$0
					\$0	\$0
Total, Method of Financing			\$0	\$172,000	\$0	\$0

Project Description for the 2020-21 Biennium:

The agency has planned to upgrade audio equipment in our hearing rooms in our field offices.

Project Description and Allocation Purpose for the 2022-23 Biennium:

N/A

6.E. Estimated Revenue Collections Supporting Schedule
 87th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

Agency Code: **360** Agency name: **State Office of Administrative Hearings**

FUND/ACCOUNT	Act 2019	Exp 2020	Est 2021	Est 2022	Est 2023
<u>666</u> Appropriated Receipts					
Beginning Balance (Unencumbered):	\$50,544	\$35,000	\$80,000	\$60,000	\$60,000
Estimated Revenue:					
Ending Fund/Account Balance	\$50,544	\$35,000	\$80,000	\$60,000	\$60,000

REVENUE ASSUMPTIONS:

Receipts for Transcripts are adjusted as anticipated for ALR hearings.

CONTACT PERSON:

Kim Dudish

6.E. Estimated Revenue Collections Supporting Schedule
 87th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

Agency Code: **360** Agency name: **State Office of Administrative Hearings**

FUND/ACCOUNT	Act 2019	Exp 2020	Est 2021	Est 2022	Est 2023
<u>777</u> Interagency Contracts					
Beginning Balance (Unencumbered):	\$4,614,057	\$4,732,100	\$4,832,100	\$4,389,600	\$4,389,600
Estimated Revenue:					
Ending Fund/Account Balance	\$4,614,057	\$4,732,100	\$4,832,100	\$4,389,600	\$4,389,600

REVENUE ASSUMPTIONS:

Revenue is based on projections received directly from referring agencies.

CONTACT PERSON:

Kim Dudish

6.G. HOMELAND SECURITY FUNDING SCHEDULE - PART C - COVID-19 RELATED EXPENDITURES

DATE: 9/23/2020
 TIME: 12:22:03PM

87th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

Agency code: **360** Agency name: **Office Adm Hearings**

CODE	DESCRIPTION	Exp 2019	Est 2020	Bud 2021	BL 2022	BL 2023
OBJECTS OF EXPENSE						
2003	CONSUMABLE SUPPLIES	\$0	\$940	\$520	\$0	\$0
2009	OTHER OPERATING EXPENSE	\$0	\$47,922	\$25,703	\$0	\$0
TOTAL, OBJECTS OF EXPENSE		\$0	\$48,862	\$26,223	\$0	\$0
METHOD OF FINANCING						
1	General Revenue Fund	\$0	\$48,862	\$26,223	\$0	\$0
	Subtotal, MOF (General Revenue Funds)	\$0	\$48,862	\$26,223	\$0	\$0
TOTAL, METHOD OF FINANCE		\$0	\$48,862	\$26,223	\$0	\$0

FULL-TIME-EQUIVALENT POSITIONS

NO FUNDS WERE PASSED THROUGH TO LOCAL ENTITIES

NO FUNDS WERE PASSED THROUGH TO OTHER STATE AGENCIES OR INSTITUTIONS OF HIGHER EDUCATION

USE OF HOMELAND SECURITY FUNDS

SOAH purchased a plexi glass shield for the docketing counter and additional laptops to enable remote work schedules . The agency also purchased masks and gloves for employees and for use in the hearing rooms. The agency purchased additional software to facilitate virtual hearings, enable secure communication and online archiving.

6.G. HOMELAND SECURITY FUNDING SCHEDULE - PART C - COVID-19 RELATED EXPENDITURES

DATE: 9/23/2020

Funds Passed through to Local Entities

TIME: 12:22:03PM

87th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

Agency code: **360** Agency name: **Office Adm Hearings**

CODE	DESCRIPTION	Exp 2019	Est 2020	Bud 2021	BL 2022	BL 2023
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6.G. HOMELAND SECURITY FUNDING SCHEDULE - PART C - COVID-19 RELATED EXPENDITURES

DATE: 9/23/2020

Funds Passed through to State Agencies

TIME: 12:22:03PM

87th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

Agency code: **360** Agency name: **Office Adm Hearings**

CODE	DESCRIPTION	Exp 2019	Est 2020	Bud 2021	BL 2022	BL 2023
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6.L. Document Production Standards

Summary of Savings Due to Improved Document Production Standards

Agency Code:	Agency Name:	Prepared By:
360	State Office of Administrative Hearings	Zachary Chandonnet

Documented Production Standards Strategies	Estimated 2020	Budgeted 2021
1. Duplex Printing	\$405	\$405
2.	\$0	\$0
3.	\$0	\$0
4.	\$0	\$0
Total, All Strategies	\$405	\$405
Total Estimated Paper Volume Reduced	3,405	3,405

Description:
The agency implemented default duplex print settings.

