

SUBJECT: Allocating court settlement money to appropriation accounts

COMMITTEE: Appropriations — favorable, without amendment

VOTE: 24 ayes — Junell, West, Coleman, Delisi, Gallego, Glaze, Gutierrez, Hamric, Heflin, Maxey, Puente, S. Turner, Allen, Eiland, Farrar, Flores, Giddings, Hochberg, T. King, Luna, McReynolds, Pickett, Pitts, Smith

0 nays

3 absent — P. Moreno, Mowery, Janek

WITNESSES: None

BACKGROUND: Government Code, sec. 403.036 requires the comptroller to maintain, charge, and balance accounts for each legislative appropriation. Currently, however, it is unclear whether the attorney general (AG) has authority to appropriate claim settlements awarded to the state for specific purposes other than general revenue.

DIGEST: HB 2065 would authorize the AG to certify to the comptroller and the Legislative Budget Board (LBB) that money awarded to the state in claim settlements should be credited to a specific appropriation account, if current law does not make the allocation clear.

The comptroller would have to act on the AG's certification on the 31st day after receipt, or on the day after receiving written prior approval from the LBB to act on it. If, before the 31st day after receiving the AG's certification, the LBB certified that the settlement money should be credited either to an account different from the one the AG certified, or to no account, the comptroller would have to abide by the LBB's certification as soon as practicable.

The bill would take effect September 1, 2001.