

**SUBJECT:** Appropriations for miscellaneous claims and judgments

**COMMITTEE:** Appropriations — committee substitute recommended

**VOTE:** 17 ayes — Junell, West, Coleman, Delisi, Glaze, Gutierrez, Hamric, Heflin, Mowery, Allen, Eiland, Farrar, Giddings, McReynolds, Pickett, Pitts, Smith

0 nays

10 absent — Gallego, Maxey, Moreno, Puente, S. Turner, Flores, Hochberg, Janek, King, Luna

**WITNESSES:** For — None

Against — None

On — Dolores Fojtasek, Comptroller of Public Accounts; Meredith Kennedy, Office of the Attorney General; Steven Polunsky, Texas Department of Transportation

**BACKGROUND:** Since the late 1970s, every general appropriations act has contained a rider prohibiting the use of general revenue to pay any judgment or settlement against the state unless the funds are appropriated specifically for such purposes. For fiscal 2000-01, this provision is located in Art. 9, sec. 9-6.34 of HB 1 by Junell, 76th Legislature.

**DIGEST:** CSHB 2852 would appropriate \$1.2 million from general revenue, \$58,117 from general revenue-dedicated accounts, \$100,832 from other state funds, and \$350,523 from federal funds in fiscal 2002 to pay claims and judgments against the state. Other than from general revenue, the appropriations would come from the state highway fund, the operators and chauffeurs license fund, the law enforcement officer standards and education fund, the federal adult blind fund, the watermaster administration fund, the federal civil defense and disaster relief fund, and the crime victims' compensation fund.

Payments would range from \$3.28 to Jim Christanelli Ford for a fuel sending float to \$123,500 to American Hospice for hospice home care services.

Other large payments would include about \$115,000 to Canyon Healthcare Corp., \$96,000 to Bay Area Medical Center Family Practice Residency Program, and \$33,000 to United States Gypsum Co.

Every claim or judgment paid from appropriations under this bill would have to be verified first by the administrator of the special fund or account against which the claim was to be charged and would have to be approved by the attorney general and the comptroller by August 31, 2002.

This bill would take effect September 1, 2001.

NOTES:

The committee substitute made minor changes to the original bill, such as specifying the amounts to be appropriated to the Texas Department of Human Services from general revenue and from federal funds.

The companion bill, SB 1092 by Ellis, was referred to the Finance Committee on March 6.