

SUBJECT: Appropriations for miscellaneous claims and judgments

COMMITTEE: Appropriations — committee substitute recommended

VOTE: 19 ayes — Pitts, Turner, Aycock, Button, Chisum, Crownover, Dukes, Eiland, Giddings, Gooden, Johnson, Margo, Martinez, D. Miller, Otto, Patrick, Riddle, Shelton, Villarreal

0 nays

8 absent — Darby, Hochberg, S. King, McClendon, Morrison, Schwertner, Torres, Zerwas

WITNESSES: For — None

Against — None

On — Dolores Fojtasek, Texas Comptroller of Public Accounts

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 2010-11, this provision is located in Art. 9, sec. 16.02 of SB 1 by Ogden, the general appropriations act enacted by the 81st Legislature in 2009.

DIGEST: CSHB 3647 would appropriate money from various accounts to pay outstanding claims and judgments against the state, which would be listed individually. The bill would appropriate a total of about \$459,000 from the General Revenue Fund, \$2.7 million from the State Highway Fund, \$185,000 from the hazardous waste remediation account, \$124,000 from the petroleum storage tank remediation account, and smaller amounts from other accounts. For a claim or judgment to be paid, it would have to be verified and substantiated by the administrator of the special fund or account and be approved by the attorney general and the comptroller by August 31, 2012.

The bill would take effect September 1, 2011.

NOTES:

The companion bill, SB 1589 by Ogden, was considered in a public hearing by the Senate Finance Committee on April 18 and left pending.