

BILL ANALYSIS

Senate Research Center
88R13164 KBB-F

H.B. 4041
By: Bonnen (Huffman)
Finance
5/4/2023
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

At the conclusion of each state fiscal biennium, the state has a number of outstanding claims and judgments against it for varying amounts of money, such as warrants voided by the statute of limitations, outstanding invoices to private vendors, unpaid charges for Medicaid recipients, or court judgment settlements. These claims require additional appropriations to be made to honor the state's obligations under the law. H.B. 4041 sets forth sums of money appropriated out of various accounts to pay certain claims and judgments against the state.

H.B. 4041 amends current law relating to directing payment, after approval, of certain miscellaneous claims and judgments against the state out of funds designated by this Act and makes appropriations.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Provides that certain sums of money are appropriated out of the General Revenue Fund No. 0001 for payment of itemized claims and judgments plus interest, if any, against the State of Texas.

SECTION 2. Provides that certain sums of money are appropriated out of the State Technology and Instructional Materials Fund No. 0003 for payment of itemized claims and judgments plus interest, if any, against the State of Texas.

SECTION 3. Provides that certain sums of money are appropriated out of the State Highway Fund No. 0006 for the payment of itemized claims and judgments plus interest, if any, against the State of Texas.

SECTION 4. Provides that certain sums of money are appropriated out of the Veterans Financial Assistance Program Fund No. 0374 for payment of itemized claims and judgments plus interest, if any, against the State of Texas.

SECTION 5. (a) Requires a claim or judgment to be verified and substantiated by the administrator of the special fund or account against which the claim or judgment is to be charged and be approved by the attorney general and the Comptroller of Public Accounts of the State of Texas (comptroller) before any claim or judgment is authorized to be paid from money appropriated by this Act. Prohibits any claim or judgment itemized in this Act that has not been verified and substantiated by the administrator of the special fund or account and approved by the attorney general and the comptroller by August 31, 2025, from being paid from money appropriated by this Act.

(b) Requires that each claim or judgment paid from money appropriated by this Act contain such information as the comptroller requires but at a minimum contain the specific reason for the claim or judgment. Requires that the claim include a specific identification of the goods, services, refunds, or other items for which the warrant was originally issued if the claim is for a void warrant. Requires that the claim include, in

addition, a certification by the original payee or the original payee's successors, heirs, or assigns that the debt is still outstanding. Requires that the claim be accompanied by an invoice or other acceptable documentation of the unpaid account and any other information that may be required by the comptroller if the claim or judgment is for unpaid goods or services.

SECTION 6. Provides that the comptroller is authorized and directed to issue one or more warrants on the state treasury, as soon as possible following the effective date of this Act, in favor of each of the individuals, firms, or corporations named or claim numbers identified in this Act, in an amount not to exceed the amount set opposite their respective names or claim numbers and is required to mail or deliver to each of the individuals, firms, or corporations associated with each claim one or more warrants in payment of all claims included in this Act, subject to the conditions and restrictions in this Act and provisions stated in the judgments.

SECTION 7. Effective date: September 1, 2023.