

## **BILL ANALYSIS**

C.S.H.B. 3330  
By: Otto  
Appropriations  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

At the conclusion of each 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. C.S.H.B. 3330 provides for sums of money appropriated out of various accounts to pay certain claims and judgments against the state.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 3330 appropriates certain sums of money out of the General Revenue Fund Account No. 0001, the State Highway Fund No. 0006, the Game, Fish, and Water Safety General Revenue Account No. 0009, the State Parks General Revenue Account No. 0064, the Compensation to Victims of Crime General Revenue Account No. 0469, and the Unemployment Compensation Clearance Account Fund No. 0936 for payment of itemized claims and judgments plus interest, if any, against the State of Texas.

C.S.H.B. 3330 requires any claim or judgment, before it may be paid from money appropriated by the bill, 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. The bill prohibits the payment from money appropriated by the bill of any claim or judgment itemized in the bill 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, 2017.

C.S.H.B. 3330 requires each claim or judgment paid from money appropriated by the bill to contain such information as the comptroller requires but at a minimum to contain the specific reason for the claim or judgment. The bill requires a claim for a void warrant to include a specific identification of the goods, services, refunds, or other items for which the warrant was originally issued and a certification by the original payee or the original payee's successors, heirs, or assigns that the debt is still outstanding. The bill requires a claim or judgment for unpaid goods or services to be accompanied by an invoice or other acceptable documentation of the unpaid account and any other information that may be required by the comptroller.

C.S.H.B. 3330 authorizes and directs the comptroller, subject to the conditions and restrictions in the bill and provisions stated in the judgments, to issue one or more warrants on the state treasury, as soon as possible following the bill's effective date, in favor of each of the individuals, firms, or corporations named or claim numbers identified in the bill, in an amount not to exceed the amount set opposite their respective names or claim numbers. The bill requires the comptroller 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 the bill.

**EFFECTIVE DATE**

September 1, 2015.

**COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 3330 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

**INTRODUCED**

SECTION 1. The following 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:

To pay claim number 95M30086 to Stanley George Winter for replacement of voided fee overpayment warrant issued April 8, 2004—\$9.80

To pay claim number 95M30204 to a confidential payee for replacement of void franchise tax refund warrant issued December 28, 2006—\$56,907.48

**HOUSE COMMITTEE SUBSTITUTE**

SECTION 1. The following 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:

To pay claim number 95M30086 to Stanley George Winter for replacement of voided fee overpayment warrant issued April 8, 2004—\$9.80

To pay claim number 95M30204 to a confidential payee for replacement of void franchise tax refund warrant issued December 28, 2006—\$56,907.48

To pay claim number 95M30298 to a confidential payee for replacement of void franchise tax refund warrant issued December 9, 2004—\$1,743.43

To pay claim number 95M30313 to State Street Bank and Trust Company for refund of state notice filing fees collected from January 1, 2005, to October 31, 2007—\$1,042,609.39

To pay claim number 95M30314 to John H. Brooks, Independent Executor for Estate of Edward E. Suddath, for replacement of inheritance tax refund warrant issued December 6, 1999—\$424.85

To pay claim number 95M30367 to Vera Barstow/Estate of Robert W. Barstow for replacement of void operations of vending machine warrant issued December 11, 1995—\$934.00

To pay claim number 95M40052 to a confidential payee for replacement of void

franchise tax refund warrant issued November 4, 2002—\$795.53

To pay claim number 95M40055 to a confidential payee for replacement of void health services refund warrant issued November 12, 2003—\$42.00

To pay claim number 95M40218 to a confidential payee for replacement of two void franchise tax refund warrants issued March 27, 2002, and January 12, 2004—\$4,334.31

To pay claim number 95M40225 to Dan McCormick for replacement of void warrant issued for filing fees on June 23, 2000—\$75.00

To pay claim number 95M40234 to a confidential payee for replacement of void franchise tax warrant issued March 20, 1991—\$490.53

To pay claim number 95M40302 to a confidential payee for replacement of net payroll void warrant issued December 1, 2004—\$888.82

To pay claim number 95M40308 to Friends Health Care Services for health care provided to various patients between October 27, 2006, and July 31, 2007—\$176,370.48

To pay claim number 95M40309 to Friends Health Care Services for health care provided to various patients between February 2, 2007, and July 31, 2007—\$110,164.53

To pay claim number 95M40335 to a confidential payee for replacement of void franchise tax refund warrant issued September 14, 2004—\$68,169.30

To pay claim number 95M40349 to Angelitos Health Care, Inc., doing business as Angelitos Health Care, Inc., for services provided from September 2, 2006, to June 15, 2007—\$17,722.67

To pay claim number 95M50002 to Bob G. Bailey for replacement of void taxes/insurance warrant issued January 12, 1994—\$16.80

To pay claim number 95M50007 to D & S Residential Services, LP, for mental retardation private institutional care from September 1, 2010, to August 31, 2011—\$59,695.02

To pay claim number 95M50010 to Estate of Erwin G. Ernst for replacement of void district judge travel reimbursement warrant issued September 14, 1988—\$370.93

To pay claim number 95M50029 to a confidential payee for replacement of a void franchise tax warrant issued April 8, 2009—\$80,491.40

To pay claim number 95M50043 to Harold Gaither for replacement of void travel reimbursement warrant issued December 5, 2002—\$226.22

To pay claim number 95M50092 to Verizon Select Services, Inc., for maintenance invoice number MN63056 and maintenance invoice number MN63055 for the period from August 1, 2011, to July 31, 2012—\$119,463.00

To pay claim number 95M50143 to Connie S. Klostermann, Trustee, C.B. Sealy Nursing Home, Inc., doing business as Colonial Belle, for nursing home services provided from January 3, 2009, to September 30, 2011, for various patients—\$47,473.73

SECTION 2. The following sums of money are appropriated out of the State Highway Fund No. 0006 for payment of itemized claims and judgments plus interest, if any, against the State of Texas:

To pay claim number 94M20357 to Shell Pipeline Company LP for adjustment of Chocolate Bayou Propylene Line on I-45 Expansion during the period from September 1, 2004, to August 31, 2005, invoice number 90019221 - agreement number U10540 - CSJ number 0500-03-475—\$140,939.80

To pay claim number 95M30231 to the City of Plano for engineering expenses incurred during the period from September 1, 2005, to April 7, 2006, related to a traffic study project #5389, invoices 1-5—\$51,968.10

SECTION 2. The following sums of money are appropriated out of the State Highway Fund No. 0006 for payment of itemized claims and judgments plus interest, if any, against the State of Texas:

To pay claim number 94M20357 to Shell Pipeline Company LP for adjustment of Chocolate Bayou Propylene Line on I-45 Expansion during the period from September 1, 2004, to August 31, 2005, invoice number 90019221 - agreement number U10540 - CSJ number 0500-03-475—\$140,939.80

To pay claim number 95M30231 to the City of Plano for engineering expenses incurred during the period from September 1, 2005, to April 7, 2006, related to a traffic study project number 5389, invoices 1-5—\$51,968.10

To pay claim number 95M30242 to CenterPoint Energy Gas Transmission for utility adjustments near U.S. Highway 59 in Marion County from September 1, 2007, to August 31, 2008—\$84,519.05

To pay claim number 95M30243 to Texarkana Water Utilities for water main relocation on May 7, 2010, in Cass County near F.M. 3129 at Union Pacific Railroad—\$156,574.98

To pay claim number 95M30309 to Cameron County Administration for right-of-way acquisition for parcel 17 local public agency reimbursement—\$137.85

To pay claim number 95M30310 to Texarkana Water Utilities for reimbursement for utility adjustment on FM 559, parcel U12295—\$76,183.04

To pay claim number 95M30347 to Upshur Rural Electric Cooperative for a billing of utility adjustment parcel U11126, invoice number 20090731—\$51,006.13

To pay claim number 95M30351 to the City of Dallas for acquisition of land and appraisal work on parcel 4—\$175,032.00

To pay claim number 95M30356 to the City of Plano for reimbursement of engineering expenses from September 1, 2004, to August 31, 2005, for design project number 5283—\$47,370.96

To pay claim number 95M30357 to the City of Plano for reimbursement of engineering expenses from September 1, 2008, to August 31, 2009, for design project number 5283—\$33,130.73

To pay claim number 95M30358 to the City of Plano for reimbursement of engineering expenses from September 1, 2007, to August 31, 2008, for design project number 5283—\$19,862.14

To pay claim number 95M30359 to the City of Plano for reimbursement of engineering expenses from September 1, 2006, to August 31, 2007, for design project number 5283—\$78,104.34

To pay claim number 95M30360 to the City of Plano for reimbursement of engineering expenses from September 1, 2005, to August 31, 2006, for design project number 5283—\$15,080.00

To pay claim number 95M40004 to the San Antonio Water System for reimbursement of engineering expenses for fiscal year 2009—\$197,036.66

To pay claim number 95M40005 to Entergy Texas for utility work performed in fiscal year 2010—\$24,979.19

To pay claim number 95M40081 to Austin Energy for utility relocation in fiscal year 2008 invoice number 11E209956—\$138,017.77

To pay claim number 95M40144 to Enbridge Pipeline (East Texas), LP, for utility reimbursement April 17, 2009, invoice number 2176284—\$72,573.46

To pay claim number 95M40273 to Enbridge Pipeline (East Texas), LP, for utility reimbursement for fiscal year 2007—\$50,712.18

To pay claim number 95M40366 to American Electric Power for utility reimbursement from April 2009 to September 2009—\$125,979.42

To pay claim number 95M40367 to American Electric Power for utility adjustment for April 2009 to September 2009—\$175,662.61

To pay claim number 95M40368 to West Texas LPG Pipeline Limited Partnership for utility adjustment invoice number PWREM-02143-1210—\$71,022.41

To pay claim number 95M50018 to Enbridge Energy Partners, LP, for utility reimbursement for fiscal year 2008—\$120,483.60

To pay claim number 95M50038 to Trinity Valley Electric Cooperative, Inc., for utility adjustment invoice number 858, April 15, 2008—\$286,268.14

To pay claim number 95M50039 to Trinity Valley Electric Cooperative, Inc., for utility adjustment invoice number 942, March 31, 2009—\$130,631.94

To pay claim number 95M50053 to Kinder Morgan Texas Pipeline, LLC, for utility agreement from December 13, 2011, to July 1, 2012—\$494,812.88

To pay claim number 95M50127 to Kinder Morgan Operating, LP, doing business as Kinder Morgan Texas Pipeline, LLC, for utility adjustment for fiscal year 2012—\$242,447.70

To pay claim number 95M50130 to Centerpoint Energy Gas for utility agreement fiscal year 2010—\$70,583.08

To pay claim number 95M50131 to Centerpoint Energy Gas for utility agreement fiscal year 2010—\$124,330.56

To pay claim number 95M50132 to Centerpoint Energy Gas for utility agreement fiscal year 2010—\$64,635.84

To pay claim number 95M50133 to Centerpoint Energy Gas for utility agreement fiscal year 2012—\$134,749.91

To pay claim number 95M50253 to the City of Hurst for engineering professional services from October 1, 2009, to November 30, 2009—\$30,950.00

SECTION 3. The following sums of money are appropriated out of the Game, Fish, and Water Safety General Revenue Account No. 0009 for payment of itemized claims and judgments plus interest, if any, against the

SECTION 3. Same as introduced version.

State of Texas:

To pay claim number 95M40184 to the City of Athens for a utility bill number 04-3001-00 for the period from December 19, 2002, to January 22, 2013—\$2,328.73

To pay claim number 95M40324 to Enrique Rodriguez for replacement for a void game license refund warrant issued on March 20, 2000—\$150.00

SECTION 4. The following sums of money are appropriated out of the State Parks General Revenue Account No. 0064 for payment of itemized claims and judgments plus interest, if any, against the State of Texas:

To pay claim number 95M30191 to ONEOK, Inc., doing business as Texas Gas Service, for natural gas services from June 28, 2004, to September 3, 2008, for account number 910346280-1252095-00 at Fort Richardson State Park at 228 Park Road 61—\$97.99

To pay claim number 95M30192 to ONEOK, Inc., doing business as Texas Gas Service, for natural gas services from June 28, 2004, to September 3, 2008, for account number 910346280-1112953-00 at Fort Richardson State Park at 629 Depot Street—\$77.69

SECTION 5. The following sums of money are appropriated out of the Compensation to Victims of Crime General Revenue Account No. 0469 for payment of itemized claims and judgments plus interest, if any, against the State of Texas:

To pay claim number 95M30370 to a confidential payee for a replacement of void crime victim's compensation warrant issued on July 13, 2000—\$940.00

SECTION 6. The following sums of money are appropriated out of the Unemployment Compensation Clearance Account Fund No. 0936 for payment of itemized claims and judgments plus interest, if any, against the State of Texas:

To pay claim number 95M30103 to John P. Lincoln, D.D.S., for a replacement of a void surplus tax credit refund warrant issued on December 21, 2004—\$25.43

SECTION 7. (a) Before any claim or judgment may be paid from money

SECTION 4. Same as introduced version.

SECTION 5. Same as introduced version.

SECTION 6. Same as introduced version.

SECTION 7. Same as introduced version.

appropriated by this Act, the claim or judgment must 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. 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, 2017, may not be paid from money appropriated by this Act.

(b) Each claim or judgment paid from money appropriated by this Act must contain such information as the comptroller of public accounts requires but at a minimum must contain the specific reason for the claim or judgment. If the claim is for a void warrant, the claim must include a specific identification of the goods, services, refunds, or other items for which the warrant was originally issued. In addition, it must include a certification by the original payee or the original payee's successors, heirs, or assigns that the debt is still outstanding. If the claim or judgment is for unpaid goods or services, it must be accompanied by an invoice or other acceptable documentation of the unpaid account and any other information that may be required by the comptroller.

SECTION 8. Subject to the conditions and restrictions in this Act and provisions stated in the judgments, the comptroller of public accounts 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 shall 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.

SECTION 9. This Act takes effect September 1, 2015.

SECTION 8. Same as introduced version.

SECTION 9. Same as introduced version.