

BILL ANALYSIS

Senate Research Center
77R2993 JJT-D

H.B. 2065
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Finance
5/11/2001
Engrossed

DIGEST AND PURPOSE

Currently, it is not clear in statute whether the attorney general has the authority to appropriate settlement money for a specific purpose other than general revenue. H.B. 2065 directs all money that is awarded to the state in settlement to be certified by the comptroller of public accounts and deposited into the appropriate account.

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. Amends Chapter 403C, Government Code, by adding Section 403.037, as follows:

Sec. 403.037. ALLOCATION OF CERTAIN SETTLEMENT MONEY AT DIRECTION OF ATTORNEY GENERAL. (a) Authorizes the attorney general to certify to the comptroller and the Legislative Budget Board that money awarded to the state in settlement of a claim is money to be credited to the account for a particular appropriation under Section 403.036 if it is not clear under applicable law to which account the money should be credited.

(b) Requires the comptroller, except as provided by Subsection (c), to act in accordance with the certification received under Subsection (a): on the 31st day after the date the comptroller receives it or on the day following the date the comptroller receives the written prior approval of the Legislative Budget Board to act in accordance with the certification.

(c) Requires the comptroller if, before the 31st day after the date the comptroller receives the certification under Subsection (a), the comptroller receives from the Legislative Budget Board a certification that the money is to be credited to a different account for a particular appropriation under Section 403.036 or that the money should not be credited to any account for a particular appropriation under Section 403.036, to act in accordance with the board's certification as soon as is practicable.

SECTION 2. Effective date: September 1, 2001.