

BILL ANALYSIS

Senate Research Center
77R10258 JJT-F

H.B. 2852
By: Junell (Ellis, Rodney)
Finance
5/3/2001
Engrossed

DIGEST AND PURPOSE

At the conclusion of each biennium, the State of Texas has a number of outstanding claims and judgments against it for varying amounts of money. The claims consist of 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. 2852 sets forth sums of money appropriated out of various accounts to pay certain claims and judgments against the State of Texas.

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 the General Revenue Fund Account No. 0001 for payment of itemized claims and judgments plus interest, if any, against the State of Texas.

SECTION 2. Providesthat certain 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.

SECTION 3. Provides that certain sums of money are appropriated out of the Operators and Chauffeurs License Fund Account No. 0099, for 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 Law Enforcement Officer Standards and Education Fund Account No. 0116, for payment of itemized claims and judgments plus interest, if any, against the State of Texas.

SECTION 5. Provides that certain sums of money are appropriated out of the Federal Adult Blind Fund Account No. 0141, for payment of itemized claims and judgments plus interest, if any, against the State of Texas.

SECTION 6. Provides that certain sums of money are appropriated out of the General Revenue Fund Account No. 0001, for payment of itemized claims and judgments plus interest, if any, against the State of Texas.

SECTION 7. Provides that certain sums of money are appropriated out of the Watermaster Administration Fund Account No. 0158, for payment of itemized claims and judgments plus interest, if any, against the State of Texas.

SECTION 8. Provides that certain sums of money are appropriated out of the Federal Civil Defense and Disaster Relief Fund Account No. 0221, for payment of itemized claims and judgments plus

interest, if any, against the State of Texas.

SECTION 9. Provides that certain sums of money are appropriated out of the General Revenue Compensation to Victims of Crime Fund Account No. 0469, for payment of itemized claims and judgments plus interest, if any, against the State of Texas.

SECTION 10. Provides that certain sums of money are appropriated out of the General Revenue Fund Account No. 0001, for payment of itemized claims and judgments plus interest, if any, against the State of Texas.

SECTION 11. Provides that certain sums of money are appropriated out of the Safety Responsibility Trust Account No. 0914, for payment of itemized claims and judgments plus interest, if any, against the State of Texas.

SECTION 12. Provides that certain sums of money are appropriated out of the Unemployment Compensation Clearance Fund Account No. 0936, for payment of itemized claims and judgments plus interest, if any, against the State of Texas.

SECTION 13. Provides that certain sums of money are appropriated out of the Workforce Commission Federal Fund Account No. 5026, for payment of itemized claims and judgments plus interest, if any, against the State of Texas.

SECTION 14. Provides that certain sums of money are appropriated out of the Texas Department of Human Services, out of funds as provided by Subsection (b) of this section, for payment of itemized claims and judgments plus interest, if any, against the State of Texas.

SECTION 15. (a) Requires that before any claim or judgment may be paid from money appropriated by this Act, the claim or judgment be verified and substantiated by the administrator of the special fund or account against which the claim is to be charged and be approved by the attorney general and the comptroller of public accounts. 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, 2002, from being paid from money appropriated by this Act.

(b) Requires that each claim or judgment paid from money appropriated by this Act to contain such information as the comptroller of public accounts requires but at a minimum must contain the specific reason for the claim or judgment. Requires a claim, if the claim is for a void warrant, to include a specific identification of the goods, services, refund, or other item for which the warrant was originally issued. Provides that in addition, it include a certification by the original payee or the original payee's successor, heirs, or assigns that the debt is still outstanding. Requires that if the claim or judgment is 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.

SECTION 16. Provides that 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 in Sections 1-13 of this Act, in an amount not to exceed the amount set opposite their respective names and shall mail or deliver to each of the individuals, firms, or corporations one or more warrants in payment of all claims included in this Act. Requires the comptroller to issue warrants to the Texas Department of Human Services for payment in favor of each of the individuals, firms, or corporations listed in Section 14 of this Act.

SECTION 17. Effective date: September 1, 2001.