

BILL ANALYSIS

Senate Research Center
80R8115 JJT-D

S.B. 1108
By: Watson
Finance
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Texas Civil Practice & Remedies Code, Chapter 109, permits an appropriation to pay a claim. A district court judgment has been awarded to plaintiff Anna M. Abraham against the Texas Rehabilitation Commission for sexual harassment. The plaintiff was awarded by the jury damages for back pay, lost pay and retirement benefits, and compensatory damages for emotional pain, suffering, inconvenience, mental anguish, loss of enjoyment of life, and other non-pecuniary damage, as well as court cost, attorney's fees, and expert witness fees. The judgment was affirmed by the Third Court of Appeals.

As proposed, S.B. 1108 requires \$430,000 be appropriated to the comptroller of public accounts out of the General Revenue Fund Account No. 0001 for the state fiscal biennium ending August 31, 2009, to pay Anna M. Abraham's judgment.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. (a) Requires that an amount not to exceed \$430,000 be appropriated to the comptroller of public accounts (comptroller) out of the General Revenue Fund Account No. 0001 for the state fiscal biennium ending August 31, 2009, to pay Anna M. Abraham for damages, courts costs, expert witness fees, and attorney's fees, plus additional interest, if any, as provided by the judgment of the court in the case styled Anna M. Abraham v. The Texas Rehabilitation Commission, No. GN-303143 (353rd Dist. Ct., Travis County, Tex., judgment entered on November 10, 2004) as affirmed by the Third Court of Appeals.

(b) Prohibits a warrant from being prepared for payment of the judgment unless the judgment is certified by the attorney general as being final with no further appeals available and approved by the attorney general as a legally enforceable obligation of the state.

(c) Requires the comptroller, following the certification and approval under Subsection (b) of this section, to issue a warrant as soon as possible in favor of Anna M. Abraham in payment of the judgment and mail or deliver the warrant to Anna M. Abraham or her authorized representative.

SECTION 2. Effective date: September 1, 2007.