

BILL ANALYSIS

Senate Research Center

H.B. 3765
By: Longoria (Hinojosa)
Finance
5/17/2017
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

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. H.B. 3765 provides for sums of money appropriated out of various accounts to pay certain claims and judgments against the state.

H.B. 3765 appropriates certain sums of money for payment of itemized claims and judgments plus interest, if any, against the State of Texas out of the general revenue fund 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 hazardous and solid waste remediation fees general revenue account No. 0550, and the unemployment compensation clearance account fund no. 0936.

H.B. 3765 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 Texas attorney general (attorney general) and the Texas comptroller of public accounts (comptroller). 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, 2019.

H.B. 3765 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 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 Game, Fish, and Water Safety General Revenue Account No. 0009 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 State Parks General Revenue Account No. 0064 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 Hazardous and Solid Waste Remediation Fees General Revenue Account No. 0550 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 Unemployment Compensation Clearance Account Fund No. 0936 for payment of itemized claims and judgments plus interest, if any, against the State of Texas.

SECTION 7. (a) Requires that any claim or judgment, before the claim or judgment may be paid from money appropriated by this Act, be verified and substantiated by the administrator of the special fund or account (administrator) against which the claim or judgment is to be charged and be approved by the Texas attorney general (attorney general) and the Texas comptroller of public accounts (comptroller). Prohibits any claim or judgment itemized in this Act that has not been verified and substantiated by the administrator and approved by the attorney general and the comptroller by August 31, 2019, from being paid from money appropriated from 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, if the claim is for a void warrant, include a specific identification of the goods, services, refunds, or other items for which the warrant was originally issued and, in addition, include 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, if the claim or judgment is for unpaid goods or services, 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. Provides that, subject to the conditions and restrictions in this Act and provisions stated in the judgments, 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. 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 this Act.

SECTION 9. Effective date: September 1, 2017.