

- SUBJECT:** Appropriations for certain miscellaneous claims and judgments
- COMMITTEE:** Appropriations — committee substitute recommended
- VOTE:** 20 ayes — Chisum, Allen, Branch, B. Brown, F. Brown, Crownover, Darby, J. Davis, England, Gattis, Harper-Brown, Hopson, Isett, Jackson, Lucio, McReynolds, Otto, Taylor, Turner, Zerwas
- 0 nays
- 9 absent — Guillen, Chavez, Dukes, Kolkhorst, McClendon, Menendez, Noriega, Riddle, Van Arsdale
- SENATE VOTE:** On final passage, April 26 — 30-0
- WITNESSES:** No public hearing
- BACKGROUND:** Since the late 1970s, the general appropriations act has contained a rider prohibiting the use of general revenue to pay any judgment or settlement against the state unless the funds are appropriated specifically for such purposes. For fiscal 2006-07, this provision was in Art. 9, sec. 1.01 of SB 1 by Ogden, the general appropriations act enacted by the 79th Legislature in 2005.
- DIGEST:** CSSB 1719 would appropriate money from various accounts to pay outstanding claims and judgments against the state, which would be listed individually. The bill would appropriate a total of \$8.4 million from general revenue, \$10.2 million from the state highway fund, \$647,363 from general revenue-dedicated accounts, and \$7,517 from the unemployment compensation clearance fund.
- Payments would range from a few dollars to \$1,059,231.01 to pay CenterPoint Energy for relocation of electrical facilities in June 2000. Many of the larger payments would go to providers of nursing home and community based alternative services for the elderly and people with disabilities.
- The bill also would amend Government Code, sec. 403.074 to prohibit the comptroller from paying a single claim, or an aggregate of claims by a

single claimant during a biennium, in excess of \$50,000, rather than \$25,000 in current law. The bill would lengthen the period during which claims could be made from four to eight years from the date on which the claim arose.

Before any claim or judgment could be paid, the claim or judgment would have to be verified and substantiated by the administrator of the special fund or account, and be approved by the attorney general and the comptroller by August 31, 2008.

The bill would take effect September 1, 2007.

NOTES:

The committee substitute would prohibit the comptroller from paying a claim in excess of \$50,000, rather than \$25,000, or an aggregate of claims in excess of \$50,000 rather than \$25,000. It also would increase the period for claims to eight years from four.