

BILL ANALYSIS

Senate Research Center

S.B. 1491
By: Duncan
Finance
5/5/1999
Committee Report (Amended)

DIGEST

Currently, questions regarding the appropriate authority under which to claim settlement funds and funds received from a judgment by the state have arisen. The question of whether these types of funds must be deposited into the state treasury and subjected to the legislative finance process is unclear. S.B. 1491 would provide that amounts received from a judgment or funds from a claim settlement be deposited in the state treasury, and subject to appropriation.

PURPOSE

As proposed, S.B. 1491 includes amounts received from a judgment in favor of or the settlement of a claim made by the state to be deposited in the state treasury.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 404.094(a), Government Code, to require, unless otherwise specified by law, fees, fines, penalties, taxes, charges, gifts, grants, donations, and other funds collected or received by a state agency under law, including amounts received from a judgment in favor of or the settlement of a claim made by the state to be deposited in the treasury, credited to a special fund or funds, and subject to appropriation only for the purposes for which they are otherwise authorized to be expended or disbursed.

SECTION 2. Provides that the legislature intends to clarify and reiterate the law in effect before the enactment of this Act.

SECTION 3. Emergency clause.
Effective date: upon passage.

SUMMARY OF COMMITTEE CHANGES

SECTION 1.

Amends Section 404.094(a), Government Code, to require, unless otherwise specified by law, fees, fines, penalties, taxes, charges, gifts, grants, donations, and other funds collected or received by a state agency under law, including amounts received from a judgment in favor of or the settlement of a claim made by the state to be deposited in the treasury, credited to a special fund or funds, and subject to appropriation only for the purposes for which they are otherwise authorized to be expended or disbursed.