

BILL ANALYSIS

Senate Research Center
79S31739 DLF-D

S.B. 43
By: Barrientos
Finance
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As Filed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Anna M. Abraham is owed more than \$400,000 under a judgment entered by the 353rd district court in her wrongful termination suit against the Texas Rehabilitation Commission. The comptroller of public accounts has concluded that Article 9, Section 6.22, General Appropriations Act, prohibits the state from using money appropriated to the agency to pay more than \$250,000 on a claim, and that the plaintiff's acceptance of this partial payment would require the plaintiff to waive the balance of the judgment. Furthermore, the comptroller has concluded that Article 1, Strategy A.1.5, General Appropriations Act, prevents the use of additional money appropriated to the comptroller to pay the balance of the claim because the statute under which it arose is not one of those listed in the Appropriations Act.

As proposed, S.B. 43 appropriates money to pay a judgment owed by the state.

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. Appropriates an amount not to exceed \$430,000 to the comptroller of public accounts (comptroller), in addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2007, to pay Anna M. Abraham for certain costs as provided by the judgment of the court in the case styled *Anna M. Abraham v. The Texas Rehabilitation Commission* (353rd Dist. Ct., Travis County, Tex., judgment entered on November 10, 2004).

SECTION 2. Effective date: upon passage or the 91st day after adjournment.