

BILL ANALYSIS

C.S.H.B. 3647
By: Turner
Appropriations
Committee Report (Substituted)

BACKGROUND AND PURPOSE

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. C.S.H.B. 3647 sets forth sums of money appropriated out of various accounts to pay certain claims and judgments against the state.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 3647 appropriates the following sums of money out of the General Revenue Fund Account No. 0001 for payment of itemized claims and judgments plus interest, if any, against the State of Texas:

- \$1,760.00 to pay Securities America Advisors, Inc. for replacement of a void warrant issued on March 9, 2000, for reimbursement of professional fees;
- \$142,000.29 to pay Community Healthcare Services, Inc. for home and community services provided from February 2005 through August 2005;
- \$10.00 to pay Robert S. Kittredge for replacement of a void warrant issued May 14, 1982;
- \$8,202.44 to pay Cable Com, Inc. for replacement of a void warrant issued April 24, 1995;
- \$77.35 to pay Linda Clay for replacement of a void warrant issued November 7, 1994;
- \$565.56 to pay confidential payee for claim 93M90481 for replacement of a void payroll warrant issued November 10, 1994;
- \$7,978.41 to pay AT&T for telephone services provided from November 2000 to February 2002;
- \$280.00 to pay Young County-District Attorney, 90th District, for attorney's fees for a fraud case August 13, 1999;
- \$280.00 to pay Young County-District Attorney, 90th District, for attorney's fees for a fraud case January 11, 2001;
- \$29,776.42 to pay confidential payee for claim 94M00566 for void payroll warrants issued from January 1986 to March 1992;
- \$65.55 to pay confidential payee for claim 94M00581 for replacement of a void warrant issued December 17, 1997;

- \$167,323.45 to pay BHR Lodging Tenant Company for replacement of a void warrant issued March 16, 2007;
- \$1,298.39 to pay confidential payee for claim 94M00716 for replacement of a void warrant issued July 21, 1999;
- \$348.54 to pay confidential payee for claim 94M00753 for replacement of a void warrant issued July 2, 2001;
- \$576.72 to pay confidential payee for claim 94M00977 for replacement of a void warrant issued May 7, 2001;
- \$112.00 to pay confidential payee for claim 94M01069 for replacement of a void warrant issued October 2, 2001;
- \$26,529.00 to pay The Children's Shelter for foster care provided from March 15, 2006, to November 9, 2006;
- \$14,601.60 to pay The Children's Shelter for foster care provided from November 3, 2006, to July 31, 2007;
- \$12,728.00 to pay The Children's Shelter for foster care provided from December 7, 2006, to August 31, 2007;
- \$11,979.64 to pay The Children's Shelter for foster care provided from November 1, 2006, to February 1, 2007;
- \$10,144.05 to pay The Children's Shelter for foster care provided from March 3, 2007, to August 31, 2007;
- \$9,564.39 to pay The Children's Shelter for foster care provided from June 27, 2006, to May 3, 2007;
- \$6,512.00 to pay The Children's Shelter for foster care provided from January 21, 2007, to July 31, 2007;
- \$3,149.31 to pay the Bexar County Auditor for reimbursement for appointment under Article 11.071, Code of Criminal Procedure, of counsel Robin Norris in case #2004CR1613-W1-Defendant Ramon Hernandez May 2006 to August 2007;
- \$391.13 to pay JP Morgan Chase Bank for procurement card purchases for May 2008 to August 2008 for the account ending in "4258" for payment to vendors for goods and services provided for the benefit of children and adults in protective care;
- \$964.09 to pay JP Morgan Chase Bank for procurement card purchases for March 2008 to August 2008 for the account ending in "4324" for payment for goods and services provided for the benefit of children and adults in protective care;
- \$384.79 to pay confidential payee for claim 94M01169 for replacement of a void payroll warrant issued September 17, 2001;
- \$500.00 to pay confidential payee for claim 94M10076 for replacement of a void warrant issued June 28, 1995;
- \$100.00 to pay Christopher Patrick Cotter for replacement of a void warrant issued November 16, 2001; and
- \$593.20 to pay confidential payee for claim 94M10209 for replacement of a void payroll warrant issued November 1, 1996.

C.S.H.B. 3647 appropriates the following sums of money out of the State Highway Fund No. 0006 for payment of itemized claims and judgments plus interest, if any, against the State of Texas:

- \$992,555.50 to pay Thomas Williams for attorney's fees and court costs plus interest per

judgment Cause No. GN-503758 in claim No. 90T00005;

- \$192,680.95 to pay City of Corpus Christi 80 percent reimbursement for engineering services provided from September 1, 2006, to August 31, 2007;
- \$329,376.20 to pay AT&T for utility adjustment for widening project September 1, 2003, to August 31, 2004;
- \$4,445.14 to pay City of Lewisville for Timber Creek Bike Trail Project October 2003 to August 2004;
- \$116,032.06 to pay Paline Pipeline Company, a subsidiary of Lion Oil Company, for utility adjustment on IH-10/Dewitt Road to KCS Railroad February 2006 to June 2006;
- \$7,956.00 to pay City of Garland for design construction completed February 9, 2001;
- \$281,659.00 to pay U.S. Customs and Border Protection for replacement warrant issued June 13, 2007;
- \$27,437.22 to pay Gaston Water Supply Corp for relocation of water line along proposed Loop 571 completed March 12, 1999;
- \$32,452.93 to pay City of Hurst for engineering services provided from September 1, 2003, to August 31, 2004;
- \$212,824.88 to pay American Electric Power for utility adjustment on FM899, Titus County from February 2007 to August 2007;
- \$168,021.69 to pay City of El Paso for cost incurred on project No. 2552-012-035 for December 1, 2006, to August 31, 2007;
- \$121,656.80 to pay Bexar Metropolitan Water District for engineering and inspection services for utility relocation, Loop 410 at Zarzamora and Highway 16, San Antonio, February 22, 2006;
- \$116,397.75 to pay Florida Gas Transmission Company for utility adjustment relocation completed May 2004;
- \$9,700.65 to pay the County of Dallas Public Works Department for engineering services provided from March 26, 1999, to May 16, 2005;
- \$644.93 to pay the County of Dallas Public Works Department for engineering services provided from May 26, 1999, to June 25, 1999;
- \$17,826.75 to pay Montgomery County for preliminary engineering study for FM 2978 in Montgomery County from December 30, 2006, through February 28, 2007;
- \$25,205.05 to pay Montgomery County for preliminary engineering study for FM 2978 in Montgomery County from March 1, 2007, through March 31, 2007;
- \$16,182.19 to pay Montgomery County for preliminary engineering study for FM 2978 in Montgomery County from April 1, 2007, through April 21, 2007;
- \$25,398.62 to pay Montgomery County for preliminary engineering study for FM 2978 in Montgomery County from October 1, 2007, through December 1, 2007;
- \$7,648.80 to pay Montgomery County for preliminary engineering study for FM 2978 in Montgomery County from December 2, 2007, through January 26, 2008; and
- \$2,592.34 to pay confidential payee for claim 94M10306 for replacement of a void warrant issued August 1, 1994.

C.S.H.B. 3647 appropriates \$202.05 out of the General Revenue-Vital Statistics Fund Account No. 0019 for payment of itemized claims and judgments plus interest, if any, against the State of Texas to pay J. D. Gaona for replacement of a void warrant issued August 1, 2000.

C.S.H.B. 3647 appropriates \$185,000.00 out of the General Revenue-Hazardous and Solid Waste Remediation Fees Account, No. 0550 for payment of itemized claims and judgments plus interest, if any, against the State of Texas to pay Weston Solutions, Inc. for engineering and remediation services provided from August 11, 2006, to February 2, 2007.

C.S.H.B. 3647 appropriates \$237.33 out of the Veterans Land Bond Series 1986 Refunding Fund No. 0571 for payment of itemized claims and judgments plus interest, if any, against the State of Texas to pay Fannin County Title Company for replacement of a void warrant issued July 21, 1999.

C.S.H.B. 3647 appropriates \$123,774.23 out of the General Revenue-Petroleum Storage Tank Remediation Fund Account No. 0655 for payment of itemized claims and judgments plus interest, if any, against the State of Texas to pay Wells Fargo Bank NA Unclaimed Property for replacement of a void warrant issued December 5, 2008.

C.S.H.B. 3647 appropriates the following sums of money out of the Unemployment Compensation Clearance Account No. 0936 for payment of itemized claims and judgments plus interest, if any, against the State of Texas:

- \$20.02 to pay Leila Elias Fanous for replacement of a void surplus tax credit warrant issued October 19, 2001;
- \$26.73 to pay The Seideman Law Firm for replacement of a void surplus tax credit warrant issued March 19, 2001; and
- \$19.24 to pay The Seideman Law Firm for replacement of a void surplus tax credit warrant issued May 8, 2000.

C.S.H.B. 3647 requires that a claim or judgment, before being paid from money appropriated by the bill, 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 attorney general and the comptroller of public accounts. 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, 2012. The bill requires that each claim or judgment paid from money appropriated by the bill contain such information as the comptroller requires and at a minimum contain the specific reason for the claim or judgment. The bill requires that a claim for a void warrant include a specific identification of the goods, services, refunds, or other items for which the warrant was originally issued and include a certification by the original payee or the original payee's successors, heirs, or assigns that the debt is still outstanding. The bill requires that a claim or judgment for unpaid goods or services be accompanied by an invoice or other acceptable documentation of the unpaid account and any other information required by the comptroller.

C.S.H.B. 3647 establishes that the comptroller, subject to the conditions and restrictions in the bill and provisions stated in the judgments, is authorized and directed to issue one or more warrants on the state treasury, as soon as possible following the bill's effective date, in favor of each of the individuals, firms, or corporations named or claim numbers identified in the bill, in an amount not to exceed the amount set opposite their respective names or claim numbers. The bill 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 the bill.

EFFECTIVE DATE

September 1, 2011.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 3647 contains provisions not included in the original appropriating the following sums of money out of the General Revenue Fund Account No. 0001 for payment of itemized claims and judgments plus interest, if any, against the State of Texas:

- \$391.13 to pay JP Morgan Chase Bank for procurement card purchases for May 2008 to August 2008 for the account ending in "4258" for payment to vendors for goods and services provided for the benefit of children and adults in protective care;
- \$964.09 to pay JP Morgan Chase Bank for procurement card purchases for March 2008 to August 2008 for the account ending in "4324" for payment for goods and services provided for the benefit of children and adults in protective care; and
- \$593.20 to pay confidential payee for claim 94M10209 for replacement of a void payroll warrant issued November 1, 1996.

C.S.H.B. 3647 differs from the original by appropriating \$192,680.95 to pay City of Corpus Christi 80 percent reimbursement for engineering services provided from September 1, 2006, to August 31, 2007, out of the State Highway Fund No. 0006, whereas the original appropriates that amount out of the General Revenue Fund Account No. 0001.

C.S.H.B. 3647 contains provisions not included in the original appropriating the following sums of money out of the State Highway Fund No. 0006, for payment of itemized claims and judgments plus interest, if any, against the State of Texas:

- \$17,826.75 to pay Montgomery County for preliminary engineering study for FM 2978 in Montgomery County from December 30, 2006, through February 28, 2007;
- \$25,205.05 to pay Montgomery County for preliminary engineering study for FM 2978 in Montgomery County from March 1, 2007, through March 31, 2007;
- \$16,182.19 to pay Montgomery County for preliminary engineering study for FM 2978 in Montgomery County from April 1, 2007, through April 21, 2007;
- \$25,398.62 to pay Montgomery County for preliminary engineering study for FM 2978 in Montgomery County from October 1, 2007, through December 1, 2007;
- \$7,648.80 to pay Montgomery County for preliminary engineering study for FM 2978 in Montgomery County from December 2, 2007, through January 26, 2008; and
- \$2,592.34 to pay confidential payee for claim 94M10306 for replacement of a void warrant issued August 1, 1994.