

1-1 By: Turner (Senate Sponsor - Ogden) H.B. No. 3647
1-2 (In the Senate - Received from the House May 12, 2011;
1-3 May 12, 2011, read first time and referred to Committee on Finance;
1-4 May 20, 2011, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 11, Nays 0; May 20, 2011,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 3647 By: Estes

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to directing payment, after approval, of certain
1-11 miscellaneous claims and judgments against the state out of funds
1-12 designated by this Act; making appropriations.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. The following sums of money are appropriated
1-15 from money derived from the settlement of the following lawsuits
1-16 and held in the suspense account established by the comptroller and
1-17 the attorney general in the General Revenue Fund Account No. 0001
1-18 for payment of itemized claims and judgments plus interest, if any,
1-19 against the State of Texas:

1-20 To pay Wright & Greenhill, P.C. the following amounts payable
1-21 under the outside counsel contract OCC No. 2007-302-0012 in
1-22 connection with the settlement of claims in State of Texas ex rel.
1-23 Ven-A-Care of the Florida Keys, Inc. v. Mylan Pharmaceuticals USA,
1-24 et al., Cause No. D-1-GV-07-001259, District Court of Travis
1-25 County, 201st Judicial District--the amount of \$5,750,000.00 for
1-26 legal fees and the amount of \$174,222.32 for expenses for a total
1-27 appropriation of \$5,924,222.32

1-28 To pay Wright & Greenhill, P.C. the following amounts payable
1-29 under the outside counsel contract OCC No. 2007-302-0012 in
1-30 connection with the settlement of claims in State of Texas ex rel.
1-31 Ven-A-Care of the Florida Keys, Inc. v. TEVA, et al., Cause No.
1-32 D-1-GV-07-001259, District Court of Travis County, 201st Judicial
1-33 District--the amount of \$11,230,010.00 for legal fees and the
1-34 amount of \$157,093.62 for expenses for a total appropriation
1-35 of \$11,387,103.62

1-36 SECTION 2. The following sums of money are appropriated out
1-37 of the General Revenue Fund Account No. 0001 for payment of itemized
1-38 claims and judgments plus interest, if any, against the State of
1-39 Texas:

1-40 To pay Securities America Advisors, Inc. for replacement of a
1-41 void warrant issued on March 9, 2000, for reimbursement of
1-42 professional fees \$1,760.00

1-43 To pay Community Healthcare Services, Inc. for home and
1-44 community services provided from February 2005 through August
1-45 2005 \$142,000.29

1-46 To pay Robert S. Kittredge for replacement of a void warrant
1-47 issued May 14, 1982 \$10.00

1-48 To pay Cable Com, Inc. for replacement of a void warrant
1-49 issued April 24, 1995 \$8,202.44

1-50 To pay Linda Clay for replacement of a void warrant issued
1-51 November 7, 1994 \$77.35

1-52 To pay confidential payee for claim 93M90481 for replacement
1-53 of a void payroll warrant issued November 10, 1994 \$565.56

1-54 To pay AT&T for telephone services provided from November
1-55 2000 to February 2002 \$7,978.41

1-56 To pay Young County-District Attorney, 90th District, for
1-57 attorney's fees for a fraud case August 13, 1999 \$280.00

1-58 To pay Young County-District Attorney, 90th District, for
1-59 attorney's fees for a fraud case January 11, 2001 \$280.00

1-60 To pay confidential payee for claim 94M00566 for void payroll
1-61 warrants issued from January 1986 to March 1992 \$29,776.42

1-62 To pay confidential payee for claim 94M00581 for replacement
1-63 of a void warrant issued December 17, 1997 \$65.55

2-1	To pay BHR Lodging Tenant Company for replacement of a void	
2-2	warrant issued March 16, 2007	\$167,323.45
2-3	To pay confidential payee for claim 94M00716 for replacement	
2-4	of a void warrant issued July 21, 1999	\$1,298.39
2-5	To pay confidential payee for claim 94M00753 for replacement	
2-6	of a void warrant issued July 2, 2001	\$348.54
2-7	To pay confidential payee for claim 94M00977 for replacement	
2-8	of a void warrant issued May 7, 2001	\$576.72
2-9	To pay confidential payee for claim 94M01069 for replacement	
2-10	of a void warrant issued October 2, 2001	\$112.00
2-11	To pay The Children's Shelter for foster care provided from	
2-12	March 15, 2006, to November 9, 2006	\$26,529.00
2-13	To pay The Children's Shelter for foster care provided from	
2-14	November 3, 2006, to July 31, 2007	\$14,601.60
2-15	To pay The Children's Shelter for foster care provided from	
2-16	December 7, 2006, to August 31, 2007	\$12,728.00
2-17	To pay The Children's Shelter for foster care provided from	
2-18	November 1, 2006, to February 1, 2007	\$11,979.64
2-19	To pay The Children's Shelter for foster care provided from	
2-20	March 3, 2007, to August 31, 2007	\$10,144.05
2-21	To pay The Children's Shelter for foster care provided from	
2-22	June 27, 2006, to May 3, 2007	\$9,564.39
2-23	To pay The Children's Shelter for foster care provided from	
2-24	January 21, 2007, to July 31, 2007	\$6,512.00
2-25	To pay the Bexar County Auditor for reimbursement for	
2-26	appointment under Article 11.071, Code of Criminal Procedure, of	
2-27	counsel Robin Norris in case #2004CR1613-W1-Defendant Ramon	
2-28	Hernandez May 2006 to August 2007	\$3,149.31
2-29	To pay JP Morgan Chase Bank for procurement card purchases	
2-30	for May 2008 to August 2008 for the account ending in "4258" for	
2-31	payment to vendors for goods and services provided for the benefit	
2-32	of children and adults in protective care	\$391.13
2-33	To pay JP Morgan Chase Bank for procurement card purchases	
2-34	for March 2008 to August 2008 for the account ending in "4324" for	
2-35	payment for goods and services provided for the benefit of children	
2-36	and adults in protective care	\$964.09
2-37	To pay confidential payee for claim 94M01169 for replacement	
2-38	of a void payroll warrant issued September 17, 2001	\$384.79
2-39	To pay confidential payee for claim 94M10076 for replacement	
2-40	of a void warrant issued June 28, 1995	\$500.00
2-41	To pay Christopher Patrick Cotter for replacement of a void	
2-42	warrant issued November 16, 2001	\$100.00
2-43	To pay confidential payee for claim 94M10209 for replacement	
2-44	of a void payroll warrant issued November 1, 1996	\$593.20
2-45	SECTION 3. The following sums of money are appropriated out	
2-46	of the State Highway Fund No. 0006 for payment of itemized claims	
2-47	and judgments plus interest, if any, against the State of Texas:	
2-48	To pay Thomas Williams for attorney's fees and court costs	
2-49	plus interest per judgment Cause No. GN-503758 in claim No.	
2-50	90T00005	\$992,555.50
2-51	To pay City of Corpus Christi 80 percent reimbursement for	
2-52	engineering services provided from September 1, 2006, to August 31,	
2-53	2007	\$192,680.95
2-54	To pay AT&T for utility adjustment for widening project	
2-55	September 1, 2003, to August 31, 2004	\$329,376.20
2-56	To pay City of Lewisville for Timber Creek Bike Trail Project	
2-57	October 2003 to August 2004	\$4,445.14
2-58	To pay Paline Pipeline Company, a subsidiary of Lion Oil	
2-59	Company, for utility adjustment on IH-10/Dewitt Road to KCS	
2-60	Railroad February 2006 to June 2006	\$116,032.06
2-61	To pay City of Garland for design construction completed	
2-62	February 9, 2001	\$7,956.00
2-63	To pay U.S. Customs and Border Protection for replacement	
2-64	warrant issued June 13, 2007	\$281,659.00
2-65	To pay Gaston Water Supply Corp for relocation of water line	
2-66	along proposed Loop 571 completed March 12, 1999	\$27,437.22
2-67	To pay City of Hurst for engineering services provided from	
2-68	September 1, 2003, to August 31, 2004	\$32,452.93
2-69	To pay American Electric Power for utility adjustment on	

3-1 FM899, Titus County from February 2007 to August 2007 \$212,824.88
 3-2 To pay City of El Paso for cost incurred on project No.
 3-3 2552-012-035 for December 1, 2006, to August 31, 2007 \$168,021.69
 3-4 To pay Bexar Metropolitan Water District for engineering and
 3-5 inspection services for utility relocation, Loop 410 at Zarzamora
 3-6 and Highway 16, San Antonio, February 22, 2006 \$121,656.80
 3-7 To pay Florida Gas Transmission Company for utility
 3-8 adjustment relocation completed May 2004 \$116,397.75
 3-9 To pay the County of Dallas Public Works Department for
 3-10 engineering services provided from March 26, 1999, to May 16,
 3-11 2005 \$9,700.65
 3-12 To pay the County of Dallas Public Works Department for
 3-13 engineering services provided from May 26, 1999, to June 25,
 3-14 1999 \$644.93
 3-15 To pay Montgomery County for preliminary engineering study
 3-16 for FM 2978 in Montgomery County from December 30, 2006, through
 3-17 February 28, 2007 \$17,826.75
 3-18 To pay Montgomery County for preliminary engineering study
 3-19 for FM 2978 in Montgomery County from March 1, 2007, through March
 3-20 31, 2007 \$25,205.05
 3-21 To pay Montgomery County for preliminary engineering study
 3-22 for FM 2978 in Montgomery County from April 1, 2007, through April
 3-23 21, 2007 \$16,182.19
 3-24 To pay Montgomery County for preliminary engineering study
 3-25 for FM 2978 in Montgomery County from October 1, 2007, through
 3-26 December 1, 2007 \$25,398.62
 3-27 To pay Montgomery County for preliminary engineering study
 3-28 for FM 2978 in Montgomery County from December 2, 2007, through
 3-29 January 26, 2008 \$7,648.80
 3-30 To pay confidential payee for claim 94M10306 for replacement
 3-31 of a void warrant issued August 1, 1994 \$2,592.34
 3-32 SECTION 4. The following sums of money are appropriated out
 3-33 of the General Revenue-Vital Statistics Fund Account No. 0019 for
 3-34 payment of itemized claims and judgments plus interest, if any,
 3-35 against the State of Texas:
 3-36 To pay J. D. Gaona for replacement of a void warrant issued
 3-37 August 1, 2000 \$202.05
 3-38 SECTION 5. The following sums of money are appropriated out
 3-39 of the General Revenue-Hazardous and Solid Waste Remediation Fees
 3-40 Account, No. 0550 for payment of itemized claims and judgments plus
 3-41 interest, if any, against the State of Texas:
 3-42 To pay Weston Solutions, Inc. for engineering and remediation
 3-43 services provided from August 11, 2006, to February 2,
 3-44 2007 \$185,000.00
 3-45 SECTION 6. The following sums of money are appropriated out
 3-46 of the Veterans Land Bond Series 1986 Refunding Fund No. 0571 for
 3-47 payment of itemized claims and judgments plus interest, if any,
 3-48 against the State of Texas:
 3-49 To pay Fannin County Title Company for replacement of a void
 3-50 warrant issued July 21, 1999 \$237.33
 3-51 SECTION 7. The following sums of money are appropriated out
 3-52 of the General Revenue-Petroleum Storage Tank Remediation Fund
 3-53 Account No. 0655 for payment of itemized claims and judgments plus
 3-54 interest, if any, against the State of Texas:
 3-55 To pay Wells Fargo Bank NA Unclaimed Property for replacement
 3-56 of a void warrant issued December 5, 2008 \$123,774.23
 3-57 SECTION 8. The following sums of money are appropriated out
 3-58 of the Unemployment Compensation Clearance Account No. 0936 for
 3-59 payment of itemized claims and judgments plus interest, if any,
 3-60 against the State of Texas:
 3-61 To pay Leila Elias Fanous for replacement of a void surplus
 3-62 tax credit warrant issued October 19, 2001 \$20.02
 3-63 To pay The Seideman Law Firm for replacement of a void surplus
 3-64 tax credit warrant issued March 19, 2001 \$26.73
 3-65 To pay The Seideman Law Firm for replacement of a void surplus
 3-66 tax credit warrant issued May 8, 2000 \$19.24
 3-67 SECTION 9. (a) Before any claim or judgment may be paid
 3-68 from money appropriated by this Act, the claim or judgment must be
 3-69 verified and substantiated by the administrator of the special fund

4-1 or account against which the claim or judgment is to be charged and
4-2 be approved by the attorney general and the comptroller of public
4-3 accounts. Any claim or judgment itemized in this Act that has not
4-4 been verified and substantiated by the administrator of the special
4-5 fund or account and approved by the attorney general and the
4-6 comptroller by August 31, 2012, may not be paid from money
4-7 appropriated by this Act.

4-8 (b) Each claim or judgment paid from money appropriated by
4-9 this Act must contain such information as the comptroller of public
4-10 accounts requires but at a minimum must contain the specific reason
4-11 for the claim or judgment. If the claim is for a void warrant, the
4-12 claim must include a specific identification of the goods,
4-13 services, refunds, or other items for which the warrant was
4-14 originally issued. In addition, it must include a certification by
4-15 the original payee or the original payee's successors, heirs, or
4-16 assigns that the debt is still outstanding. If the claim or
4-17 judgment is for unpaid goods or services, it must be accompanied by
4-18 an invoice or other acceptable documentation of the unpaid account
4-19 and any other information that may be required by the comptroller.

4-20 SECTION 10. Subject to the conditions and restrictions in
4-21 this Act and provisions stated in the judgments, the comptroller of
4-22 public accounts is authorized and directed to issue one or more
4-23 warrants on the state treasury, as soon as possible following the
4-24 effective date of this Act, in favor of each of the individuals,
4-25 firms, or corporations named or claim numbers identified in this
4-26 Act, in an amount not to exceed the amount set opposite their
4-27 respective names or claim numbers and shall mail or deliver to each
4-28 of the individuals, firms, or corporations associated with each
4-29 claim one or more warrants in payment of all claims included in this
4-30 Act.

4-31 SECTION 11. This Act takes effect September 1, 2011.

4-32

* * * * *