

By: Ogden, West
(Schwertner)

S.B. No. 899

A BILL TO BE ENTITLED

AN ACT

relating to the legislature's consent or approval of a settlement
of a claim or action against this state.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subsection (a), Section 111.003, Civil Practice
and Remedies Code, is amended to read as follows:

(a) The attorney general or other attorney representing
this state may not enter into a settlement of a claim or action
against this state without the consent or approval of the
legislature in accordance with this chapter if the settlement:

(1) requires this state to pay total monetary damages
in an amount that exceeds \$10,000,000 [~~\$25,000,000~~] in a state
fiscal biennium; or

(2) commits this state to a course of action that in
reasonable probability will entail a continuing increased
expenditure of state funds over subsequent state fiscal bienniums.

SECTION 2. This Act applies to any settlement of a claim or
action against this state on or after the effective date of this Act
without regard to whether the claim or action commenced before, on,
or after that date.

SECTION 3. This Act takes effect September 1, 2011.