

1-1 By: Ogden S.B. No. 899
1-2 (In the Senate - Filed February 23, 2011; March 1, 2011,
1-3 read first time and referred to Committee on Finance;
1-4 March 29, 2011, reported favorably by the following vote: Yeas 15,
1-5 Nays 0; March 29, 2011, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the legislature's consent or approval of a settlement
1-9 of a claim or action against this state.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Subsection (a), Section 111.003, Civil Practice
1-12 and Remedies Code, is amended to read as follows:

1-13 (a) The attorney general or other attorney representing
1-14 this state may not enter into a settlement of a claim or action
1-15 against this state without the consent or approval of the
1-16 legislature in accordance with this chapter if the settlement:

1-17 (1) requires this state to pay total monetary damages
1-18 in an amount that exceeds \$10,000,000 [~~\$25,000,000~~] in a state
1-19 fiscal biennium; or

1-20 (2) commits this state to a course of action that in
1-21 reasonable probability will entail a continuing increased
1-22 expenditure of state funds over subsequent state fiscal bienniums.

1-23 SECTION 2. This Act applies to any settlement of a claim or
1-24 action against this state on or after the effective date of this Act
1-25 without regard to whether the claim or action commenced before, on,
1-26 or after that date.

1-27 SECTION 3. This Act takes effect September 1, 2011.

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