

By: Otto

H.B. No. 3188

A BILL TO BE ENTITLED

AN ACT

1
2 relating to directing payment, after approval, of certain
3 miscellaneous claims and judgments against the state out of funds
4 designated by this Act; making appropriations.

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

6 SECTION 1. The following sums of money are appropriated out
7 of the General Revenue Fund Account No. 0001 for payment of itemized
8 claims and judgments plus interest, if any, against the State of
9 Texas:

10 To pay Hilliard Munoz Gonzalez, LLP, the following amount
11 payable under the conditional settlement agreement made after
12 mediation in Inez Baltazar Hernandez, et al. v. Texas Department of
13 Aging and Disability Services, et al., Civil Action No.
14 2:09-CV-00163, in the United States District Court for the Southern
15 District of Texas, Corpus Christi Division, from which attorney's
16 fees, litigation expenses, and court costs shall be deducted, with
17 the remainder to be placed into five separate subaccounts in the Arc
18 of Texas Master Pooled Trust, for the benefit of Armando Hernandez,
19 Jr., David P. Hernandez, George Brazil, Angel Jose Mata, and
20 Christopher Norris for a total appropriation of \$1,200,000.00

21 To pay Sawicki & Lauten, LLP, attorney's fees in connection
22 with the settlement of claims in Farhat Chishty v. Texas Department
23 of Aging and Disability Services, et al., Cause No. 2011-20160-158,
24 158th Judicial District Court, Denton County, Texas, for a total

1 appropriation of \$500,000.00

2 To fund the corpus of a Special Needs Trust for the benefit of
3 Haseeb Chishty, the following amount payable under the conditional
4 settlement agreement made after mediation in the case of Farhat
5 Chishty v. Texas Department of Aging and Disability Services, et
6 al., Cause No. 2011-20160-158, 158th Judicial District Court,
7 Denton County, Texas, with that settlement agreement containing the
8 following conditions: that on the death of Haseeb Chishty, the
9 remaining corpus be paid to the State of Texas; that the Special
10 Needs Trust be administered by an independent trustee not related
11 to the Chishty family; and on any other conditions as the Texas
12 Attorney General and Texas Department of Aging and Disability
13 Services shall agree, for a total appropriation of \$3,500,000.00

14 To pay Christopher Koustoubardis and his attorney Don Tittle
15 in a case involving a whistleblower judgment (plus 5 percent
16 interest) from November 22, 2010, until paid in the case of
17 Christopher Koustoubardis v. Texas Youth Commission (now known as
18 the Texas Juvenile Justice Department), Cause No. DC-08-15532,
19 101st Judicial District Court, Dallas County, Texas, Attorney
20 General No. 093096832, for a total appropriation of \$959,668.97

21 To pay confidential payee for claim number 94M10308 for
22 replacement of a void warrant for a tax refund issued April 4,
23 2002 \$119.10

24 To pay confidential payee for claim number 94M10421 for
25 replacement of void warrants for tax refunds issued in July, 1997,
26 and April, 2001 \$424.63

27 To pay confidential payee for claim number 94M10479 for

1 replacement of a void warrant for a tax refund issued in May,
2 2001 \$23,171.60
3 To pay confidential payee for claim number 94M10484 for
4 replacement of a void payroll warrant issued in May, 2002 \$338.96
5 To pay confidential payee for claim number 94M20034 for
6 replacement of a void warrant for a tax refund issued in January,
7 2009 \$275,000.00
8 To pay confidential payee for claim number 94M20067 for
9 replacement of a void warrant for a tax refund issued in July,
10 2004 \$602.42
11 To pay confidential payee for claim number 94M20161 for
12 replacement of a void payroll warrant issued in August, 1996 \$94.54
13 To pay confidential payee for claim number 94M20170 for
14 replacement of a void warrant for a tax refund issued in July,
15 2000 \$343.59
16 To pay confidential payee for claim number 94M20521 for
17 replacement of seventeen void payroll warrants issued from January,
18 1998, to May, 1999 \$13,422.83
19 To pay confidential payee for claim number 94M20524 for
20 replacement of a void warrant for a tax refund issued in April,
21 2003 \$52.00
22 To pay confidential payee for claim number 94M20527 for
23 replacement of a void warrant for a tax refund issued in March,
24 2001 \$225.49
25 To pay confidential payee for claim number 94M30025 for
26 replacement of a void warrant for a tax refund issued in July,
27 2010 \$144,030.72

1 in January, 2010 (invoice number 652240; order number
2 00385146) \$744.77

3 To pay Golden Age Management Company, LLC, DBA Golden Age
4 Manor Nursing Services, for nursing home services performed between
5 August, 2009, and August, 2010 \$27,087.61

6 To pay Graceland Personal Care Home, Inc., for
7 community-based services performed between July, 2008, and July,
8 2009 \$31,643.37

9 To pay Katherine A. Hunter for replacement of a void warrant
10 issued in June, 2000 \$39.19

11 To pay D&S Residential Services, LP, for community-based
12 alternative services performed between September, 2008, and
13 November, 2008 \$61,029.90

14 SECTION 2. The following sums of money are appropriated out
15 of the State Highway Fund No. 0006 for payment of itemized claims
16 and judgments plus interest, if any, against the State of Texas:

17 To pay Teleport Communications Houston, Inc., for utility
18 adjustment of fiber cable completed in February, 2005 \$97,416.10

19 To pay City of Grapevine for the Oak Grove Trail Project from
20 February, 2003, to September, 2007 \$51,185.50

21 To pay City of Dallas for the acquisition of land for parcel
22 number 3 and appraisal work performed on or near February 1,
23 2003 \$31,415.20

24 To pay City of Dallas Public Works and Transportation for the
25 Katy Trail Extension Phase II from December, 2001, to May,
26 2006 \$30,896.22

27 To pay TVMAX Houston, LP, for utility adjustment performed

1	from September, 2006, to August, 2007	\$161,564.90
2	To pay TVMAX Houston, LP, for utility adjustment under	
3	utility agreement U8257 from September, 2007, to August,	
4	2008	\$110,496.77
5	To pay TVMAX Houston, LP, for utility adjustment under	
6	utility agreement U8269 from September, 2007, to August,	
7	2008	\$119,548.30
8	To pay County of Dallas Public Works Department for	
9	professional engineering services performed from June, 1996, to	
10	August, 1996	\$49,749.29
11	To pay County of Dallas Public Works Department for	
12	professional engineering services performed from February, 2002,	
13	to February, 2003	\$2,698.69
14	To pay County of Dallas Public Works Department for	
15	professional engineering services performed from February, 2001,	
16	to April, 2001	\$3,808.80
17	To pay County of Dallas Public Works Department for	
18	professional engineering services performed from October, 1996, to	
19	December, 1996	\$16,149.22
20	To pay City of Frisco for utility adjustment from September,	
21	2004, to August, 2005	\$274,710.00
22	To pay City of Sinton for claim number 94M20421 for utility	
23	adjustment from December, 2007, to February, 2008	\$87,025.10
24	To pay Entergy Texas, Inc., for utility adjustment from	
25	September, 2007, to August, 2008	\$607,808.67
26	To pay Energy Transfer Fuel, LP, for utility adjustment from	
27	January, 2008, to August, 2008	\$370,136.25

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

13 SECTION 6. Subject to the conditions and restrictions in
14 this Act and provisions stated in the judgments, the comptroller of
15 public accounts is authorized and directed to issue one or more
16 warrants on the state treasury, as soon as possible following the
17 effective date of this Act, in favor of each of the individuals,
18 firms, or corporations named or claim numbers identified in this
19 Act, in an amount not to exceed the amount set opposite their
20 respective names or claim numbers and shall mail or deliver to each
21 of the individuals, firms, or corporations associated with each
22 claim one or more warrants in payment of all claims included in this
23 Act.

24 SECTION 7. This Act takes effect September 1, 2013.