

1-1 By: Otto (Senate Sponsor - Williams) H.B. No. 3188  
 1-2 (In the Senate - Received from the House May 1, 2013;  
 1-3 May 2, 2013, read first time and referred to Committee on Finance;  
 1-4 May 17, 2013, reported favorably by the following vote: Yeas 14,  
 1-5 Nays 0; May 17, 2013, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			
1-18	X			
1-19			X	
1-20	X			
1-21	X			
1-22	X			

1-23 A BILL TO BE ENTITLED  
 1-24 AN ACT

1-25 relating to directing payment, after approval, of certain  
 1-26 miscellaneous claims and judgments against the state out of funds  
 1-27 designated by this Act; making appropriations.

1-28 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-29 SECTION 1. The following sums of money are appropriated out  
 1-30 of the General Revenue Fund Account No. 0001 for payment of itemized  
 1-31 claims and judgments plus interest, if any, against the State of  
 1-32 Texas:

1-33 To pay Hilliard Munoz Gonzalez, LLP, the following amount  
 1-34 payable under the conditional settlement agreement made after  
 1-35 mediation in Inez Baltazar Hernandez, et al. v. Texas Department of  
 1-36 Aging and Disability Services, et al., Civil Action No.  
 1-37 2:09-CV-00163, in the United States District Court for the Southern  
 1-38 District of Texas, Corpus Christi Division, from which attorney's  
 1-39 fees, litigation expenses, and court costs shall be deducted, with  
 1-40 the remainder to be placed into five separate subaccounts in the Arc  
 1-41 of Texas Master Pooled Trust, for the benefit of Armando Hernandez,  
 1-42 Jr., David P. Hernandez, George Brazil, Angel Jose Mata, and  
 1-43 Christopher Norris for a total appropriation of \$1,200,000.00

1-44 To pay Sawicki & Lauten, LLP, attorney's fees in connection  
 1-45 with the settlement of claims in Farhat Chishty v. Texas Department  
 1-46 of Aging and Disability Services, et al., Cause No. 2011-20160-158,  
 1-47 158th Judicial District Court, Denton County, Texas, for a total  
 1-48 appropriation of \$500,000.00

1-49 To fund the corpus of a Special Needs Trust for the benefit of  
 1-50 Haseeb Chishty, the following amount payable under the conditional  
 1-51 settlement agreement made after mediation in the case of Farhat  
 1-52 Chishty v. Texas Department of Aging and Disability Services, et  
 1-53 al., Cause No. 2011-20160-158, 158th Judicial District Court,  
 1-54 Denton County, Texas, with that settlement agreement containing the  
 1-55 following conditions: that on the death of Haseeb Chishty, the  
 1-56 remaining corpus be paid to the State of Texas; that the Special  
 1-57 Needs Trust be administered by an independent trustee not related  
 1-58 to the Chishty family; and on any other conditions as the Texas  
 1-59 Attorney General and Texas Department of Aging and Disability  
 1-60 Services shall agree, for a total appropriation of \$3,500,000.00

1-61 To pay Christopher Koustoubardis and his attorney Don Tittle

2-1 in a case involving a whistleblower judgment (plus 5 percent  
 2-2 interest) from November 22, 2010, until paid in the case of  
 2-3 Christopher Koustoubardis v. Texas Youth Commission (now known as  
 2-4 the Texas Juvenile Justice Department), Cause No. DC-08-15532,  
 2-5 101st Judicial District Court, Dallas County, Texas, Attorney  
 2-6 General No. 093096832, for a total appropriation of \$959,668.97  
 2-7 To pay confidential payee for claim number 94M10308 for  
 2-8 replacement of a void warrant for a tax refund issued April 4,  
 2-9 2002 \$119.10  
 2-10 To pay confidential payee for claim number 94M10421 for  
 2-11 replacement of void warrants for tax refunds issued in July, 1997,  
 2-12 and April, 2001 \$424.63  
 2-13 To pay confidential payee for claim number 94M10479 for  
 2-14 replacement of a void warrant for a tax refund issued in May,  
 2-15 2001 \$23,171.60  
 2-16 To pay confidential payee for claim number 94M10484 for  
 2-17 replacement of a void payroll warrant issued in May, 2002 \$338.96  
 2-18 To pay confidential payee for claim number 94M20034 for  
 2-19 replacement of a void warrant for a tax refund issued in January,  
 2-20 2009 \$275,000.00  
 2-21 To pay confidential payee for claim number 94M20067 for  
 2-22 replacement of a void warrant for a tax refund issued in July,  
 2-23 2004 \$602.42  
 2-24 To pay confidential payee for claim number 94M20161 for  
 2-25 replacement of a void payroll warrant issued in August, 1996 \$94.54  
 2-26 To pay confidential payee for claim number 94M20170 for  
 2-27 replacement of a void warrant for a tax refund issued in July,  
 2-28 2000 \$343.59  
 2-29 To pay confidential payee for claim number 94M20521 for  
 2-30 replacement of seventeen void payroll warrants issued from January,  
 2-31 1998, to May, 1999 \$13,422.83  
 2-32 To pay confidential payee for claim number 94M20524 for  
 2-33 replacement of a void warrant for a tax refund issued in April,  
 2-34 2003 \$52.00  
 2-35 To pay confidential payee for claim number 94M20527 for  
 2-36 replacement of a void warrant for a tax refund issued in March,  
 2-37 2001 \$225.49  
 2-38 To pay confidential payee for claim number 94M30025 for  
 2-39 replacement of a void warrant for a tax refund issued in July,  
 2-40 2010 \$144,030.72  
 2-41 To pay confidential payee for claim number 94M30226 for  
 2-42 replacement of a void warrant for a tax refund issued in May,  
 2-43 2008 \$338,631.36  
 2-44 To pay confidential payee for claim number 95M30005 for  
 2-45 replacement of a void warrant for a tax refund issued in March,  
 2-46 2010 \$54,991.08  
 2-47 To pay confidential payee for claim number 95M30009 for  
 2-48 replacement of a void warrant for a tax refund issued in January,  
 2-49 2010 \$82,984.53  
 2-50 To pay confidential payee for claim number 95M30021 for  
 2-51 replacement of a void payroll warrant issued in June, 2004 \$120.76  
 2-52 To pay James P. Ford for replacement of warrants issued from  
 2-53 November, 1998, to January, 1999 \$300.00  
 2-54 To pay Ralph N. Lester for replacement of a warrant issued in  
 2-55 December, 1985 \$75.00  
 2-56 To pay Victoria Suarez for replacement of a warrant issued in  
 2-57 March, 2000 \$475.00  
 2-58 To pay Lindy Levit for replacement of a warrant issued in May,  
 2-59 2002 \$279.63  
 2-60 To pay TIBH Industries, Inc., for temporary services provided  
 2-61 in July, 2010 (invoice number 682623; order number 00413651) \$273.90  
 2-62 To pay TIBH Industries, Inc., for temporary services provided  
 2-63 in June, 2010 (invoice number 680615; order number 00411689) \$773.64  
 2-64 To pay TIBH Industries, Inc., for temporary services provided  
 2-65 in February, 2010 (invoice number 660442; order number  
 2-66 00392417) \$642.02  
 2-67 To pay TIBH Industries, Inc., for temporary services provided  
 2-68 in January, 2010 (invoice number 652240; order number  
 2-69 00385146) \$744.77

3-1 To pay Golden Age Management Company, LLC, DBA Golden Age  
3-2 Manor Nursing Services, for nursing home services performed between  
3-3 August, 2009, and August, 2010 \$27,087.61  
3-4 To pay Graceland Personal Care Home, Inc., for  
3-5 community-based services performed between July, 2008, and July,  
3-6 2009 \$31,643.37  
3-7 To pay Katherine A. Hunter for replacement of a void warrant  
3-8 issued in June, 2000 \$39.19  
3-9 To pay D&S Residential Services, LP, for community-based  
3-10 alternative services performed between September, 2008, and  
3-11 November, 2008 \$61,029.90  
3-12 SECTION 2. The following sums of money are appropriated out  
3-13 of the State Highway Fund No. 0006 for payment of itemized claims  
3-14 and judgments plus interest, if any, against the State of Texas:  
3-15 To pay Teleport Communications Houston, Inc., for utility  
3-16 adjustment of fiber cable completed in February, 2005 \$97,416.10  
3-17 To pay City of Grapevine for the Oak Grove Trail Project from  
3-18 February, 2003, to September, 2007 \$51,185.50  
3-19 To pay City of Dallas for the acquisition of land for parcel  
3-20 number 3 and appraisal work performed on or near February 1,  
3-21 2003 \$31,415.20  
3-22 To pay City of Dallas Public Works and Transportation for the  
3-23 Katy Trail Extension Phase II from December, 2001, to May,  
3-24 2006 \$30,896.22  
3-25 To pay TVMAX Houston, LP, for utility adjustment performed  
3-26 from September, 2006, to August, 2007 \$161,564.90  
3-27 To pay TVMAX Houston, LP, for utility adjustment under  
3-28 utility agreement U8257 from September, 2007, to August,  
3-29 2008 \$110,496.77  
3-30 To pay TVMAX Houston, LP, for utility adjustment under  
3-31 utility agreement U8269 from September, 2007, to August,  
3-32 2008 \$119,548.30  
3-33 To pay County of Dallas Public Works Department for  
3-34 professional engineering services performed from June, 1996, to  
3-35 August, 1996 \$49,749.29  
3-36 To pay County of Dallas Public Works Department for  
3-37 professional engineering services performed from February, 2002,  
3-38 to February, 2003 \$2,698.69  
3-39 To pay County of Dallas Public Works Department for  
3-40 professional engineering services performed from February, 2001,  
3-41 to April, 2001 \$3,808.80  
3-42 To pay County of Dallas Public Works Department for  
3-43 professional engineering services performed from October, 1996, to  
3-44 December, 1996 \$16,149.22  
3-45 To pay City of Frisco for utility adjustment from September,  
3-46 2004, to August, 2005 \$274,710.00  
3-47 To pay City of Sinton for claim number 94M20421 for utility  
3-48 adjustment from December, 2007, to February, 2008 \$87,025.10  
3-49 To pay Entergy Texas, Inc., for utility adjustment from  
3-50 September, 2007, to August, 2008 \$607,808.67  
3-51 To pay Energy Transfer Fuel, LP, for utility adjustment from  
3-52 January, 2008, to August, 2008 \$370,136.25  
3-53 To pay CPS Energy for utility adjustment from October, 2002,  
3-54 to January, 2004 \$271,709.62  
3-55 To pay Southwestern Bell Telephone Company for utility  
3-56 adjustment from October, 2007, to November, 2008 \$455,965.56  
3-57 To pay confidential payee for claim number 94M20546 for  
3-58 replacement of a void net payroll warrant issued on October 1,  
3-59 2003 \$57.71  
3-60 To pay City of Grand Prairie for fiscal year 2003  
3-61 reimbursement for land and title on parcel number 14 \$2,038.20  
3-62 To pay City of Grand Prairie for reimbursement for land and  
3-63 title on parcel number 18 on December 2, 2003 \$887.52  
3-64 To pay City of Grand Prairie for reimbursement for land and  
3-65 title on parcel number 16 on December 27, 2001 \$8,725.19  
3-66 To pay City of Grand Prairie for reimbursement for land and  
3-67 title on parcel number 25TE on May 15, 2003 \$1,583.95  
3-68 To pay City of Edinburg for reimbursement for land  
3-69 acquisition for parcel number 83 on March 8, 2001 \$2,360.67

4-1 To pay Upshur Rural Electric Cooperative for utility  
4-2 adjustment on parcel U11763 \$30,619.22  
4-3 To pay AT&T for utility adjustment under utility agreement  
4-4 U8087 for relocated telephone facilities along Interstate Highway  
4-5 10 from south of Bellaire Boulevard to south of Westpark in  
4-6 December, 2005 \$113,995.96  
4-7 To pay AT&T for utility adjustment work under utility  
4-8 agreement U10563 on Interstate Highway 410, Austin Highway to  
4-9 Nacogdoches Road, for widening project from December, 2005, to  
4-10 March, 2009 \$2,965,114.19  
4-11 To pay AT&T for utility adjustment work from December, 2005,  
4-12 to July, 2009 \$294,160.75  
4-13 To pay AT&T for utility adjustment work from August, 2006, to  
4-14 November, 2008 \$1,132,424.96

4-15 SECTION 3. The following sums of money are appropriated out  
4-16 of the Unemployment Compensation Clearance Account No. 0936 for  
4-17 payment of itemized claims and judgments plus interest, if any,  
4-18 against the State of Texas:

4-19 To pay Gold's Texas GP, Inc., for replacement of a void  
4-20 surplus tax credit warrant issued September 20, 2007 \$63,864.86  
4-21 To pay Terri G. Edgmon for replacement of a void surplus tax  
4-22 credit warrant issued December 20, 2001 \$135.95

4-23 SECTION 4. The following sums of money are appropriated out  
4-24 of the Lottery Account No. 5025 for payment of itemized claims and  
4-25 judgments plus interest, if any, against the State of Texas:

4-26 To pay Joyce Ivy for lottery winnings held in error on March  
4-27 14, 2001 \$263.97

4-28 SECTION 5. (a) Before any claim or judgment may be paid  
4-29 from money appropriated by this Act, the claim or judgment must be  
4-30 verified and substantiated by the administrator of the special fund  
4-31 or account against which the claim or judgment is to be charged and  
4-32 be approved by the attorney general and the comptroller of public  
4-33 accounts. Any claim or judgment itemized in this Act that has not  
4-34 been verified and substantiated by the administrator of the special  
4-35 fund or account and approved by the attorney general and the  
4-36 comptroller by August 31, 2015, may not be paid from money  
4-37 appropriated by this Act.

4-38 (b) Each claim or judgment paid from money appropriated by  
4-39 this Act must contain such information as the comptroller of public  
4-40 accounts requires but at a minimum must contain the specific reason  
4-41 for the claim or judgment. If the claim is for a void warrant, the  
4-42 claim must include a specific identification of the goods,  
4-43 services, refunds, or other items for which the warrant was  
4-44 originally issued. In addition, it must include a certification by  
4-45 the original payee or the original payee's successors, heirs, or  
4-46 assigns that the debt is still outstanding. If the claim or  
4-47 judgment is for unpaid goods or services, it must be accompanied by  
4-48 an invoice or other acceptable documentation of the unpaid account  
4-49 and any other information that may be required by the comptroller.

4-50 SECTION 6. Subject to the conditions and restrictions in  
4-51 this Act and provisions stated in the judgments, the comptroller of  
4-52 public accounts is authorized and directed to issue one or more  
4-53 warrants on the state treasury, as soon as possible following the  
4-54 effective date of this Act, in favor of each of the individuals,  
4-55 firms, or corporations named or claim numbers identified in this  
4-56 Act, in an amount not to exceed the amount set opposite their  
4-57 respective names or claim numbers and shall mail or deliver to each  
4-58 of the individuals, firms, or corporations associated with each  
4-59 claim one or more warrants in payment of all claims included in this  
4-60 Act.

4-61 SECTION 7. This Act takes effect September 1, 2013.

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