By: Williams S.B. No. 1654

A BILL TO BE ENTITLED

1 AN ACT

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 <u>Inez Baltazar Hernandez</u>, et al. v. <u>Texas Department of</u>

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

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 To fund the corpus of a Special Needs Trust for the benefit of 2 3 Haseeb Chishty, the following amount payable under the conditional settlement agreement made after mediation in the case of Farhat 4 5 Chishty v. Texas Department of Aging and Disability Services, et al., Cause No. 2011-20160-158, 158th Judicial District Court, 6 Denton County, Texas, with that settlement agreement containing the 7 following conditions: that on the death of Haseeb Chishty, the remaining corpus be paid to the State of Texas; that the Special 9 Needs Trust be administered by an independent trustee not related 10 to the Chishty family; and on any other conditions as the Texas 11 Attorney General and Texas Department of Aging and Disability 12 Services shall agree, for a total appropriation of \$3,500,000.00 13 14 To pay Christopher Koustoubardis and his attorney Don Tittle in a case involving a whistleblower judgment (plus 5 percent 15 interest) from November 22, 2010, until paid in the case of 16 17 Christopher Koustoubardis v. Texas Youth Commission (now known as the Texas Juvenile Justice Department), Cause No. DC-08-15532, 18 19 101st Judicial District Court, Dallas County, Texas, Attorney General No. 093096832, for a total appropriation of 20 \$959,668.97 21 To pay confidential payee for claim number 94M10308 for replacement of a void warrant for a tax refund issued April 4, 22 23 2002 \$119.10 24 To pay confidential payee for claim number 94M10421 for replacement of void warrants for tax refunds issued in July, 1997, 25 26 and April, 2001

27

To pay confidential payee for claim number 94M10479 for

	S.B. No. 1654
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

```
S.B. No. 1654
          To pay confidential payee for claim number 94M30226 for
 1
    replacement of a void warrant for a tax refund issued in May,
 2
    2008
 3
                                                           $338,631.36
 4
          To pay confidential payee for claim number 95M30005 for
 5
    replacement of a void warrant for a tax refund issued in March,
 6
    2010
                                                            $54,991.08
          To pay confidential payee for claim number 95M30009 for
 7
    replacement of a void warrant for a tax refund issued in January,
 9
    2010
                                                            $82,984.53
          To pay confidential payee for claim number 95M30021 for
10
    replacement of a void payroll warrant issued in June, 2004
11
          To pay James P. Ford for replacement of warrants issued from
12
    November, 1998, to January, 1999
                                                               $300.00
13
14
          To pay Ralph N. Lester for replacement of a warrant issued in
15
    December, 1985
          To pay Victoria Suarez for replacement of a warrant issued in
16
17
    March, 2000
                                                               $475.00
          To pay Lindy Levit for replacement of a warrant issued in May,
18
    2002
19
                                                               $279.63
          To pay TIBH Industries, Inc., for temporary services provided
20
    in July, 2010 (invoice number 682623; order number 00413651) $273.90
21
          To pay TIBH Industries, Inc., for temporary services provided
22
    in June, 2010 (invoice number 680615; order number 00411689) $773.64
23
24
          To pay TIBH Industries, Inc., for temporary services provided
        February, 2010 (invoice number 660442;
                                                        order
25
                                                                number
    00392417)
26
                                                               $642.02
```

2.7

To pay TIBH Industries, Inc., for temporary services provided

\$30,896.22

1 in January, 2010 (invoice number 652240; order number 00385146) 2 \$744.77 To pay Golden Age Management Company, LLC, DBA Golden Age 3 Manor Nursing Services, for nursing home services performed between 4 5 August, 2009, and August, 2010 \$27,087.61 pay Graceland Personal Care Home, Inc., for 6 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 To pay D&S Residential Services, LP, for community-based 11 12 alternative services performed between September, 2008, November, 2008 13 \$61,029.90 14 The following sums of money are appropriated out 15 of the State Highway Fund No. 0006 for payment of itemized claims and judgments plus interest, if any, against the State of Texas: 16 17 To pay Teleport Communications Houston, Inc., for utility adjustment of fiber cable completed in February, 2005 18 \$97,416.10 19 To pay City of Grapevine for the Oak Grove Trail Project from February, 2003, to September, 2007 20 \$51,185.50 21 To pay City of Dallas for the acquisition of land for parcel number 3 and appraisal work performed on or near February 1, 22 23 2003 \$31,415.20 24 To pay City of Dallas Public Works and Transportation for the

5

Katy Trail Extension Phase II from December, 2001, to May,

To pay TVMAX Houston, LP, for utility adjustment performed

25

26

27

2006

```
S.B. No. 1654
   from September, 2006, to August, 2007
 1
                                                         $161,564.90
2
         To pay TVMAX Houston, LP, for utility adjustment under
   utility agreement U8257 from September, 2007, to August,
 3
   2008
                                                         $110,496.77
5
         To pay TVMAX Houston, LP, for utility adjustment under
   utility agreement U8269 from September, 2007,
6
                                                        to August,
   2008
7
                                                         $119,548.30
8
             pay County of Dallas Public Works Department for
   professional engineering services performed from June, 1996, to
9
                                                          $49,749.29
10
   August, 1996
         To pay County of Dallas Public Works Department for
11
   professional engineering services performed from February, 2002,
12
   to February, 2003
                                                           $2,698.69
13
14
         To pay County of Dallas Public Works
                                                    Department for
15
   professional engineering services performed from February, 2001,
   to April, 2001
                                                           $3,808.80
16
17
         То
            pay County of Dallas Public Works Department for
   professional engineering services performed from October, 1996, to
18
   December, 1996
                                                          $16,149.22
19
         To pay City of Frisco for utility adjustment from September,
20
21
   2004, to August, 2005
                                                         $274,710.00
         To pay City of Sinton for claim number 94M2O421 for utility
22
   adjustment from December, 2007, to February, 2008
23
                                                          $87,025.10
24
         To pay Entergy Texas, Inc., for utility adjustment from
   September, 2007, to August, 2008
                                                         $607,808.67
25
         To pay Energy Transfer Fuel, LP, for utility adjustment from
26
```

\$370,136.25

January, 2008, to August, 2008

27

S.B. No. 1654 1 To pay CPS Energy for utility adjustment from October, 2002, 2 to January, 2004 \$271,709.62 To pay Southwestern Bell Telephone Company for utility 3 adjustment from October, 2007, to November, 2008 4 \$455,965.56 5 To pay confidential payee for claim number 94M2O546 for replacement of a void net payroll warrant issued on October 1, 6 2003 7 \$57.71 8 То pay City of Grand Prairie for fiscal 2003 reimbursement for land and title on parcel number 14 \$2,038.20 9 To pay City of Grand Prairie for reimbursement for land and 10 title on parcel number 18 on December 2, 2003 \$887.52 11 To pay City of Grand Prairie for reimbursement for land and 12 title on parcel number 16 on December 27, 2001 \$8,725.19 13 14 To pay City of Grand Prairie for reimbursement for land and 15 title on parcel number 25TE on May 15, 2003 \$1,583.95 To pay City of Edinburg for reimbursement for land 16 17 acquisition for parcel number 83 on March 8, 2001 \$2,360.67 for utility pay Upshur Rural Electric Cooperative 18 adjustment on parcel U11763 19 \$30,619.22 To pay AT&T for utility adjustment under utility agreement 20 21 U8087 for relocated telephone facilities along Interstate Highway 22 10 from south of Bellaire Boulevard to south of Westpark in \$113,995.96 23 December, 2005 24 To pay AT&T for utility adjustment work under utility agreement U10563 on Interstate Highway 410, Austin Highway to 25 Nacogdoches Road, for widening project from December, 2005, to 26

\$2,965,114.19

March, 2009

27

1 To pay AT&T for utility adjustment work from December, 2005,

2 to July, 2009 \$294,160.75

3 To pay AT&T for utility adjustment work from August, 2006, to

4 November, 2008 \$1,132,424.96

5 SECTION 3. The following sums of money are appropriated out

6 of the Unemployment Compensation Clearance Account No. 0936 for

payment of itemized claims and judgments plus interest, if any,

8 against the State of Texas:

9 To pay Gold's Texas GP, Inc., for replacement of a void 10 surplus tax credit warrant issued September 20, 2007 \$63,864.86

11 To pay Terri G. Edgmon for replacement of a void surplus tax

12 credit warrant issued December 20, 2001

\$135.95

13 SECTION 4. The following sums of money are appropriated out

14 of the Lottery Account No. 5025 for payment of itemized claims and

15 judgments plus interest, if any, against the State of Texas:

To pay Joyce Ivy for lottery winnings held in error on March

17 14, 2001

7

\$263.97

18 SECTION 5. (a) Before any claim or judgment may be paid

19 from money appropriated by this Act, the claim or judgment must be

20 verified and substantiated by the administrator of the special fund

21 or account against which the claim or judgment is to be charged and

22 be approved by the attorney general and the comptroller of public

23 accounts. Any claim or judgment itemized in this Act that has not

24 been verified and substantiated by the administrator of the special

25 fund or account and approved by the attorney general and the

26 comptroller by August 31, 2015, may not be paid from money

27 appropriated by this Act.

- 1 Each claim or judgment paid from money appropriated by this Act must contain such information as the comptroller of public 2 3 accounts requires but at a minimum must contain the specific reason for the claim or judgment. If the claim is for a void warrant, the 4 5 claim must include a specific identification of the goods, services, refunds, or other items for which the warrant was 6 originally issued. In addition, it must include a certification by 7 8 the original payee or the original payee's successors, heirs, or If the claim or assigns that the debt is still outstanding. 9 10 judgment is for unpaid goods or services, it must be accompanied by an invoice or other acceptable documentation of the unpaid account 11 12 and any other information that may be required by the comptroller. SECTION 6. Subject to the conditions and restrictions in 13 14 this Act and provisions stated in the judgments, the comptroller of public accounts is authorized and directed to issue one or more 15 warrants on the state treasury, as soon as possible following the 16 17 effective date of this Act, in favor of each of the individuals, firms, or corporations named or claim numbers identified in this 18 19 Act, in an amount not to exceed the amount set opposite their respective names or claim numbers and shall mail or deliver to each 20 of the individuals, firms, or corporations associated with each 21
- SECTION 7. This Act takes effect September 1, 2013.

22

23

Act.

claim one or more warrants in payment of all claims included in this