

Texas Government Code §§ 403.275 and 403.276

Acknowledgement and Waiver

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|--|-------|-------------------------|-------|
| Employee Name: <i>(Please Print)</i> | _____ | _____ | _____ |
| | Last | First | MI |
| Social Security Number: | _____ | Unit/Department: | _____ |

As an employee of the State of Texas (State) and the Texas Department of Criminal Justice (Department), I may from time to time be entrusted with personal property belonging to the State and/or receive services as a part of my employment status, for which I am responsible. (Personal property means uniforms, badges, ID cards, weapons and any other property belonging to the State and issued to me. Services mean utilities such as electricity, gas, water and sewer, telephone, and any other such services provided to me for which I am required to reimburse the State.)

I understand and agree that all such personal property issued to me shall remain the property of the State, whether in my possession or anyone else's. Should such property be lost, damaged, or destroyed as a result of my intentional wrongful act or my negligent act, I agree that I shall be liable to the State for the loss sustained by the State. I also understand and agree that I am liable to the State for payments for services made on my behalf by the State.

I further agree that should I fail to reimburse the State for lost, damaged or destroyed personal property or for the payment of services made on my behalf, such failure shall constitute a debt owing to the State, and I waive, on behalf of myself, my heirs, agents or assignees, my right to any State warrant due me until such debt is paid.

I acknowledge having read Texas Government Code §§ 403.275–.276, Property Accounting, and understand that it applies to any indebtedness to the State for which I may be liable.

Signature

Date

Excerpt of Texas Government Code
§§ 403.275 and 403.276
Property Accounting

Section 403.275. Liability for Property Loss. The liability prescribed by this section may attach on a joint and several basis to more than one person in a particular instance. A person is pecuniarily liable for the loss sustained by the state if:

(1) agency property disappears, as a result of the failure of the head of an agency, property manager, or agency employee entrusted with the property to exercise reasonable care for its safekeeping;

(2) agency property deteriorates as a result of the failure of the head of an agency, property manager, or agency employee entrusted with the property to exercise reasonable care to maintain and service the property; or

(3) agency property is damaged or destroyed as a result of an intentional wrongful act or of a negligent act of any state official or employee.

Section 403.276. Reporting to Comptroller and Attorney General. (a) If the head or property manager of a state agency has reasonable cause to believe that any property in the agency's possession has been lost, destroyed, or damaged through the negligence of any state official or employee, the head of the agency or property manager shall report the loss, destruction, or damage to the comptroller and the attorney general not later than the date established by the comptroller. If the head or property manager of a state agency has reasonable cause to believe that any property in the agency's possession has been stolen, the head of the agency or property manager shall report the theft to the comptroller, the attorney general, and the appropriate law enforcement agency not later than the date established by the comptroller.

(b) The attorney general may investigate a report received under Subsection (a).

(c) If an investigation by the attorney general under Subsection (b) reveals that a property loss has been sustained through the negligence of a state official or employee, the attorney general shall make written demand on the official or employee for reimbursement of the loss.

(d) If the demand made by the attorney general under Subsection (c) is refused or disregarded, the attorney general may take legal action to recover the value of the property as the attorney general deems necessary.

(e) Venue for all suits instituted under this section against a state official or employee is in a court of appropriate jurisdiction of Travis County.