

## **BILL ANALYSIS**

C.S.H.B. 3306  
By: Berman  
Appropriations  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Due to the current budget shortfall, state agencies and institutions of higher education were asked to prioritize spending based on core functions and essential services. The committee looked to these priorities in preparation of the budget; however, certain statutory changes are also needed to conform with appropriations levels in the 2004-05 General Appropriations Act. Committee Substitute House Bill 3306 authorizes these statutory changes for the judiciary agencies listed under Article IV of the 2004-05 General Appropriations Act.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

Committee Substitute House Bill 3306 authorizes the legislature to reduce or eliminate statutory amounts going to Article IV state agencies to balance the budget.

Committee Substitute House Bill 3306 prohibits a visiting judge or justice from receiving a salary or expenses in excess of the amount authorized for that purpose in the General Appropriations Act. This substitute also prohibits a local administrative district judge from receiving a salary in excess of the amount authorized for that purpose in the General Appropriations Act. This substitute also prohibits an active district judge from receiving travel expenses in excess of the amount authorized for that purpose in the General Appropriations Act. This substitute also prohibits a judge, justice, or prosecuting attorney from receiving a salary, salary supplement, or expenses in excess of the amount authorized for that purpose in the General Appropriations Act.

Committee Substitute House Bill 3306 prohibits a county from receiving supplemental salary compensation for county prosecutors or longevity pay supplements reimbursement, or any other supplements for prosecutors in excess of the amount authorized for that purpose in the General Appropriations Act. This substitute also prohibits a county from receiving state contributions for salaries or supplements under Chapter 25 or 26 of the Government Code in excess of the amount authorized for that purpose in the General Appropriations Act. This substitute also prohibits a county from receiving reimbursement under Article 11.071, Code of Criminal Procedure, for reimbursement for compensation and payment of expenses of counsel under that article, for counsel appointed under that article or prior law in excess of the amount authorized for that purpose in the General Appropriations Act.

Committee Substitute House Bill 3306 prohibits a witness under Article 35.27, Code of Criminal Procedure, from receiving reimbursement for expenses for attendance in excess of the amount authorized for that purpose in the General Appropriations Act.

### **EFFECTIVE DATE**

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2003.

### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

Committee Substitute House Bill 3306 modifies the original by clarifying language that prohibits a county from receiving reimbursement under Article 11.071, Code of Criminal Procedure, for reimbursement for compensation and payment of expenses of counsel under that article, for counsel appointed under that article or prior law in excess of the amount authorized for that purpose in the General Appropriations Act.