

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 78TH LEGISLATIVE REGULAR SESSION**

**May 29, 2003**

**TO:** Honorable David Dewhurst, Lieutenant Governor, Senate

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE: SB1923** by Ogden (Relating to the application of the professional prosecutors law to the district attorney for the 258th Judicial District.), **As Passed 2nd House**

**Estimated Two-year Net Impact to General Revenue Related Funds** for SB1923, As Passed 2nd House: an impact of \$0 through the biennium ending August 31, 2005.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

**General Revenue-Related Funds, Five-Year Impact:**

| <b>Fiscal Year</b> | <b>Probable Net Positive/(Negative)<br/>Impact to General Revenue Related<br/>Funds</b> |
|--------------------|---|
| 2004               | \$0   |
| 2005               | \$0   |
| 2006               | (\$29,606)  |
| 2007               | (\$44,410)  |
| 2008               | (\$44,410)  |

**All Funds, Five-Year Impact:**

| <b>Fiscal Year</b> | <b>Probable Savings/(Cost) from<br/>GENERAL REVENUE FUND<br/>1</b> |
|--------------------|--|
| 2004               | \$0  |
| 2005               | \$0  |
| 2006               | (\$29,606)   |
| 2007               | (\$44,410)   |
| 2008               | (\$44,410)   |

**Fiscal Analysis**

The bill would amend Government Code, Chapter 46 relating to the application of the professional prosecutors act (PPA) to the district attorneys for the 42nd Judicial District and the 258th Judicial District.

The bill would take effect January 1, 2005.

**Methodology**

A state prosecutor from the 42nd Judicial District or the 258th Judicial District, who is not currently under the PPA, receives a salary equivalent to approximately 80 percent of that received by a state prosecutor practicing in judicial districts that are subject to the PPA. The current annual cost to the

state for a district attorney under the PPA is \$152,800, which includes salary, benefits and a \$34,450 office expense allowance. The annual cost for a district attorney who is not under the PPA and serves a multi-county judicial jurisdiction such as the 42nd Judicial District or the 258th Judicial District is \$130,595, which also includes salary, benefits and a \$34,450 office expense allowance. [ $152,800 - 130,595 = 22,205$ ;  $22,205 \times 2$  prosecutors newly eligible = \$44,410.] Estimated amounts have been prorated for fiscal year 2006.

### **Local Government Impact**

There would be no fiscal impact on local governments within the 42nd Judicial District (Callahan, Coleman, or Taylor County); or the 258th Judicial District (Polk, San Jacinto or Trinity County).

**Source Agencies:** 304 Comptroller of Public Accounts

**LBB Staff:** JK, GO, VDS, TB, KG