

BILL ANALYSIS

S.B. 441
By: Madla
Judiciary
Committee Report (Unamended)

BACKGROUND AND PURPOSE

In 1979, the 66th Legislature passed the Professional Prosecutors Act (Act). The purpose of the Act was to encourage felony prosecutors, many of whom maintained private law practices to make ends meet, to concentrate exclusively on their work for the state. This was done by setting the professional prosecutor's salary at 90 percent of a district judge's salary, and the non-professional prosecutor's salary at 80 percent of a district judge's salary. When the Act was initially passed, about 50 percent of the state's felony prosecutors opted into the Act. Today all but 13 of the 155 felony prosecutors offices in Texas are included in the Act.

As proposed, S.B. 441 amends existing law to include the district attorney for the 112th judicial district in the Professional Prosecutors 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

The bill adds the district attorney for the 112th judicial district to those to which the chapter on professional prosecutors applies(Chapter 46, Government Code). The bill deletes the current Section 43.152(b) from the Government Code, which permits a county supplement to the district attorney salary for the 112th judicial district attorney.

EFFECTIVE DATE

September 1, 2005