

By: Shapleigh

S.B. No. 1379

Substitute the following for S.B. No. 1379:

By: Hartnett

C.S.S.B. No. 1379

A BILL TO BE ENTITLED

AN ACT

relating to reimbursements made to El Paso County by Culberson and Hudspeth Counties for certain costs.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 43.120, Government Code, is amended by amending Subsections (d) and (f) and adding Subsections (d-1), (d-2), and (g) to read as follows:

(d) The commissioners courts of Culberson and Hudspeth counties shall each pay to El Paso County the budgeted prosecution costs [~~\$100 a month to be expended, on sworn claims of the district attorney approved by the Commissioners Court of El Paso County,~~] for the preparation and conduct of criminal affairs of the district attorney's office, including compensation for assistants and other employees of the district attorney, applicable to their respective county. Each year the district attorney's office shall:

(1) prepare a budget and financial statement for the upcoming fiscal year; and

(2) file the budget and financial statement with the commissioners courts of Hudspeth and Culberson counties.

(d-1) The budget and financial statement required by Subsection (d) must contain:

(1) the budgeted prosecution costs for Culberson and Hudspeth counties, with the costs for each county listed separately; and

1           (2) any additional information considered appropriate  
2 by the district attorney or required by the commissioners court of  
3 Culberson or Hudspeth County.

4           (d-2) Hudspeth and Culberson counties shall remit  
5 one-fourth of the budgeted prosecution costs applicable to the  
6 respective county to El Paso County not later than the last day of  
7 each fiscal quarter.

8           (f) El Paso County is responsible for managing the funds  
9 expended by the district attorney for the preparation and conduct  
10 of criminal affairs of the district attorney's office, including  
11 funds to compensate assistants and other employees of the district  
12 attorney. Hudspeth and Culberson counties shall remit one-fourth  
13 of the budgeted funds to El Paso County not later than the last day  
14 of each fiscal quarter. [~~The assistants and other employees of the~~  
15 district attorney are compensated by the Commissioners Court of El  
16 Paso County.] The Commissioners Court of El Paso County must  
17 approve the number of assistants and other employees appointed by  
18 the district attorney and the amount of compensation of those  
19 employees.

20           (g) Nothing in this section prevents El Paso County from  
21 entering into an interlocal agreement with Culberson or Hudspeth  
22 County in lieu of budgeting costs as provided by this section or  
23 Section 140.003, Local Government Code. An interlocal agreement  
24 under this subsection may not exceed \$90,000 per fiscal year.

25           SECTION 2. This Act takes effect October 1, 2007.