

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

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**March 8, 2013**

**TO:** Honorable Tryon D. Lewis, Chair, House Committee On Judiciary & Civil Jurisprudence

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB717** by Kolkhorst (Relating to the duties of and the application of the professional prosecutors law to the county attorney in Lavaca County and to the duties of the district attorney for the 25th Judicial District.), **As Introduced**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB717, As Introduced: a negative impact of (\$184,334) through the biennium ending August 31, 2015.

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) Impact to General Revenue Related Funds</b>
2014	(\$92,167)
2015	(\$92,167)
2016	(\$92,167)
2017	(\$92,167)
2018	(\$92,167)

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

<b>Fiscal Year</b>	<b>Probable Savings/(Cost) from General Revenue Fund 1</b>	<b>Probable Savings/(Cost) from Judicial Fund 573</b>
2014	(\$92,167)	(\$62,131)
2015	(\$92,167)	(\$62,131)
2016	(\$92,167)	(\$62,131)
2017	(\$92,167)	(\$62,131)
2018	(\$92,167)	(\$62,131)

**Fiscal Analysis**

The bill would amend the Government Code relating to the duties and salary of the county attorney of Lavaca County and the counties composing the 25th Judicial District. The Lavaca County Attorney would become subject to the Professional Prosecutors Act and prohibited from

the private practice of law. The bill would take effect September 1, 2013.

### **Methodology**

In this new capacity, the Lavaca County Attorney would be entitled to a salary of \$125,000 from the state plus benefits (\$22,631) from General Revenue and the Judicial Fund No. 573. However, the Lavaca County Attorney would also forgo the annual \$20,833 state salary supplement the county attorney receives, which is also paid from these two funding sources. Therefore, the net cost to the state due to the salary and benefits increase would be \$126,798. Finally, district and county attorneys in the Professional Prosecutors Act are entitled to \$27,500 per year from the state to defray office expenses, which are paid from General Revenue.

### **Local Government Impact**

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

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

**LBB Staff:** UP, CL, ZS, AM, KKR, TP, TB