

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION
Revision 1

May 16, 2013

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **SB268** by Seliger (Relating to the application of the professional prosecutors law to the district attorney for the 287th Judicial District and the county attorney of Oldham County.), **Committee Report 2nd House, Substituted**

Estimated Two-year Net Impact to General Revenue Related Funds for SB268, Committee Report 2nd House, Substituted: a negative impact of (\$89,158) 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:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2014	(\$44,579)
2015	(\$44,579)
2016	(\$44,579)
2017	(\$44,579)
2018	(\$44,579)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from <i>General Revenue Fund</i> 1	Probable Savings/(Cost) from <i>Judicial Fund</i> 573
2014	(\$44,579)	(\$42,830)
2015	(\$44,579)	(\$42,830)
2016	(\$44,579)	(\$42,830)
2017	(\$44,579)	(\$42,830)
2018	(\$44,579)	(\$42,830)

Fiscal Analysis

The bill would amend the Government Code to specify that the district attorney for the 287th

Judicial District and the Oldham County Attorney are 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 District Attorney for the 287th Judicial District 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, this amount would be offset by the 79th Judicial District Attorney's current salary of \$100,000 and benefits (\$19,795), 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 \$27,837 per fiscal year from these provisions.

Similarly, in this new capacity, the Oldham 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, this amount would be offset by the Oldham County Attorney's current salary of \$71,500 and benefits (\$14,153), 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 \$59,572 per fiscal year from these provisions.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts

LBB Staff: UP, TB, CL, TP, SD, ZS, AM