

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

April 14, 2019

TO: Honorable Jeff Leach, Chair, House Committee on Judiciary & Civil Jurisprudence

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: HB2316 by Morrison (Relating to the application of the professional prosecutors law to the district attorney for the 24th Judicial District.), **As Introduced**

Estimated Two-year Net Impact to General Revenue Related Funds for HB2316, As Introduced: a negative impact of (\$56,000) through the biennium ending August 31, 2021.

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
2020	(\$28,000)
2021	(\$28,000)
2022	(\$28,000)
2023	(\$28,000)
2024	(\$28,000)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from General Revenue Fund
	1
2020	(\$28,000)
2021	(\$28,000)
2022	(\$28,000)
2023	(\$28,000)
2024	(\$28,000)

Fiscal Analysis

The bill would amend the Government Code to include the district attorney for the 24th judicial district to the professional prosecutor's statute. This would entitle the position to receive compensation equal to the compensation provided for a district judge (\$140,000 each fiscal year).

The bill would repeal the provision requiring DeWitt, Goliad, and Refugio counties to pay the district attorney from the 24th judicial district a salary supplement in the amount they consider proper.

The bill would take effect September 1, 2019.

Methodology

State judicial compensation is traditionally met through a mix of General Revenue and Judicial Fund No. 573 funding, however for the past several fiscal years Judicial Fund No. 573 revenues have not been sufficient to meet all judicial salary obligations. Due to this, General Revenue funding has been used to meet the remaining obligations. Therefore, this estimate assumes General Revenue funding would be needed to cover the full state obligations for these provisions.

Currently, a district attorney not included in the professional prosecutor's statute is entitled to receive compensation equal to 80 percent the salary of a district judge, or \$112,000.

Under the provisions of the bill, the district attorney for the 24th judicial district would be entitled to receive compensation equal to the compensation of a district judge, or \$140,000 each fiscal year. This would result in a salary increase of \$28,000 each fiscal year (\$56,000 for the 2020-21 biennium).

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 212 Office of Court Administration, Texas Judicial Council, 304
Comptroller of Public Accounts

LBB Staff: WP, SLE, MW, DA