

BILL ANALYSIS

Senate Research Center
88R6324 MZM-D

S.B. 740
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Finance
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Prosecutors play a critical role in the criminal justice system as they are charged with obtaining justice for victims of crime and should be treated no differently than law enforcement. Unfortunately, some counties have attempted to further defund the criminal justice system by proposing budgets that cut prosecutor funding.

S.B. 740 adds to S.B. 23 from the 87th Legislature by adding prosecutors' offices to the provisions of Chapter 120 of the Local Government Code. Accordingly, a local government must secure voter approval before passing a budget that reduces regular funding for a prosecutor's offices compared to the previous fiscal year, as a percentage of the total annual budget.

As proposed, S.B. 740 amends current law relating to an election to approve a reduction or reallocation of funding or resources for certain county prosecutors' offices.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends the heading to Chapter 120, Local Government Code, to read as follows:

CHAPTER 120. ELECTION FOR REDUCTION OF FUNDING OR RESOURCES FOR CERTAIN PRIMARY LAW ENFORCEMENT AGENCIES AND PROSECUTORS' OFFICES

SECTION 2. Amends Chapter 120, Local Government Code, by adding Section 120.0001, as follows:

Sec. 120.0001. DEFINITION. Defines "prosecutor's office."

SECTION 3. Amends Sections 120.002(a) and (c), Local Government Code, as follows:

(a) Requires a county, except as provided by Section 120.003 (Disaster Exception), to hold an election in accordance with this chapter if the county adopts a budget for a fiscal year that, compared to the budget adopted by the county for the preceding fiscal year:

(1) reduces certain resources for either a law enforcement agency, excluding a 9-1-1 call center, with primary responsibility for policing, criminal investigation, and answering calls for service or for a prosecutor's office. Makes conforming changes; or

(2) makes a conforming change to this subdivision.

(c) Makes conforming changes to this subsection.

SECTION 4. Amends Section 120.007(c), Local Government Code, to make a conforming change.

SECTION 5. Effective date: January 1, 2024.