

BILL ANALYSIS

C.S.H.B. 204
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Judiciary & Civil Jurisprudence
Committee Report (Substituted)

BACKGROUND AND PURPOSE

A Lubbock County commissioner expressed concerns regarding the ability of the county's commissioners court to provide their district attorney a competitive salary relative to privately employed attorneys in Lubbock County. The commissioners court uses state and county sources to pay their district attorney. State law requires the comptroller of public accounts to reduce a state prosecutor's state annual salary if the total annual salary from state and county sources exceeds the maximum combined base salary from all state and county sources prescribed by statute for a district judge with comparable years of service. If the commissioners court wishes to increase a state prosecutor's salary using county funds beyond that maximum combined base salary, the county would forgo some state funding for the salary. C.S.H.B. 204 would allow a county with a population of less than 400,000 to use county funds to increase the salary of a state prosecutor beyond the prescribed maximum combined base salary without forgoing the state funding.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 204 amends the Government Code to except the salary paid to a state prosecutor who serves in a judicial district or county, as applicable, with a population of less than 400,000 from the limitation on the amount of a state prosecutor's total annual salary from state and county sources exceeding the amount of the maximum combined base salary from all state and county sources for a district judge with comparable years of service as the state prosecutor, as provided by statutory provisions relating to judicial salaries.

EFFECTIVE DATE

September 1, 2025.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 204 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

Whereas the introduced excepted the salary paid to a district attorney of a judicial district that includes a county with a population of less than 400,000 from the salary limitation for a state prosecutor, the substitute excepts the salary paid to a state prosecutor who serves in a judicial district or county, as applicable, with a population of less than 400,000 from that limitation.