

LEGISLATIVE BUDGET BOARD  
Austin, Texas

FISCAL NOTE, 89TH LEGISLATIVE REGULAR SESSION

April 29, 2025

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

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB4266** by Kitzman (Relating to the application of the professional prosecutors law to the county attorney of Fayette County.), **As Introduced**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB4266, As Introduced: a negative impact of (\$117,756) through the biennium ending August 31, 2027.

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:

<i>Fiscal Year</i>	Probable Net Positive/(Negative) Impact to <i>General Revenue Related Funds</i>
2026	(\$58,878)
2027	(\$58,878)
2028	(\$58,878)
2029	(\$58,878)
2030	(\$58,878)

All Funds, Five-Year Impact:

<i>Fiscal Year</i>	Probable Savings/(Cost) from <i>General Revenue Fund</i> 1
2026	(\$58,878)
2027	(\$58,878)
2028	(\$58,878)
2029	(\$58,878)
2030	(\$58,878)

Fiscal Analysis

The bill would amend Government Code to add Fayette County to the list of county attorneys that perform the duties of district attorneys and are subject to Government Code Chapter 46, known as the Professional Prosecutors Act (PPA).

**Methodology**

Costs reflected in the table above are based on information provided by the Comptroller of Public Accounts.

The Fayette county attorney currently receives 80.0 percent of the base salary of a district judge, or \$112,000, pursuant to Government Code, Section 41.013. County attorneys and other state prosecutors that are subject to the PPA receive a salary equal to the salary of a district judge, or \$140,000, with comparable tenure.

The bill would increase the annual salary of the Fayette county attorney by \$28,000 from \$112,000 to \$140,000 each fiscal year. Prosecutors subject to the PPA also receive \$22,500 each fiscal year for expenses other than salary. Benefit and payroll contribution costs would total \$8,378 each fiscal year.

**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:** JMc, KDw, DA, NTh