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FISCAL IMPACT REPORT

SPONSOR Swisstack DATE TYPED 1/27/05 HB 406

SHORT TITLE Administrative Office of District Attorneys SB _____

ANALYST Medina

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
	\$2,602.2			Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Partially Duplicates Appropriation in the General Appropriation Act
Relates to HB 408

SOURCES OF INFORMATION

LFC Files
Administrative Office of the District Attorneys

Response Not Received From
Administrative Office of the District Attorneys

SUMMARY

Synopsis of Bill

House Bill 406 appropriates \$2,602,200 from the general fund to the Administrative Office of the District Attorneys (AODA) to provide for parity salary adjustments for attorneys in the district attorney offices.

Significant Issues

The bill calls for salary increases to achieve pay parity at all attorney classifications with other state-employed attorneys including those employed by the executive branch, the Office of the Attorney General and the Administrative Office of the Courts. The following table, which is provided by the AODA, summarizes the distribution of salary increases including benefits.

Attorney Classification	Percent Increase	Cost with Benefits
Associate (entry-level) trial attorney	21.1%	\$346.8
Assistant (mid-level) trial attorney	12.6%	\$418.9
Senior (advanced-level) trial attorney	20.2%	\$1,009.5
Deputy district attorney	16.5%	\$827.0
Total Cost for District Attorney Parity		\$2, 602.2

FISCAL IMPLICATIONS

The appropriation of \$2,602,200 contained in this bill is a recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of fiscal year 2006 shall revert to the general fund.

The LFC FY06 appropriation recommendation is balanced between revenues and expenditures and any increase in recurring funding must be offset by reductions in other areas of the recommendation. The Legislature must consider all priorities and funding requirements to find revenue to support this legislation.

ALTERNATIVES

During the interim, the LFC heard joint testimony from the district attorneys and the Public Defender Department regarding the agencies' challenges in recruiting and retaining attorneys. Subsequently, the LFC has recommended that \$113.3 be appropriated to AODA to administer a special 2 percent compensation increase for associate and assistant district attorneys in addition to the increase appropriated for all state employees. Associate and assistant district attorneys, the entry- and mid-level classification of trial attorneys, are the positions with which the district attorney offices experience the most problems with recruitment and retention.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL?

Staff attorneys in the offices of the district attorneys will continue to be compensated at the current levels.

DXM/lg