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FISCAL IMPACT REPORT

SPONSOR Crook **DATE TYPED** 2/22/05 **HB** 563/a HJC

SHORT TITLE Increase Ninth Judicial District Attorney Staff **SB**

ANALYST Medina

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY05	FY06	FY05	FY06		
	\$161.9			Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Relates to Appropriation in the General Appropriation Act

SOURCES OF INFORMATION

LFC Files

Response Received From
Ninth Judicial District Attorney

SUMMARY

Synopsis of HJC Amendment

The House Judiciary Committee amendment adds on page 1, line 19 the word “assistant” after the word “additional” in order to clarify that the appropriation in the bill is to provide for two additional assistant district attorneys rather than district attorneys which could be construed to mean that the bill is attempting to fund two new elected district attorneys.

Synopsis of Bill

House Bill 563 appropriates \$161.9 from the general fund to the Ninth Judicial District Attorney for the purpose of adding three permanent FTE. The bill expands the Ninth DA staff by a senior trial attorney, an associate trial attorney and a program specialist due to increased workload.

Significant Issues

The Ninth Judicial District Attorney was just elected in November and the appropriation request, which was that of district attorney’s predecessor, did not include any expansion. The agency’s performance measure data indicate that attorney caseload is marginally higher than average. The

LFC recommended a 1.5 percent general fund increase to the Ninth DA, and a 2.3 percent increase in personal services.

PERFORMANCE IMPLICATIONS

In FY04 the Ninth DA reported an attorney caseload of 240. The agency requested and the LFC recommended an attorney caseload target of 200. The addition of two attorneys would likely make attainable the target of 200 cases per attorney.

FISCAL IMPLICATIONS

The appropriation of \$161.9 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.

WHAT WILL BE THE CONSEQUENCES OF NOT ENACTING THIS BILL?

The Ninth Judicial District Attorney Office will continue to be staffed at the current level.

DXM/yr:lg