

**SUBJECT:** Adding 287th Judicial District to the Professional Prosecutors Act

**COMMITTEE:** Judiciary and Civil Jurisprudence — favorable, without amendment

**VOTE:** 8 ayes — Lewis, Farrar, Farney, Gooden, Hunter, K. King, Raymond, S. Thompson

0 nays

1 absent — Hernandez Luna

**SENATE VOTE:** On final passage, March 13 — 31-0, on Local and Uncontested Calendar

**WITNESSES:** For — None

Against — None

On — Shannon Edmonds, Texas District and County Attorneys Association

**BACKGROUND:** The Professional Prosecutors Act, Government Code, ch. 46, ties the salary of elected prosecutors in jurisdictions covered by the act to the salary of a Texas district judge, which is \$125,000. Elected prosecutors outside of the act make 80 percent of a district judge’s salary, or \$100,000.

The 287th Judicial District is composed of Bailey and Parmer counties.

**DIGEST:** SB 268 would add the 287th Judicial District and Oldham County to the list of jurisdictions covered by the Professional Prosecutors Act.

The bill would take effect September 1, 2013.

**SUPPORTERS SAY:** SB 268 would provide financial relief to the overworked elected prosecutors in the 287th Judicial District and in Oldham County. Both jurisdictions have major roadways traveling through them, including I-40, US 60, and US 84, which means the jurisdictions end up prosecuting more crime than would normally be found in counties of their size. The salary supplement would help the jurisdictions retain dedicated prosecutors.

Historically, the Legislature has added felony prosecutor offices into the act when the prosecutor has requested it. The exception was when the 82nd Legislature did not move two prosecutors into the act because of a lack of funding for spending increases. Since then, the state has seen a dramatic increase in revenue and can now afford to add these jurisdictions to the professional prosecutor act. It is appropriate for the Legislature to invest in local law enforcement efforts through the salary supplements provided by the professional prosecutors act because these prosecutors enforce state laws and policies and contribute to general law and order.

**OPPONENTS  
SAY:**

The Legislature should be careful about making long-term funding commitments when it comes to criminal justice matters that may have only have a local impact.

**NOTES:**

According to the fiscal note, the salary increases authorized by SB 268 would cost the state \$89,158 in general revenue related funds in fiscal 2014-15.