

## Felony Prosecutor Apportionment Budget Comparison April 25, 2011

<u>Budget Strategy</u>	<u>FY 2010-2011</u>	<u>House Proposed FY 2012-2013</u>	<u>Senate Proposed FY 2012-2013</u>
Article IV, Judiciary Section, Comptroller's Department B.1.6. FELONY PROSECUTORS:EXPENSES Felony prosecutors: Reimbursements for Expenses of Office	\$10,676,460	\$7,948,606 (-\$2,727,854; 25% cut)	\$6,705,000 (-\$3,971,460; 37% cut)
Rider 6	\$34,450 for multi-county Districts (153 PPA and non-PPA offices) <sup>1</sup> \$17,050 for single-county non-PPA offices (4 offices) <sup>2</sup>	\$22,500 for offices serving a jurisdiction of over 50,000 (70 offices; 35% cut) \$27,500 for offices serving a jurisdiction of under 50,000 (86 offices; 21% cut) \$11,803 to Harris County <sup>3</sup> (30% cut)	\$22,500 to offices in the PPA (148 offices; 35% cut) \$0 to non-PPA offices (9)
Article XI "wish list" item Felony Prosecutors – Expenses of Office			\$1,985,000 (amount sufficient to increase PPA offices serving jurisdictions of under 43,000 to \$32,500)

<sup>1</sup> PPA is the Professional Prosecutors Act, Chapter 46, TEX. GOV'T CODE. Prosecutors in the Act are prohibited from the private practice of law and receive a state salary equal to that of a district judge. Prosecutors outside the Act may have a private practice and receive a state salary equal to 80% of a district judge salary. \$22,500 in office expense support is the statutory minimum set in 1979 for offices in the PPA, §46.004 TEX. GOV'T CODE.

<sup>2</sup> Although not required by the PPA, the Legislature has historically offered support for non-PPA offices. This may be because other code sections have required the state to support all prosecutor offices, whether they are in the PPA or not. See, e.g., Chapter 41, Subchapter C, TEX. GOV'T CODE (requiring payments to prosecutor offices based on a population formula).

<sup>3</sup> The Harris County DA's Office is governed by its own statute, §43.180 TEX. GOV'T CODE. The Harris County DA's Office is considered a non-PPA office because it is not included in Chapter 46, TEX. GOV'T CODE, but the Harris County DA is prohibited from the private practice of law in §43.180.