

BILL ANALYSIS

Senate Research Center
80R3962 YDB-F

S.B. 844
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Jurisprudence
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Under current law first enacted during the 77th Texas Legislature, a longevity supplement is provided by the state to assistant prosecutors in district and county attorney offices with felony jurisdiction. This supplement is supported by a fee on the posting of each surety bond. Recognizing the salaries available in the private sector for experienced attorneys the longevity supplement was deemed to be critical to retaining experienced prosecutors.

As originally enacted, the longevity supplement is not extended to all prosecutors, but only to 1,600 assistants in prosecutor offices with felony jurisdiction. There are approximately 250 assistant county attorneys with the duty to represent the state in all misdemeanor criminal and child and adult welfare cases. These assistants do not receive any supplement under this statute.

As proposed, S.B. 844 extends the longevity supplement to include assistant prosecutors.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 41.251(1), Government Code, to redefine "assistant prosecutor."

SECTION 2. Amends the heading to Section 41.258, Government Code, to read as follows:

Sec. 41.258. ASSISTANT FELONY PROSECUTOR SUPPLEMENT FUND AND FAIR DEFENSE ACCOUNT.

SECTION 3. Amends Section 41.258(a), (i), and (j), Government Code, as follows:

(a) Creates the assistant prosecutor supplement fund, rather than the felony prosecutor supplement fund, in the state treasury.

(i) and (j) Makes conforming changes.

SECTION 4. Amends Section 103.022, Government Code, to make conforming and nonsubstantive changes.

SECTION 5. Provides that this Act applies to a lifetime service credit accrued by eligible assistant prosecutors before, on, and after the effective date of this Act.

SECTION 6. Effective date: September 1, 2007.