

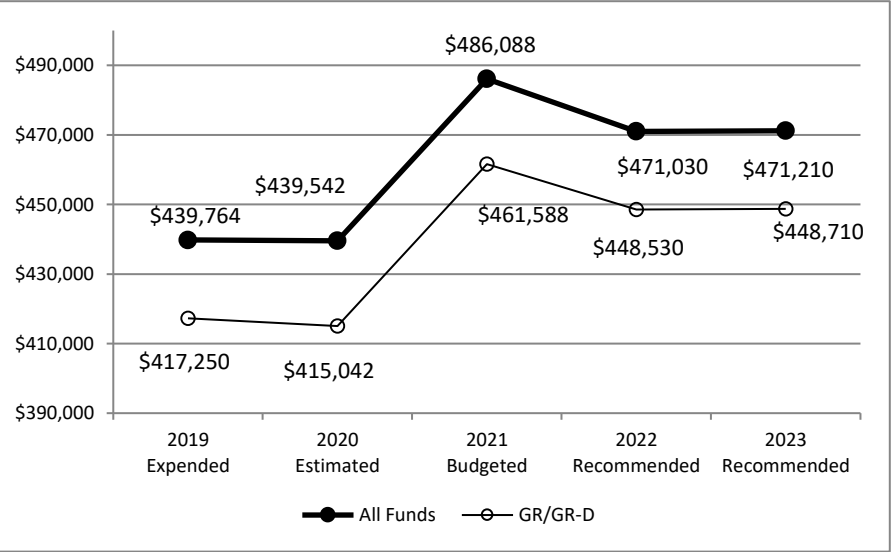
**Office of the State Prosecuting Attorney
Summary of Budget Recommendations - Senate**

Page IV-33
Stacey Soule, State Prosecuting Attorney
Bryan Hadley, LBB Analyst

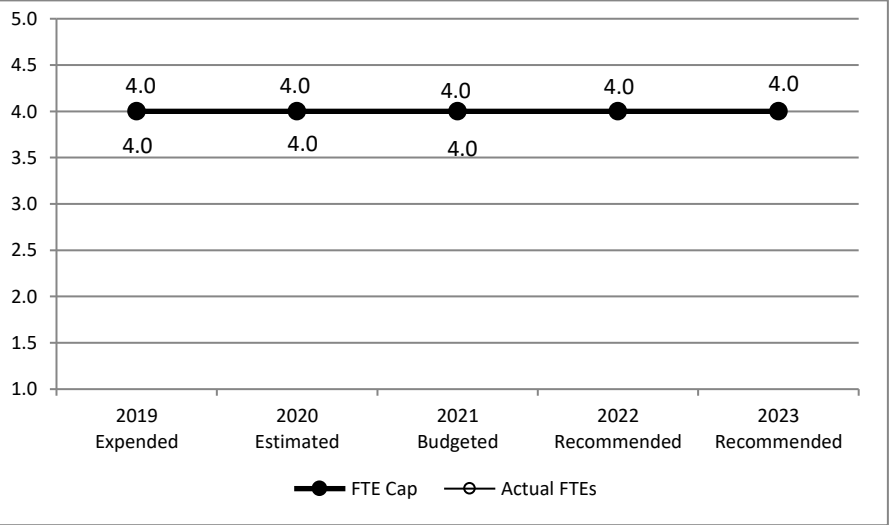
Method of Financing	2020-21 Base	2022-23 Recommended	Biennial Change (\$)	Biennial Change (%)
General Revenue Funds	\$876,630	\$897,240	\$20,610	2.4%
GR Dedicated Funds	\$0	\$0	\$0	0.0%
<i>Total GR-Related Funds</i>	<i>\$876,630</i>	<i>\$897,240</i>	<i>\$20,610</i>	<i>2.4%</i>
Federal Funds	\$0	\$0	\$0	0.0%
Other	\$49,000	\$45,000	(\$4,000)	(8.2%)
All Funds	\$925,630	\$942,240	\$16,610	1.8%

	FY 2021 Budgeted	FY 2023 Recommended	Biennial Change	Percent Change
FTEs	4.0	4.0	0.0	0.0%

Historical Funding Levels



Historical Full-Time-Equivalent Employees (FTEs)



The bill pattern for this agency (2022-23 Recommended) represents an estimated 100.0% of the agency's estimated total available funds for the 2022-23 biennium.

Office of the State Prosecuting Attorney
Summary of Funding Changes and Recommendations - Senate

Section 2

Funding Changes and Recommendations for the 2022-23 Biennium compared to the 2020-21 Base Spending Level		General Revenue	GR-Dedicated	Federal Funds	Other Funds	All Funds	Strategy in Appendix A
<i>SIGNIFICANT Funding Changes and Recommendations (each issue is explained in Section 3 and additional details are provided in Appendix A):</i>							
A)	Increase in strategy A.1.2, State Prosecutor Salary resulting from the State Prosecuting Attorney's change in the judicial and prosecutor compensation tiers created by HB 2384 during the Eighty-sixth Legislature, 2019. (See also, Selected Fiscal and Policy Issues - Senate #1)	\$20,610	\$0	\$0	\$0	\$20,610	A.1.2
<i>OTHER Funding Changes and Recommendations (these issues are not addressed in Section 3 but details are provided in Appendix A):</i>							
B)	The agency is anticipating fewer Appropriated Receipts, which come from third-party reimbursements that the office receives after spending its own funds for travel to the Texas District and County Attorney's Annual Conference.	\$0	\$0	\$0	(\$4,000)	(\$4,000)	A.1.1
TOTAL SIGNIFICANT & OTHER Funding Changes and Recommendations		\$20,610	\$0.0	\$0.0	(\$4,000)	\$16,610	As Listed
<i>SIGNIFICANT & OTHER Funding Increases</i>		\$0	\$0	\$0	\$0	\$0	As Listed
<i>SIGNIFICANT & OTHER Funding Decreases</i>		\$0	\$0	\$0	\$0	\$0	As Listed

NOTE: Totals may not sum due to rounding.

**Office of the State Prosecuting Attorney
Selected Fiscal and Policy Issues - Senate**

1. **New Prosecutor Salary Strategy.** Recommendations continue funding for the State Prosecuting Attorney's salary in the agency's bill pattern and include \$0.3 million in estimated General Revenue funding for the State Prosecuting Attorney's compensation. Enactment of House Bill 2384, Eighty-sixth Legislature, 2019, adjusted the compensation structure for certain judges and prosecutors by creating tiers of compensation based on years of service. State salary and salary supplements for these positions remain linked to a district judge's base salary of \$140,000 as set in the General Appropriations Act. Judges and prosecutors with four to eight years of service receive compensation at 110% of a district judge's base salary, or \$154,000, and 120% of a district judge's base salary, or \$168,000, for eight or more years of service.

The Eighty-sixth Legislature, 2019, modified the General Appropriations Act for the 2020–21 biennium due to the enactment of this legislation by creating individual, estimated and non-transferrable strategies within the bill patterns of the 16 appellate courts and the Office of State Prosecuting Attorney to isolate required compensation-related appropriations. The estimated appropriation authority provides the flexibility to adjust funding levels to meet unanticipated changes in compensation obligations resulting from tenure changes and elections or appointment of persons with years of service credits differing from the previous position holder.

2. **State Representation Funding.** Recommendations continue General Revenue appropriations at 2020-21 levels to provide for the representation of the state in all proceedings conducted by (1) the Court of Criminal Appeals; (2) in any stage of a criminal case presented to a Court of Appeals where such representation would be considered necessary for, or in the best interest of, the state; and (3) to address a backlog of cases resulting from the COVID-19 pandemic.

Office of the State Prosecuting Attorney
Items Not Included in Recommendations - Senate

		2022-23 Biennial Total					
		GR & GR-D	All Funds	FTEs	Information Technology Involved?	Contracting Involved?	Estimated Continued Cost 2024-25
Agency Exceptional Items Not Included (in agency priority order)							
1)	Transfer \$317,240 in All Funds for the biennium to the Comptroller of Public Accounts- Judiciary Section bill pattern to pay the State Prosecuting Attorney's Salary.	\$0	\$0	0.0	No	No	\$0
TOTAL Items Not Included in Recommendations		\$0	\$0	0.0			\$0

**Office of the State Prosecuting Attorney
Appendices - Senate**

Table of Contents		
Appendix	Appendix Title	Page
A	Funding Changes and Recommendations by Strategy	6
B	Summary of Federal Funds	*
C	FTE Highlights	7

* Appendix is not included - no significant information to report

Office of the State Prosecuting Attorney					
Funding Changes and Recommendations by Strategy - Senate -- ALL FUNDS					
Strategy/Goal	2020-21 Base	2022-23 Recommended	Biennial Change	% Change	Comments
REPRESENTATION BEFORE CCA A.1.1	\$629,000	\$625,000	(\$4,000)	(0.6%)	Decrease in Appropriated Receipts from third-party reimbursements that the office receives after spending its own funds for travel to the Texas District and County Attorney's Annual Conference.
STATE PROSECUTOR SALARY A.1.2	\$296,630	\$317,240	\$20,610	6.9%	Increase resulting from the State Prosecuting Attorney's change in the judicial and prosecutor compensation tiers created by HB 2384 during the Eighty-sixth Legislature, 2019 (see also, Selected Fiscal and Policy Issues - Senate #1)
Total, Goal A, REPRESENTATION BEFORE CCA	\$925,630	\$942,240	\$16,610	1.8%	
Grand Total, All Strategies	\$925,630	\$942,240	\$16,610	1.8%	

**Office of the State Prosecuting Attorney
FTE Highlights - Senate**

Full-Time-Equivalent Positions	Expended 2019	Estimated 2020	Budgeted 2021	Recommended 2022	Recommended 2023
Cap	4.0	4.0	4.0	4.0	4.0
Actual/Budgeted	4.0	4.0	4.0	NA	NA

Schedule of Exempt Positions (Cap)

State Prosecuting Attorney	\$152,843	\$140,000	\$148,167	\$154,000	\$154,000
----------------------------	-----------	-----------	-----------	-----------	-----------

Notes:

a) Changes reflected for the State Prosecuting Attorney's salary are due to the enactment of House Bill 2384, Eighty-sixth Legislature, Regular Session, 2019, which began in fiscal year 2020. In addition to the creation of compensation tiers, the state no longer provided compensation for member contributions to the Employee Retirement System required under House Bill 9, Eighty-fourth Legislature, 2015 that adversely affected prosecutors. Additionally, the tenure for the State Prosecuting Attorney resulted in an increase being realized mid-year.

b) State Auditor's Office is the source for the fiscal year 2019 and fiscal year 2020 annual average (actual) FTE levels.