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FISCAL IMPACT REPORT



SPONSOR: Vigil DATE TYPED: 01/27/02 HB 189

SHORT TITLE: 4th Judicial DA Prison Prosecution Unit SB _____

ANALYST: Belmares

APPROPRIATION

Appropriation Contained		Estimated Additional Impact		Recurring or Non-Rec	Fund Affected
FY02	FY03	FY02	FY03		
	\$539.2			Non-Recurring	General Fund

(Parenthesis () Indicate Expenditure Decreases)

Duplicates SB 183

SOURCES OF INFORMATION

LFC Files

SUMMARY

Synopsis of Bill

House Bill 189 appropriates \$539.2 from the general fund to the Fourth Judicial District Attorney to continue prosecuting cases that arose from the 1999 riot at the Guadalupe County correctional facility.

Significant Issues

The Fourth Judicial Attorney requested \$539.1 from the general fund as a special appropriation for FY03 to continue funding the prison prosecution unit. The LFC initially recommended funding this request with \$250.0 from the general fund and the executive did not recommend funding this request. However, on January 26, 2002, HAFC took action to amend HB2 in which it recommended appropriating \$350.0 to the Fourth Judicial District Attorney for the prison prosecution unit.

The prison prosecution unit is expected to be in existence at least a few more years as the Fourth Judicial District Attorney prosecutes the cases stemming from the 1999 riot at the Guadalupe County correctional facility. AODA has indicated that without the appropriation provided in

SB183, the Fourth Judicial District Attorney's ability to continue the operation of the prison prosecution unit would be adversely affected.

Additionally, the Public Defender Department (PDD) has indicated that SB 183 (duplicate to HB 189) does not appropriate any funding to PDD, an agency with an adversarial role against the Fourth Judicial District Attorney on the issue of the cases stemming from the 1999 riot at the Guadalupe County correctional facility.

FISCAL IMPLICATIONS

The appropriation of \$539.2 contained in HB 189 is a non-recurring expense to the general fund. Any unexpended or unencumbered balance remaining at the end of FY03 shall revert to the general fund.

DUPLICATION

HB 189 duplicates SB 183.

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