



## Fiscal Estimate Narratives

DA 5/26/2017

LRB Number	17-2544/1	Introduction Number	SB-155	Estimate Type	Original
<b>Description</b> creation of a prosecutor board and a state prosecutors office and making appropriations					

### Assumptions Used in Arriving at Fiscal Estimate

This bill creates an independent State Prosecutor Board that oversees and sets policies for a State Prosecutors Office, which is also created in this bill. The bill also creates an Executive Director of the State Prosecutors Office. A similar Assembly bill (AB 231) additionally creates a Legislative Liaison position, but otherwise is nearly identical to this bill.

The Department of Administration (DOA) estimates the cost of the Executive Director position will be \$137,200 GPR annually. DOA estimates the Office will incur one-time moving costs of \$1,000 and \$5,000 for new furniture for 1.0 FTE position. The Office will also be responsible for other supplies and services expenses such as office space rent, copier/printer, telephone, IT services and office supplies at an estimated annual cost of \$10,000. DOA further estimates that the Office would be charged several administrative assessments (e.g., STAR, personnel, financial services) estimated at \$1,300 per year. Finally, the Office would be responsible for Board member travel expenses such as mileage and meals; such costs are indeterminate because it is unknown how frequently the Board will meet or the distances its members would travel to and from meetings.

Under this bill, the Executive Director will perform many of the duties that the State Prosecutors Office Director currently undertakes including preparing fiscal estimates, preparing biennial and annual operating budgets for the program, approving appointments of special prosecutors when needed, paying special prosecutors, making requests for assistant district attorneys in various prosecutorial units and assisting elected district attorneys understand personnel policies. The bill would also require the Executive Director to create an annual report of the activities of the Office. The bill would also transfer to the Office roles currently undertaken by the Department of Justice such as education and training, best practice implementation of policy areas and case law changes.

The bill allows the Executive Director to appoint an executive assistant and other employees of the office. However, the bill does not provide position authority or funding to support these positions.

Prosecutors see this bill as providing anywhere from neutral impact to significant benefits to their offices. District attorneys believe the creation of this office will save them time and resources by having the State Prosecutor Board assume some of the responsibilities now carried out by prosecutors. Such activities may include providing feedback on proposed legislation and fiscal estimates, communicating about or advocating for/against proposed legislation, and addressing issues of statewide impact such as education and training, best practices, case law changes and other administrative functions.

Under current law, the State Prosecutors Office Director confers with elected district attorneys and deputy district attorneys when a fiscal estimate is required. Time savings may result if the prosecutorial community determines that the State Prosecutor Board will speak on behalf of all elected district attorneys relative to proposed legislation.

The Executive Director will likely represent the board before the Governor, the Legislature, bar associations and the courts. The Executive Director position may also advocate for or against proposed legislation on behalf of the Board and the prosecutorial community. These functions may save the district attorneys time that could otherwise be devoted to prosecutorial activities.

For the reasons stated above, the fiscal impact on their offices is indeterminate.

### Long-Range Fiscal Implications

The long-range fiscal implications of this legislation on district attorney offices is indeterminate.