

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House
(317) 232-9855

FISCAL IMPACT STATEMENT

LS 7249
BILL NUMBER: SB 442

DATE PREPARED: Feb 22, 2000
BILL AMENDED: Feb 21, 2000

SUBJECT: Deputy prosecuting attorneys.

FISCAL ANALYST: Susan Preble
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FUNDS AFFECTED: **GENERAL**
DEDICATED
FEDERAL

IMPACT: State

Summary of Legislation: (Amended) This bill provides that the deputy prosecuting attorney appointed may continue to serve for the remainder of the term of office of the prosecuting attorney who made the appointment, if the population of the state institution decreases below the original population under which the appointment was made.

It also provides that the prosecuting attorney in a county in which is located an institution operated by the Department of Correction that houses at least 100 but less than 1500 offenders may appoint one additional deputy prosecuting attorney.

Effective Date: (Amended) July 1, 1999 (Retroactive).

Explanation of State Expenditures: (Revised) There are 16 counties which are affected by this bill. Those 16 counties have a total of 24 prison and mental health deputy prosecuting attorneys. The counties are: Cass, Clark, Hendricks, Jasper, Jefferson/Switzerland (a joint circuit), Jennings, Johnson, LaPorte, Madison, Marion, Miami, Noble, Parke, Perry, Putnam, Sullivan.

Prosecuting attorneys with prison and mental health deputy prosecuting attorneys are required to certify to the Division of State Court Administration the population of the county's prison and/or mental health institutions for payroll purposes. To date, one deputy prosecuting attorney position has been terminated due to a declining state institution population (Richmond State Hospital in Wayne County).

All current prison and mental health deputy prosecuting attorneys earn an annual salary of \$44,550, except in Parke County, where the prison and mental health deputy prosecuting attorney's annual salary is \$40,500.

The bill deletes the word "adult" in IC 33-14-7-2(c) which sets out the criteria for the appointment of additional deputy prosecuting attorneys in counties with DOC facilities which house from 100 to 1,500

offenders. There are three counties which would be eligible to appoint an additional deputy prosecuting due to the presence of a DOC juvenile facility with a population of more than 100, but less than 1,500 offenders (Cass, Hendricks and Marion). The appointment of an additional deputy prosecuting attorney would increase state expenditures by \$58,503 annually [\$44,550 salary + \$8,714 fringe benefits + \$5,240 health/vision/dental insurance]. Should each county choose to appoint an additional deputy prosecuting attorneys, state expenditures will increase by \$175,512 annually [\$58,503 x 3].

Explanation of State Revenues:

Explanation of Local Expenditures:

Explanation of Local Revenues:

State Agencies Affected: Prosecuting Attorneys Council; Division of State Court Administration.

Local Agencies Affected: Deputy prosecuting attorneys.

Information Sources: Stephen Johnson, Executive Director, Prosecuting Attorneys Council, (317) 232-1836; Division of State Court Administration, (317) 232-2542.