



Legislative Appropriations Request

For Fiscal Years 2028-2029

Submitted to the
Office of the Governor, Budget Division,
and the Legislative Budget Board

by

Office of the State Prosecuting Attorney

August 7, 2026

FY 2028-29 LEGISLATIVE APPROPRIATIONS REQUEST
Office of the State Prosecuting Attorney

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Administrator's Statement

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90th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

213 Office of the State Prosecuting Attorney

STATEMENT OF GRATITUDE

The Office of State Prosecuting Attorney (OSPA) is grateful for the Legislature's support and funding to continue successfully serving the citizens of Texas, prosecutors, and law enforcement.

DELIVERY OF EXCEPTIONAL REPRESENTATION

The OSPA ensures strict adherence to Texas's criminal statutes and the proper application of constitutional law, supporting prosecutors and law enforcement statewide. Our work centers on filing petitions for discretionary review (PDRs) with the Court of Criminal Appeals (CCA), each crafted to persuade the Court to address significant legal issues and rule in the State's favor. When the merits are closely balanced, we present both sides to help establish clear guidance for the judiciary and legal community. Drawing on deep knowledge of CCA precedent and institutional history, we carefully select cases—particularly where an intermediate court has ruled against the State. Our statewide jurisdiction spans both large and small counties.

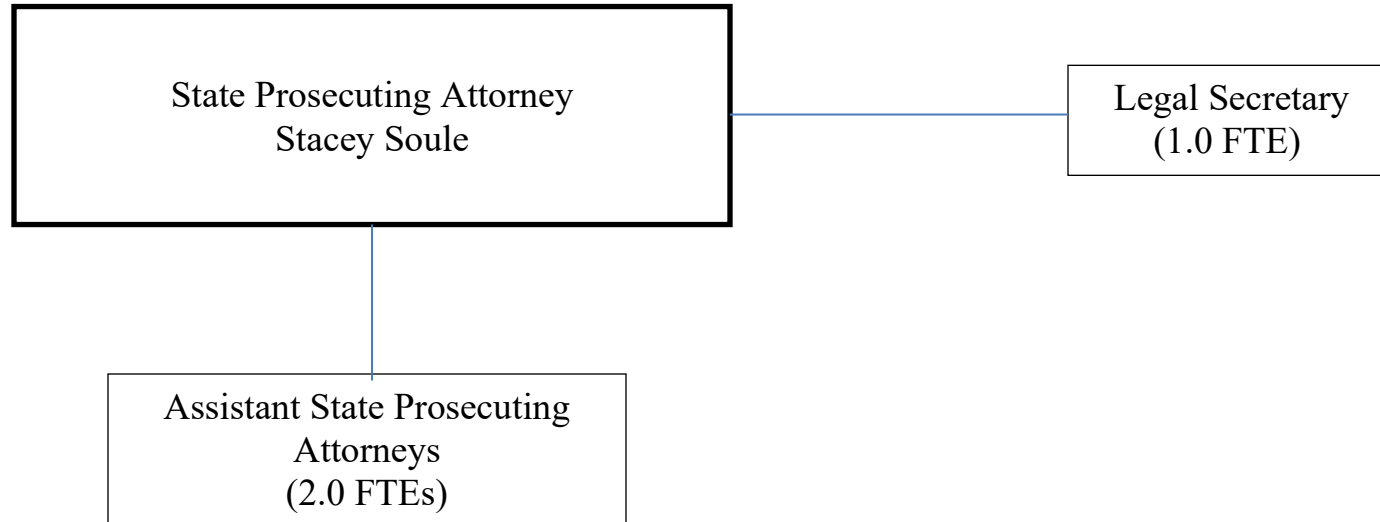
FORECAST OF EXCEPTIONAL ITEMS

For the upcoming biennium, the OSPA requests funding across four priority items, totaling \$94,924 in FY2028 and \$107,642 in FY2029:

1. Restoration of the 3% Reduction (\$17,640/\$17,640). Preserves the administrative assistant position full-time and protects current operations.
2. Judiciary-Wide Inflation Relief (\$10,505/\$21,327). A 3% annual salary increase to keep pace with rising costs and remain competitive statewide.
3. Additional Operating Expense Funding (\$22,137/\$23,650). Restores the core pre-COVID operational baseline to stabilize agency functions strained by significant inflationary pressures and compounding costs for essential legal research services, travel, and professional development.
4. Comprehensive Reclassification: Legal Assistant III (\$44,641/\$45,025). Converts the administrative assistant role into a legal assistant role to match the office's actual workload.

ORGANIZATIONAL CHART

Office of the State Prosecuting Attorney





C E R T I F I C A T E

Agency Name Office of the State Prosecuting Attorney

This is to certify that the information contained in the agency Legislative Appropriations Request filed with the Legislative Budget Board (LBB) and the Office of the Governor, Budget and Policy Division, is accurate to the best of my knowledge and that the electronic submission to the LBB via the Automated Budget and Evaluation System of Texas (ABEST) and the PDF file submitted via the LBB Document Submission application are identical.

Additionally, should it become likely at any time that unexpended balances will accrue for any account, the LBB and the Office of the Governor will be notified in writing in accordance with Senate Bill 1, Article IX, Section 7.01, Eighty-ninth Legislature, Regular Session, 2025.

Chief Executive Office or Presiding Judge

Stacey Soule

Signature

Stacey Soule

Printed Name

State Prosecuting Attorney

Title

8/07/2026

Date

Board or Commission Chair

Signature

Printed Name

Title

Date

Chief Financial Officer

Signature

Printed Name

Title

Date

Budget Overview - Biennial Amounts
90th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

213 Office of the State Prosecuting Attorney											
Appropriation Years: 2028-29											
	GENERAL REVENUE FUNDS		GR DEDICATED		FEDERAL FUNDS		OTHER FUNDS		ALL FUNDS		EXCEPTIONAL ITEM FUNDS
	2026-27	2028-29	2026-27	2028-29	2026-27	2028-29	2026-27	2028-29	2026-27	2028-29	2028-29
Goal: 1. Representation of the State before the Court of Criminal Appeals											
1.1.1. Representation Before Cca	1,029,695	708,917					45,000	45,000	1,074,695	753,917	202,566
1.1.2. State Prosecutor Salary	431,820	431,820							431,820	431,820	
Total, Goal	1,461,515	1,140,737					45,000	45,000	1,506,515	1,185,737	202,566
Total, Agency	1,461,515	1,140,737					45,000	45,000	1,506,515	1,185,737	202,566
Total FTEs									4.0	4.0	0.0

2.A. Summary of Base Request by Strategy

8/5/2026 1:19:27PM

90th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

213 Office of the State Prosecuting Attorney

Goal / Objective / STRATEGY	Exp 2025	Est 2026	Bud 2027	Req 2028	Req 2029
1 Representation of the State before the Court of Criminal Appeals					
1 Representation of the State before the Court of Criminal Appeals					
1 REPRESENTATION BEFORE CCA	379,541	417,792	656,903	376,958	376,959
2 STATE PROSECUTOR SALARY	168,423	215,790	216,030	215,790	216,030
TOTAL, GOAL 1	\$547,964	\$633,582	\$872,933	\$592,748	\$592,989
TOTAL, AGENCY STRATEGY REQUEST	\$547,964	\$633,582	\$872,933	\$592,748	\$592,989
TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST*				\$0	\$0
GRAND TOTAL, AGENCY REQUEST	\$547,964	\$633,582	\$872,933	\$592,748	\$592,989

2.A. Summary of Base Request by Strategy

8/5/2026 1:19:27PM

90th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

213 Office of the State Prosecuting Attorney

Goal / Objective / STRATEGY	Exp 2025	Est 2026	Bud 2027	Req 2028	Req 2029
<u>METHOD OF FINANCING:</u>					
General Revenue Funds:					
1 General Revenue Fund	511,009	613,607	847,908	570,248	570,489
SUBTOTAL	\$511,009	\$613,607	\$847,908	\$570,248	\$570,489
Other Funds:					
777 Interagency Contracts	36,955	19,975	25,025	22,500	22,500
SUBTOTAL	\$36,955	\$19,975	\$25,025	\$22,500	\$22,500
TOTAL, METHOD OF FINANCING	\$547,964	\$633,582	\$872,933	\$592,748	\$592,989

*Rider appropriations for the historical years are included in the strategy amounts.

2.B. Summary of Base Request by Method of Finance

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90th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 213		Agency name: Office of the State Prosecuting Attorney				
METHOD OF FINANCING		Exp 2025	Est 2026	Bud 2027	Req 2028	Req 2029
<u>GENERAL REVENUE</u>						
<u>1</u> General Revenue Fund						
<i>REGULAR APPROPRIATIONS</i>						
Regular Appropriations from MOF Table (2024-25 GAA)						
		\$506,090	\$0	\$0	\$0	\$0
Regular Appropriations from MOF Table (2026-27 GAA)						
		\$0	\$673,204	\$670,085	\$0	\$0
Regular Appropriations from MOF Table (2028-29 GAA)						
		\$0	\$0	\$0	\$570,248	\$570,489
<i>RIDER APPROPRIATION</i>						
Art IX, Sec. 18.83(G) Contingency for Senate Bill 293 (Judicial Pay)						
		\$0	\$38,500	\$38,500	\$0	\$0
<i>TRANSFERS</i>						
Art IX, Sec 17.15 Appropriation for a Salary Increase for Licensed Attorneys in Certain Positions (2026-27 GAA)						
		\$0	\$16,513	\$16,513	\$0	\$0
<i>LAPSED APPROPRIATIONS</i>						

2.B. Summary of Base Request by Method of Finance

8/5/2026 1:19:28PM

90th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 213		Agency name: Office of the State Prosecuting Attorney				
METHOD OF FINANCING		Exp 2025	Est 2026	Bud 2027	Req 2028	Req 2029
<u>GENERAL REVENUE</u>						
Regular Appropriations from MOF Table (2024-25 GAA)		\$ (969)	\$0	\$0	\$0	\$0
<i>UNEXPENDED BALANCES AUTHORITY</i>						
Art IX, Sec 14.05, UB Authority within the Same Biennium (2024-25 GAA)		\$5,888	\$0	\$0	\$0	\$0
Art. IV, Special Provisions, Sec. 9, Unexpended Balance Authority (2026-27 GAA)		\$0	\$ (118,680)	\$118,680	\$0	\$0
<i>BASE ADJUSTMENT</i>						
Art. IX, Sec. 18.83(G) Contingency for Senate Bill 293 (2026-2027 GAA) Revised Reciepts		\$0	\$4,070	\$4,130	\$0	\$0
TOTAL,	General Revenue Fund	\$511,009	\$613,607	\$847,908	\$570,248	\$570,489
TOTAL, ALL	GENERAL REVENUE	\$511,009	\$613,607	\$847,908	\$570,248	\$570,489

OTHER FUNDS

777 Interagency Contracts

REGULAR APPROPRIATIONS

2.B. Summary of Base Request by Method of Finance

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90th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 213		Agency name: Office of the State Prosecuting Attorney				
METHOD OF FINANCING		Exp 2025	Est 2026	Bud 2027	Req 2028	Req 2029
<u>OTHER FUNDS</u>						
Regular Appropriations from MOF Table (2024-25 GAA)		\$22,500	\$0	\$0	\$0	\$0
Regular Appropriations from MOF Table (2026-27 GAA)		\$0	\$22,500	\$22,500	\$0	\$0
Regular Appropriations from MOF Table (2028-29 GAA)		\$0	\$0	\$0	\$22,500	\$22,500
<i>UNEXPENDED BALANCES AUTHORITY</i>						
Art IX, Sec 14.05, UB Authority within the Same Biennium (2024-25 GAA)		\$14,455	\$0	\$0	\$0	\$0
Art. IV, Special Provisions, Sec. 9, Unexpended Balance Authority (2026-27 GAA)		\$0	\$(2,525)	\$2,525	\$0	\$0
TOTAL,	Interagency Contracts	\$36,955	\$19,975	\$25,025	\$22,500	\$22,500
TOTAL, ALL	OTHER FUNDS	\$36,955	\$19,975	\$25,025	\$22,500	\$22,500

2.B. Summary of Base Request by Method of Finance

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90th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

Agency code: 213	Agency name: Office of the State Prosecuting Attorney				
METHOD OF FINANCING	Exp 2025	Est 2026	Bud 2027	Req 2028	Req 2029
GRAND TOTAL	\$547,964	\$633,582	\$872,933	\$592,748	\$592,989

FULL-TIME-EQUIVALENT POSITIONS

REGULAR APPROPRIATIONS

Regular Appropriations from MOF Table (2024-25 GAA)	4.0	0.0	0.0	0.0	0.0
Regular Appropriations from MOF Table (2026-27 GAA)	0.0	4.0	4.0	0.0	0.0
Regular Appropriations from MOF Table (2028-29 GAA)	0.0	0.0	0.0	4.0	4.0
TOTAL, ADJUSTED FTES	4.0	4.0	4.0	4.0	4.0

**NUMBER OF 100% FEDERALLY
FUNDED FTES**

2.C. Summary of Base Request by Object of Expense

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90th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)**213 Office of the State Prosecuting Attorney**

OBJECT OF EXPENSE	Exp 2025	Est 2026	Bud 2027	BL 2028	BL 2029
1001 SALARIES AND WAGES	\$473,487	\$580,340	\$800,878	\$537,654	\$537,654
1002 OTHER PERSONNEL COSTS	\$42,780	\$6,140	\$6,740	\$6,140	\$6,380
2001 PROFESSIONAL FEES AND SERVICES	\$0	\$2,490	\$2,490	\$2,490	\$2,490
2003 CONSUMABLE SUPPLIES	\$267	\$212	\$1,315	\$515	\$600
2005 TRAVEL	\$640	\$3,500	\$3,555	\$3,080	\$3,080
2007 RENT - MACHINE AND OTHER	\$588	\$1,684	\$1,684	\$978	\$978
2009 OTHER OPERATING EXPENSE	\$30,202	\$39,216	\$56,271	\$41,891	\$41,807
OOE Total (Excluding Riders)	\$547,964	\$633,582	\$872,933	\$592,748	\$592,989
OOE Total (Riders)					
Grand Total	\$547,964	\$633,582	\$872,933	\$592,748	\$592,989

2.D. Summary of Base Request Objective Outcomes

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90th Regular Session, Agency Submission, Version 1
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213 Office of the State Prosecuting Attorney					
<i>Goal/ Objective / Outcome</i>	Exp 2025	Est 2026	Bud 2027	BL 2028	BL 2029
1 Representation of the State before the Court of Criminal Appeals					
1 Representation of the State before the Court of Criminal Appeals					
KEY 1 Petitions for Discretionary Review Granted by the Ct Criminal Appeals					
	14.00	4.00	17.00	9.00	9.00

2.E. Summary of Exceptional Items Request
90th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/5/2026
TIME : 1:19:28PM

Agency code: 213

Agency name: Office of the State Prosecuting Attorney

Priority	Item	2028			2029			Biennium	
		GR and GR/GR Dedicated	All Funds	FTEs	GR and GR Dedicated	All Funds	FTEs	GR and GR Dedicated	All Funds
1	3% Restoration	\$17,640	\$17,640		\$17,640	\$17,640		\$35,280	\$35,280
2	Judiciary Wide Inflation Relief	\$10,506	\$10,506		\$21,327	\$21,327		\$31,833	\$31,833
3	Operating Costs	\$22,137	\$22,137		\$23,650	\$23,650		\$45,787	\$45,787
4	Legal Assistant	\$44,641	\$44,641		\$45,025	\$45,025		\$89,666	\$89,666
Total, Exceptional Items Request		\$94,924	\$94,924		\$107,642	\$107,642		\$202,566	\$202,566

Method of Financing

General Revenue	\$94,924	\$94,924		\$107,642	\$107,642		\$202,566	\$202,566
General Revenue - Dedicated								
Federal Funds								
Other Funds								
	\$94,924	\$94,924		\$107,642	\$107,642		\$202,566	\$202,566

Full Time Equivalent Positions

Number of 100% Federally Funded FTEs

2.F. Summary of Total Request by Strategy
 90th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE : 8/5/2026
 TIME : 1:19:29PM

Agency code: 213	Agency name: Office of the State Prosecuting Attorney					
Goal/Objective/STRATEGY	Base 2028	Base 2029	Exceptional 2028	Exceptional 2029	Total Request 2028	Total Request 2029
1 Representation of the State before the Court of Criminal Appeals						
1 Representation of the State before the Court of Criminal Appeals						
1 REPRESENTATION BEFORE CCA	\$376,958	\$376,959	\$94,924	\$107,642	\$471,882	\$484,601
2 STATE PROSECUTOR SALARY	215,790	216,030	0	0	215,790	216,030
TOTAL, GOAL 1	\$592,748	\$592,989	\$94,924	\$107,642	\$687,672	\$700,631
TOTAL, AGENCY STRATEGY REQUEST	\$592,748	\$592,989	\$94,924	\$107,642	\$687,672	\$700,631
TOTAL, AGENCY RIDER APPROPRIATIONS REQUEST						
GRAND TOTAL, AGENCY REQUEST	\$592,748	\$592,989	\$94,924	\$107,642	\$687,672	\$700,631

2.F. Summary of Total Request by Strategy
 90th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE : 8/5/2026
 TIME : 1:19:29PM

Agency code: 213		Agency name: Office of the State Prosecuting Attorney					
Goal/Objective/STRATEGY		Base 2028	Base 2029	Exceptional 2028	Exceptional 2029	Total Request 2028	Total Request 2029
General Revenue Funds:							
1	General Revenue Fund	\$570,248	\$570,489	\$94,924	\$107,642	\$665,172	\$678,131
		\$570,248	\$570,489	\$94,924	\$107,642	\$665,172	\$678,131
Other Funds:							
777	Interagency Contracts	22,500	22,500	0	0	22,500	22,500
		\$22,500	\$22,500	\$0	\$0	\$22,500	\$22,500
TOTAL, METHOD OF FINANCING		\$592,748	\$592,989	\$94,924	\$107,642	\$687,672	\$700,631
FULL TIME EQUIVALENT POSITIONS		4.0	4.0	0.0	0.0	4.0	4.0

2.G. Summary of Total Request Objective Outcomes
 90th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation system of Texas (ABEST)

Date : 8/5/2026
 Time: 1:19:29PM

Agency code: 213 Agency name: Office of the State Prosecuting Attorney

Goal/ Objective / Outcome

		BL 2028	BL 2029	Excp 2028	Excp 2029	Total Request 2028	Total Request 2029
1	Representation of the State before the Court of Criminal Appeals						
1	<i>Representation of the State before the Court of Criminal Appeals</i>						
KEY	1 Petitions for Discretionary Review Granted by the Ct Criminal Appeals						
		9.00	9.00			9.00	9.00

213 Office of the State Prosecuting Attorney

GOAL: 1 Representation of the State before the Court of Criminal Appeals
OBJECTIVE: 1 Representation of the State before the Court of Criminal Appeals
STRATEGY: 1 Representation of the State before the Court of Criminal Appeals

Service Categories:

Service: 01 Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2025	Est 2026	Bud 2027	BL 2028	BL 2029
Output Measures:						
KEY 1	Number of Briefs Filed in All Appellate Courts by the SPA	22.00	17.00	24.00	20.00	20.00
2	Number of Petitions for Discretionary Review Filed by the SPA	11.00	9.00	16.00	11.00	11.00
Explanatory/Input Measures:						
1	Number of Court of Criminal Appeals Cases Reviewed	181.00	117.00	128.00	162.00	162.00
2	Number of Court of Appeals Cases Reviewed	167.00	100.00	200.00	150.00	150.00
Objects of Expense:						
1001	SALARIES AND WAGES	\$310,154	\$370,340	\$590,878	\$327,654	\$327,654
1002	OTHER PERSONNEL COSTS	\$40,140	\$3,500	\$3,860	\$3,500	\$3,500
2001	PROFESSIONAL FEES AND SERVICES	\$0	\$2,490	\$2,490	\$2,490	\$2,490
2003	CONSUMABLE SUPPLIES	\$267	\$212	\$1,315	\$515	\$600
2005	TRAVEL	\$640	\$3,500	\$3,555	\$3,080	\$3,080
2007	RENT - MACHINE AND OTHER	\$588	\$1,684	\$1,684	\$978	\$978
2009	OTHER OPERATING EXPENSE	\$27,752	\$36,066	\$53,121	\$38,741	\$38,657
TOTAL, OBJECT OF EXPENSE		\$379,541	\$417,792	\$656,903	\$376,958	\$376,959

Method of Financing:

213 Office of the State Prosecuting Attorney

GOAL: 1 Representation of the State before the Court of Criminal Appeals
OBJECTIVE: 1 Representation of the State before the Court of Criminal Appeals
STRATEGY: 1 Representation of the State before the Court of Criminal Appeals

Service Categories:

Service: 01 Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2025	Est 2026	Bud 2027	BL 2028	BL 2029
1	General Revenue Fund	\$342,586	\$397,817	\$631,878	\$354,458	\$354,459
SUBTOTAL, MOF (GENERAL REVENUE FUNDS)		\$342,586	\$397,817	\$631,878	\$354,458	\$354,459
Method of Financing:						
777	Interagency Contracts	\$36,955	\$19,975	\$25,025	\$22,500	\$22,500
SUBTOTAL, MOF (OTHER FUNDS)		\$36,955	\$19,975	\$25,025	\$22,500	\$22,500
TOTAL, METHOD OF FINANCE (INCLUDING RIDERS)					\$376,958	\$376,959
TOTAL, METHOD OF FINANCE (EXCLUDING RIDERS)		\$379,541	\$417,792	\$656,903	\$376,958	\$376,959
FULL TIME EQUIVALENT POSITIONS:		3.0	3.0	3.0	3.0	3.0

STRATEGY DESCRIPTION AND JUSTIFICATION:

The Office of the State Prosecuting Attorney (SPA) is statutorily authorized, either alone or with the assistance of local district and county attorneys, to represent the State in criminal cases in the fourteen courts of appeals and in the Court of Criminal Appeals. See Tex.Gov't Code §§ 42.001, 42.005.

EXTERNAL/INTERNAL FACTORS IMPACTING STRATEGY:

The Office of the State Prosecuting Attorney is a four-person agency with highly specialized staff. The main factor that drives this strategy is the need to attract and retain highly knowledgeable attorneys to represent the State in the most important and complex criminal appellate cases.

213 Office of the State Prosecuting Attorney

GOAL: 1 Representation of the State before the Court of Criminal Appeals
 OBJECTIVE: 1 Representation of the State before the Court of Criminal Appeals
 STRATEGY: 1 Representation of the State before the Court of Criminal Appeals

Service Categories:

Service: 01 Income: A.2 Age: B.3

CODE	DESCRIPTION	Exp 2025	Est 2026	Bud 2027	BL 2028	BL 2029
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EXPLANATION OF BIENNIAL CHANGE (includes Rider amounts):

<u>STRATEGY BIENNIAL TOTAL - ALL FUNDS</u>		BIENNIAL CHANGE	<u>EXPLANATION OF BIENNIAL CHANGE</u>	
Base Spending (Est 2026 + Bud 2027)	Baseline Request (BL 2028 + BL 2029)		\$ Amount	Explanation(s) of Amount (must specify MOFs and FTEs)
\$1,074,695	\$753,917	\$(320,778)	\$(285,497)	One-time costs associated with entering into a contract for a temporary attorney
			\$(35,281)	3% GR Reduction
			\$(320,778)	Total of Explanation of Biennial Change

213 Office of the State Prosecuting Attorney

GOAL: 1 Representation of the State before the Court of Criminal Appeals
OBJECTIVE: 1 Representation of the State before the Court of Criminal Appeals
STRATEGY: 2 State Prosecutor Salary. Estimated and Nontransferable

Service Categories:

Service: NA Income: NA Age: NA

CODE	DESCRIPTION	Exp 2025	Est 2026	Bud 2027	BL 2028	BL 2029
Objects of Expense:						
1001	SALARIES AND WAGES	\$163,333	\$210,000	\$210,000	\$210,000	\$210,000
1002	OTHER PERSONNEL COSTS	\$2,640	\$2,640	\$2,880	\$2,640	\$2,880
2009	OTHER OPERATING EXPENSE	\$2,450	\$3,150	\$3,150	\$3,150	\$3,150
TOTAL, OBJECT OF EXPENSE		\$168,423	\$215,790	\$216,030	\$215,790	\$216,030
Method of Financing:						
1	General Revenue Fund	\$168,423	\$215,790	\$216,030	\$215,790	\$216,030
SUBTOTAL, MOF (GENERAL REVENUE FUNDS)		\$168,423	\$215,790	\$216,030	\$215,790	\$216,030
TOTAL, METHOD OF FINANCE (INCLUDING RIDERS)					\$215,790	\$216,030
TOTAL, METHOD OF FINANCE (EXCLUDING RIDERS)		\$168,423	\$215,790	\$216,030	\$215,790	\$216,030
FULL TIME EQUIVALENT POSITIONS:		1.0	1.0	1.0	1.0	1.0

STRATEGY DESCRIPTION AND JUSTIFICATION:

The State Prosecuting Attorney is entitled to receive from the state a salary in an amount equal to the state annual salary as set by the General Appropriations Act (in accordance with Section Texas Government Code Section 659.012) paid to a district judge with comparable years of service as the State Prosecuting Attorney. See TEX. GOV'T CODE § 46.003.

213 Office of the State Prosecuting Attorney

GOAL: 1 Representation of the State before the Court of Criminal Appeals
OBJECTIVE: 1 Representation of the State before the Court of Criminal Appeals Service Categories:
STRATEGY: 2 State Prosecutor Salary. Estimated and Nontransferable Service: NA Income: NA Age: NA

CODE	DESCRIPTION	Exp 2025	Est 2026	Bud 2027	BL 2028	BL 2029
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EXTERNAL/INTERNAL FACTORS IMPACTING STRATEGY:

The State Prosecuting Attorney must have at least five years' experience in criminal law in Texas. TEX. GOV'T CODE § 42.001(b). In addition to experience in criminal law generally, expertise in criminal appellate law and post-conviction habeas corpus law is required to represent the State's interests. Further, as the agency head, the SPA acts in an administrative capacity as the agency's CEO, CFO, CIO, COO, human resources officer, open records officer, etc.

EXPLANATION OF BIENNIAL CHANGE (includes Rider amounts):

<u>STRATEGY BIENNIAL TOTAL - ALL FUNDS</u>		<u>BIENNIAL CHANGE</u>	<u>EXPLANATION OF BIENNIAL CHANGE</u>	
<u>Base Spending (Est 2026 + Bud 2027)</u>	<u>Baseline Request (BL 2028 + BL 2029)</u>		<u>\$ Amount</u>	<u>Explanation(s) of Amount (must specify MOFs and FTEs)</u>
\$431,820	\$431,820	\$0		
			\$0	Total of Explanation of Biennial Change

SUMMARY TOTALS:

OBJECTS OF EXPENSE:	\$547,964	\$633,582	\$872,933	\$592,748	\$592,989
METHODS OF FINANCE (INCLUDING RIDERS):				\$592,748	\$592,989
METHODS OF FINANCE (EXCLUDING RIDERS):	\$547,964	\$633,582	\$872,933	\$592,748	\$592,989
FULL TIME EQUIVALENT POSITIONS:	4.0	4.0	4.0	4.0	4.0

4.A. Exceptional Item Request Schedule
 90th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: **8/5/2026**
 TIME: **1:19:34PM**

Agency code: **213** Agency name: **Office of the State Prosecuting Attorney**

CODE	DESCRIPTION		Excp 2028	Excp 2029
	Item Name: Restoration of 3% Reduction Item Priority: 1 IT Component: No Anticipated Out-year Costs: Yes Involve Contracts > \$50,000: No Includes Funding for the Following Strategy or Strategies: 01-01-01 Representation of the State before the Court of Criminal Appeals			
OBJECTS OF EXPENSE:				
1001	SALARIES AND WAGES		17,379	17,379
2009	OTHER OPERATING EXPENSE		261	261
TOTAL, OBJECT OF EXPENSE			\$17,640	\$17,640
METHOD OF FINANCING:				
1	General Revenue Fund		17,640	17,640
TOTAL, METHOD OF FINANCING			\$17,640	\$17,640

DESCRIPTION / JUSTIFICATION:

Restoration of the 3% (approximately 17K) decrease is critical to the OSPA

The OSPA is a four-person agency, with three attorneys, including the SPA, and one administrative assistant (Administrative Assistant II). The OSPA's single largest budget expenditure is salaries for its three non-managerial employees. So, suffice it to say, the OSPA's budget is probably the leanest when compared to all other state agencies. Restoration is therefore critical to maintain the OSPA's current operations.

Dire consequences: A part-time administrative assistant

If the 3% is not restored, the SPA will be forced to reduce the administrative assistant position to part-time.

There are three problems associated with this:

1. This shift would result in the loss of the OSPA's current administrative assistant, as she would leave to find full-time employment elsewhere. There would be a vacancy period to fill the open position, during which the OSPA's three attorneys would have to assume the assistant's duties. And, once filled, the SPA would need to train the assistant, which would direct resources away from the agency's essential function—litigation.
2. A part-time administrative assistant does little to satisfy the needs of the OSPA, which, like any law firm or state agency, has administrative responsibilities throughout the 8-5 workday.
3. The OSPA's highly talented attorneys (General Counsel IV) would be required to absorb the administrative assistant duties, which would detract from their core work product—complex legal research and writing, oral argument preparation, and support for the locally elected prosecutors throughout Texas. Texans need all three attorneys performing prosecutorial work, not administrative work.

Agency code: **213** Agency name: **Office of the State Prosecuting Attorney**

CODE	DESCRIPTION	Excp 2028	Excp 2029
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Conclusion

There's no excess to trim from the OSPA's budget that doesn't jeopardize its essential operations.

EXTERNAL/INTERNAL FACTORS:

The SPA cannot reduce attorney salaries because:

1. Seasoned county appellate prosecutors and comparable Court of Criminal Appeals' staff attorneys' salaries are higher than those of the assistant SPAs. See Comparisons Cited Below.
2. The SPA is likely losing one of her attorneys, who is the Republican nominee for a place on the Texas Court of Criminal Appeals, and will need to compete with the salaries below when replacing him with someone who has equal qualifications and experience.

Comparisons

Current Assistant SPA Salaries: \$151,846.08

Harris County PD Senior Appellate Attorney: \$169,312.00

Harris County ADA Appellate Chief: \$207,209

Tarrant County ADA Appellate Chief: \$205,269

Dallas County ADA Appellate Chief: \$198,746.04

Fort Bend County ADA Appellate Chief: \$179,000

El Paso County ADA Appellate Chief: \$198,634

Court of Criminal Appeals General Counsel III: \$181,634

PCLS TRACKING KEY:

DESCRIPTION OF ANTICIPATED OUT-YEAR COSTS :

Continued funding of salary and expenses restoration.

ESTIMATED ANTICIPATED OUT-YEAR COSTS FOR ITEM:

	2030	2031	2032
OUT-YEAR ALL FUNDS:	\$17,640	\$17,640	\$17,640

4.A. Exceptional Item Request Schedule
 90th Regular Session, Agency Submission, Version 1
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DATE: **8/5/2026**
 TIME: **1:19:34PM**

Agency code: **213** Agency name: **Office of the State Prosecuting Attorney**

CODE	DESCRIPTION	Excp 2028	Excp 2029
Item Name: Judiciary Wide Inflation Relief Item Priority: 2 IT Component: No Anticipated Out-year Costs: Yes Involve Contracts > \$50,000: No Includes Funding for the Following Strategy or Strategies: 01-01-01 Representation of the State before the Court of Criminal Appeals			
OBJECTS OF EXPENSE:			
1001	SALARIES AND WAGES	10,351	21,012
2009	OTHER OPERATING EXPENSE	155	315
TOTAL, OBJECT OF EXPENSE		\$10,506	\$21,327
METHOD OF FINANCING:			
1	General Revenue Fund	10,506	21,327
TOTAL, METHOD OF FINANCING		\$10,506	\$21,327

DESCRIPTION / JUSTIFICATION:

Costs for basic necessities are up!

Every Texan is feeling the constraints of increased costs. Fuel. Groceries. Utilities. Vehicles and vehicle maintenance. And, especially, housing. The OSPA's inflation adjustment request is commensurate with the following:

United States Congress Joint Economic Committee's update from June 2025 to June 2026

- Headline CPI-U inflation was 3.53 percent.
- Food price inflation was 3.01 percent.
- Energy price inflation was 15.70 percent.
- Core CPI-U inflation was 2.59 percent.

U.S. Federal Housing, Federal Housing Finance Agency
 2.2% increase from May 2025 to May 2026

EXTERNAL/INTERNAL FACTORS:

N/A

PCLS TRACKING KEY:

4.A. Exceptional Item Request Schedule
 90th Regular Session, Agency Submission, Version 1
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DATE: **8/5/2026**
 TIME: **1:19:34PM**

Agency code: **213** Agency name: **Office of the State Prosecuting Attorney**

CODE	DESCRIPTION	Excp 2028	Excp 2029
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DESCRIPTION OF ANTICIPATED OUT-YEAR COSTS :

Continued funding of salary increases in the future years.

ESTIMATED ANTICIPATED OUT-YEAR COSTS FOR ITEM:

	2030	2031	2032
OUT-YEAR ALL FUNDS:	\$21,327	\$21,327	\$21,327

4.A. Exceptional Item Request Schedule
 90th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/5/2026
 TIME: 1:19:34PM

Agency code: 213 Agency name: Office of the State Prosecuting Attorney

CODE	DESCRIPTION	Excp 2028	Excp 2029
Item Name: Additional Operating Expense Funding Item Priority: 3 IT Component: No Anticipated Out-year Costs: Yes Involve Contracts > \$50,000: No Includes Funding for the Following Strategy or Strategies: 01-01-01 Representation of the State before the Court of Criminal Appeals			
OBJECTS OF EXPENSE:			
1002	OTHER PERSONNEL COSTS	1,080	1,440
2001	PROFESSIONAL FEES AND SERVICES	1,000	1,000
2005	TRAVEL	10,400	10,400
2009	OTHER OPERATING EXPENSE	9,657	10,810
TOTAL, OBJECT OF EXPENSE		\$22,137	\$23,650
METHOD OF FINANCING:			
1	General Revenue Fund	22,137	23,650
TOTAL, METHOD OF FINANCING		\$22,137	\$23,650

DESCRIPTION / JUSTIFICATION:

The SPA has managed increasing operating costs despite an unchanged operating-cost budget since before COVID. The OSPA's attorneys have had to forgo legal education opportunities and research and writing enhancements to ensure that the essential costs are covered. Recent inflation has also significantly increased operating expenses, leaving few remaining opportunities to absorb these costs. Without additional funding, these ongoing cost increases will begin to negatively impact SPA's ability to provide litigation services.

EXTERNAL/INTERNAL FACTORS:

Professional Fees: Texas District and County Attorneys Elected Conference

The SPA attends this exclusive conference every year to connect with locally elected prosecutors with whom she works regularly and to obtain legal and administrative education.

Travel: Court Proceedings and Legal Education

The Court of Criminal Appeals holds two arguments each year outside of Austin. The SPA and at least one of her attorneys travel to attend these "on the road" oral arguments. In addition, the OSPA has had several oral arguments before the intermediate courts of appeals in recent years that have required travel. Travel is also typically required for large legal education conferences, since Austin is deemed a cost-prohibitive location for such events.

The SPA's Cost Deferment Efforts

4.A. Exceptional Item Request Schedule
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DATE: **8/5/2026**
TIME: **1:19:34PM**

Agency code: **213** Agency name: **Office of the State Prosecuting Attorney**

CODE	DESCRIPTION	Excp 2028	Excp 2029
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The SPA has consistently made efforts to defer costs to the office during her tenure. For the SPA, deferment for legal education travel has been possible due to her leadership positions in the State Bar of Texas Criminal Justice Section for the past five years. Deferment has also been possible for the attorneys for some CLE events because of scholarships or speaker-based tuition. These forms of deferment are not always available, nor can they be counted on in satisfying the office's future needs.

PCLS TRACKING KEY:

DESCRIPTION OF ANTICIPATED OUT-YEAR COSTS :

Recurring operating costs.

ESTIMATED ANTICIPATED OUT-YEAR COSTS FOR ITEM:

	2030	2031	2032
OUT-YEAR ALL FUNDS:	\$23,650	\$23,650	\$23,650

4.A. Exceptional Item Request Schedule
 90th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/5/2026
 TIME: 1:19:34PM

Agency code: 213 Agency name: Office of the State Prosecuting Attorney

CODE	DESCRIPTION	Excp 2028	Excp 2029
Item Name: Comprehensive Reclassification Request: Legal Assistant III Item Priority: 4 IT Component: No Anticipated Out-year Costs: Yes Involve Contracts > \$50,000: No Includes Funding for the Following Strategy or Strategies: 01-01-01 Representation of the State before the Court of Criminal Appeals			
OBJECTS OF EXPENSE:			
1001	SALARIES AND WAGES	35,660	35,660
2001	PROFESSIONAL FEES AND SERVICES	1,000	1,000
2005	TRAVEL	2,000	2,000
2009	OTHER OPERATING EXPENSE	5,981	6,365
TOTAL, OBJECT OF EXPENSE		\$44,641	\$45,025
METHOD OF FINANCING:			
1	General Revenue Fund	44,641	45,025
TOTAL, METHOD OF FINANCING		\$44,641	\$45,025

DESCRIPTION / JUSTIFICATION:

Nearly ten years into the SPA's tenure, one fact has become unmistakable: an administrative assistant cannot fully support the full scope of the SPA's responsibilities. Beyond litigation, the SPA is personally responsible for human resources, records retention, continuity planning, policy and procedure, budget, purchasing, reporting, public information, website services, and audits—a workload that has exceeded administrative-level support.

Transitioning the current Administrative Assistant role into a Legal Assistant role aligns staffing capabilities with the office's workload. It creates a sustainable infrastructure that protects the office from operational bottlenecks while allowing the SPA to focus fully on core legal mandates.

The additional funding requested is above what is currently allotted for the administrative assistant position (\$41,340 annually) and includes related training and travel.

EXTERNAL/INTERNAL FACTORS:

The office's core demands have always included litigation alongside the duties listed above. Though they have always been complex, it's clear that administrative-level support has never been sufficient, in litigation (for all three attorneys) or in the operational functions. The request is long overdue, and the SPA has deferred this request because salaries have been (and are) the priority.

Additionally, nearly a decade of concerted efforts to raise the SPA's visibility among locally elected prosecutors, judges, and peers across the criminal justice system has added a further layer of demand: additional professional association involvement, direct assistance to prosecutors in the trial-court realm, greater involvement on judicial

4.A. Exceptional Item Request Schedule
90th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: **8/5/2026**
TIME: **1:19:34PM**

Agency code: **213** Agency name: **Office of the State Prosecuting Attorney**

CODE	DESCRIPTION	Excp 2028	Excp 2029
	committees, and a growing leadership role in advancing criminal justice initiatives like legal education, law enforcement training, and student outreach to help build a much-needed pipeline of future practitioners and paraprofessionals.		
PCLS TRACKING KEY:			

DESCRIPTION OF ANTICIPATED OUT-YEAR COSTS :

Ongoing personnel costs

ESTIMATED ANTICIPATED OUT-YEAR COSTS FOR ITEM:

	2030	2031	2032
OUT-YEAR ALL FUNDS:	\$45,025	\$45,025	\$45,025

Agency code: 213		Agency name: Office of the State Prosecuting Attorney	
Code	Description	Excp 2028	Excp 2029
Item Name:		Restoration of 3% Reduction	
Allocation to Strategy:		1-1-1 Representation of the State before the Court of Criminal Appeals	
OBJECTS OF EXPENSE:			
1001	SALARIES AND WAGES	17,379	17,379
2009	OTHER OPERATING EXPENSE	261	261
TOTAL, OBJECT OF EXPENSE		\$17,640	\$17,640
METHOD OF FINANCING:			
1	General Revenue Fund	17,640	17,640
TOTAL, METHOD OF FINANCING		\$17,640	\$17,640

Agency code: 213		Agency name: Office of the State Prosecuting Attorney	
Code	Description	Excp 2028	Excp 2029
Item Name:		Judiciary Wide Inflation Relief	
Allocation to Strategy:		1-1-1	Representation of the State before the Court of Criminal Appeals
OBJECTS OF EXPENSE:			
1001	SALARIES AND WAGES	10,351	21,012
2009	OTHER OPERATING EXPENSE	155	315
TOTAL, OBJECT OF EXPENSE		\$10,506	\$21,327
METHOD OF FINANCING:			
1	General Revenue Fund	10,506	21,327
TOTAL, METHOD OF FINANCING		\$10,506	\$21,327

4.B. Exceptional Items Strategy Allocation Schedule

90th Regular Session, Agency Submission, Version 1

Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/5/2026

TIME: 1:19:34PM

Agency code: 213

Agency name: Office of the State Prosecuting Attorney

Code	Description	Excp 2028	Excp 2029
Item Name:		Additional Operating Expense Funding	
Allocation to Strategy:		1-1-1 Representation of the State before the Court of Criminal Appeals	
OBJECTS OF EXPENSE:			
1002	OTHER PERSONNEL COSTS	1,080	1,440
2001	PROFESSIONAL FEES AND SERVICES	1,000	1,000
2005	TRAVEL	10,400	10,400
2009	OTHER OPERATING EXPENSE	9,657	10,810
TOTAL, OBJECT OF EXPENSE		\$22,137	\$23,650
METHOD OF FINANCING:			
1	General Revenue Fund	22,137	23,650
TOTAL, METHOD OF FINANCING		\$22,137	\$23,650

4.B. Exceptional Items Strategy Allocation Schedule

90th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/5/2026

TIME: 1:19:34PM

Agency code:	213	Agency name:	Office of the State Prosecuting Attorney		
Code	Description		Excp 2028	Excp 2029	
Item Name:		Comprehensive Reclassification Request: Legal Assistant III			
Allocation to Strategy:		1-1-1	Representation of the State before the Court of Criminal Appeals		
OBJECTS OF EXPENSE:					
1001	SALARIES AND WAGES		35,660	35,660	
2001	PROFESSIONAL FEES AND SERVICES		1,000	1,000	
2005	TRAVEL		2,000	2,000	
2009	OTHER OPERATING EXPENSE		5,981	6,365	
TOTAL, OBJECT OF EXPENSE			\$44,641	\$45,025	
METHOD OF FINANCING:					
1	General Revenue Fund		44,641	45,025	
TOTAL, METHOD OF FINANCING			\$44,641	\$45,025	

4.C. Exceptional Items Strategy Request
 90th Regular Session, Agency Submission, Version 1
 Automated Budget and Evaluation System of Texas (ABEST)

DATE: 8/5/2026
TIME: 1:19:34PM

Agency Code: **213** Agency name: **Office of the State Prosecuting Attorney**

GOAL: 1 Representation of the State before the Court of Criminal Appeals

OBJECTIVE: 1 Representation of the State before the Court of Criminal Appeals

STRATEGY: 1 Representation of the State before the Court of Criminal Appeals

Service Categories:

Service: 01 Income: A.2 Age: B.3

CODE	DESCRIPTION	Excp 2028	Excp 2029
OBJECTS OF EXPENSE:			
1001	SALARIES AND WAGES	63,390	74,051
1002	OTHER PERSONNEL COSTS	1,080	1,440
2001	PROFESSIONAL FEES AND SERVICES	2,000	2,000
2005	TRAVEL	12,400	12,400
2009	OTHER OPERATING EXPENSE	16,054	17,751
Total, Objects of Expense		\$94,924	\$107,642

METHOD OF FINANCING:

1	General Revenue Fund	94,924	107,642
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Total, Method of Finance	\$94,924	\$107,642
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EXCEPTIONAL ITEM(S) INCLUDED IN STRATEGY:

Restoration of 3% Reduction

Judiciary Wide Inflation Relief

Additional Operating Expense Funding

Comprehensive Reclassification Request: Legal Assistant III

6.A. Historically Underutilized Business Supporting Schedule
90th Regular Session, Agency Submission, Version 1
Automated Budget and Evaluation System of Texas (ABEST)

Date: **8/7/2026**
Time: **5:32:21PM**

Agency Code: **213** Agency: **Office of the State Prosecuting Attorney**

COMPARISON TO STATEWIDE HUB PROCUREMENT GOALS

A. Fiscal Year - HUB Expenditure Information

Statewide HUB Goals	Procurement Category	% Goal	HUB Expenditures FY 2024			Total Expenditures		HUB Expenditures FY 2025			Total Expenditures	
			% Actual	Diff	Actual \$	FY 2024	% Goal	% Actual	Diff	Actual \$	FY 2025	
11.2%	Heavy Construction	0.0 %	0.0%	0.0%	\$0	\$0	0.0 %	0.0%	0.0%	\$0	\$0	
21.1%	Building Construction	0.0 %	0.0%	0.0%	\$0	\$0	0.0 %	0.0%	0.0%	\$0	\$0	
32.9%	Special Trade	0.0 %	0.0%	0.0%	\$0	\$0	0.0 %	0.0%	0.0%	\$0	\$0	
23.7%	Professional Services	0.0 %	0.0%	0.0%	\$0	\$0	0.0 %	0.0%	0.0%	\$0	\$0	
26.0%	Other Services	26.0 %	0.0%	-26.0%	\$0	\$650	26.0 %	0.0%	-26.0%	\$0	\$6,242	
21.1%	Commodities	21.1 %	0.0%	-21.1%	\$0	\$286	21.1 %	17.3%	-3.8%	\$65	\$376	
	Total Expenditures		0.0%		\$0	\$936		1.0%		\$65	\$6,618	

B. Assessment of Attainment of HUB Procurement Goals

Attainment:

Special Prosecuting Attorney Office (SPA) attained or exceeded 0 of 2 or 0.00% of its applicable HUB procurement goals in Fiscal Year 2024. SPA attained or exceeded 0 of 2 or 0.00% of its applicable HUB procurement goals for Fiscal Year 2025.

Applicability:

Heavy Construction, Building Construction, Special Trade Professional Services: These categories were not applicable to SPA operations in either Fiscal Year 2024 or Fiscal Year 2025. SPA does not have any strategies or programs related to these categories.

Factors Affecting Attainment:

Other services: SPA's performance in Fiscal Year 2024 of 0% did not exceed the statewide goal of 26.00%. SPA'S Fiscal Year 2025 performance of 0 % did not exceed the statewide goal of 26.00% in this category.

Commodities: SPA achieved a HUB expenditure percentage of 0.00% in Fiscal Year 2024, which did not exceed the statewide goal for this category of 21.10%. In Fiscal Year 2025, SPA had a HUB expenditure percentage of 17.3%, short 3.8% of the 21.1% goal.

The procurements for Fiscal Year 2024 and Fiscal Year 2025 for SPA are specialized and do not include the capability to search for HUBs.

Agency Code: **213** Agency: **Office of the State Prosecuting Attorney**

C. Good-Faith Efforts to Increase HUB Participation

Outreach Efforts and Mentor-Protégé Programs:

SPA has no current Mentor Protégé program participants at this time.

HUB Program Staffing:

The Office of Court Administration (OCA) currently handles the procurements for this agency. SPA currently has no full or part time Procurement or HUB Coordinator.

Current and Future Good-Faith Efforts:

OCA will continue to procure for SPA with a good faith effort to use VetHUB vendors when possible.

Part 6.L. Interagency Contracts
90th Regular Session, Agency Submission

Agency Code: 213	Agency: Office of State Prosecuting Attorney	Prepared by: Susana Kent
Date: 8/7/2026		

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