

BILL ANALYSIS

C.S.H.B. 2244
By: Wilson
County Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Currently, the judge of a constitutional county court is entitled to an annual salary supplement from the state in an amount equal to 18 percent of the state base salary paid to a district judge if at least 40 percent of the functions that the constitutional county court judge performs are judicial functions. There is reportedly confusion regarding this percentage requirement as it is unclear whether it refers to 40 percent of total hours or 40 percent of total workload. Additionally, there is concern that the workload requirement seems inequitable when compared to the salary supplement. C.S.H.B. 2244 seeks to address these concerns by revising the criteria for this entitlement in order to align the required effort to receive the supplement with the percentage of the salary supplement and to provide greater clarity and flexibility with regard to the supplement.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2244 amends the Government Code to decrease from 40 percent to 18 percent the minimum percentage of functions performed by the judge of a constitutional county court that must be judicial functions for purposes of the judge's entitlement to an annual salary supplement from the state in an amount equal to 18 percent of the state base salary paid to a district judge as set by the General Appropriations Act. The bill adds as an alternative means for qualifying for this entitlement the condition that a minimum of 18 percent of the total hours that the judge works be in the performance of judicial functions.

EFFECTIVE DATE

September 1, 2021.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2244 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute differs from the original by decreasing the minimum percentage of functions performed by the judge of a constitutional county court that must be judicial functions for purposes of the judge's entitlement to the salary supplement and adding an alternative means for qualifying for the entitlement, whereas the original entitled all such judges to the supplement by removing the statutory judicial function percentage requirement and making related changes.