

BILL ANALYSIS

Senate Research Center

C.S.S.B. 310
By: Brown
Finance
4-21-97
Committee Report (Substituted)

DIGEST

Currently, according to the Commission on Judicial Efficiency, which was created by the 74th Legislature to evaluate the judicial system in Texas, members of the Texas judiciary are paid less than members of the judiciary in other populous states and the federal judiciary. This bill would provide that the salary of a Justice of the Supreme Court and Court of Criminal Appeals is at least \$102,463. This is the salary of U.S. Magistrate Judges, the lowest paid federal judges. This bill also sets the salaries of justices of the courts of appeals and the salaries of district judges.

PURPOSE

As proposed, C.S.S.B. 310 sets forth provisions regarding the salaries of justices of the supreme court and courts of appeals, as well as district court judges.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 659.012, Government Code, to provide that, notwithstanding Section 659.011, a justice of the supreme court is entitled to an annual salary from the state of at least \$102,463. Provides that a justice of the court of appeals other than the chief justice is entitled to an annual salary from the state that is five percent less than the salary provided by the General Appropriations Act for a justice of the supreme court, except that the combined salary of a court of appeals justice may not exceed the amount that is \$1,000 less than the salary provided for a supreme court justice. Provides that the chief justice of a court of appeals is entitled to an annual salary from the state that is \$500 more than the salary provided for the other justices of the court of appeal, except that the combined salary of the chief justice of a court of appeals may not exceed the amount that is \$500 less than the salary provided for a justice of the supreme court. Provides that a judge of the district court is entitled to an annual salary from the state that is 10 percent less than the salary provided in the General Appropriations Act for a justice of the supreme court, except that unless otherwise provided by law, the combined salary of a district judge from state and county sources may not exceed the amount that is \$2,000 less than the salary provided for a justice of the supreme court. Makes conforming and formatting changes.

SECTION 2. Amends Section 74.061, Government Code, by adding Subsections (h) and (i), to set forth provisions regarding the salary from the state of a retired judge or justice assigned to a district court and of a former judge or justice assigned to a district court.

SECTION 3. Effective date: September 1, 1997.

SECTION 4. Emergency clause.

SUMMARY OF COMMITTEE CHANGES

SECTION 1.

Amends proposed Section 659.012, Government Code, to provide that a justice of the

supreme court is entitled to an annual salary from the state that is at least \$102,463. Provides that a justice of a court of appeals other than the chief justice is entitled to an annual salary from the state that is five percent less than the salary provided by the General Appropriations Act for a justice of the supreme court, except that the combined salary of a justice of the court of appeals other than the chief justice may not exceed a certain amount. Removes proposed deletions from section. Makes conforming, formatting, and nonsubstantive changes.

SECTION 2.

Replaces proposed SECTION 2 with new SECTION 2 to amend Section 74.061, Government Code, regarding salaries of certain former and retired judges and justices.