

BILL ANALYSIS

Senate Research Center
78R9688 QS-D

H.B. 2592
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Jurisprudence
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Engrossed

DIGEST AND PURPOSE

Currently, the salaries of most Texas judges are capped by statute and are pegged to the salaries of other judges. For example, the salaries of statutory county court judges are tied to those of the district courts, with some local variations permitted.

In 2001, the 77th Legislature created a drug court program to facilitate a reduction in recidivism among non-violent substance abuse offenders. The intent was to increase the likelihood of successful rehabilitation through early and continuous judicially supervised treatment, mandatory testing, and the use of appropriate sanctions. The drug court program is funded by a combination of federal and state resources, and the federal portion of this funding provides for the salaries of those judges who choose to preside over drug court proceedings.

For district or county court judges, however, this federal funding is irrelevant, since their salaries are capped by statute. H.B. 2592 allows judges who choose to preside over drug court proceedings to receive supplemental compensation beyond their current salaries if program funding is available and designated for that purpose. This bill also provides that this supplemental compensation is not to be considered as part of a district judge's total annual salary for the purpose of computing another salary that is based on that salary.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 24, Government Code, by adding Section 24.023, as follows:

Sec. 24.023. **ADDITIONAL DUTIES OF DISTRICT JUDGE.** Authorizes a district judge, in addition to a district judge's official duties, to preside over a proceeding in a drug court program established under Chapter 469, Health and Safety Code.

SECTION 2. Amends Subchapter A, Chapter 25, Government Code, by adding Section 25.0019, as follows:

Sec. 25.0019. **ADDITIONAL DUTIES.** (a) Authorizes a judge of a statutory county court to preside over a proceeding in a drug court program established under Chapter 469, Health and Safety Code, in addition to the judge's official duties.

(b) Authorizes a judge of a statutory county court who presides over a proceeding in a drug court program to receive reasonable supplemental compensation in addition to any salary authorized by law if program funding is available and designated for that purpose, notwithstanding any other law.

SECTION 3. Amends Subchapter B, Chapter 32, Government Code, by adding Section 32.301, as follows:

Sec. 32.301. SUPPLEMENTAL COMPENSATION: DRUG COURT PROGRAM. (a) Authorizes a district judge who presides over a proceeding in a drug court program as authorized by Section 24.023 to receive reasonable supplemental compensation in addition to any salary authorized by law if program funding is available and designated for that purpose, notwithstanding Section 659.012 or any other law.

(b) Provides that, notwithstanding any other law, supplemental compensation paid to a district judge under this section is not included as part of the district judge's total annual salary for purposes of computing another salary that is based on the salary of the district judge.

SECTION 4. Effective date: upon passage or September 1, 2003.