

BILL ANALYSIS

C.S.H.B. 1765
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Judiciary & Civil Jurisprudence
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties believe that certain justices and judges should be fairly compensated for the additional services they perform for the benefit of the county. C.S.H.B. 1765 seeks to allow for compensation for the performance of extrajudicial services without regard to such a judge's or justice's salary cap.

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. 1765 amends the Government Code to specify that the combined salary from state and county sources of a district judge and a justice of a court of appeals other than the chief justice does not include compensation for any extrajudicial services performed on behalf of the applicable county for purposes of calculating the judge's or justice's salary cap.

EFFECTIVE DATE

September 1, 2017.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1765 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Section 659.012, Government Code, is amended by adding Subsection (c) to read as follows:

(c) For purposes of Subsection (a)(1), the combined salary of a district judge serving in any county with a population of 750,000 or more does not include compensation for

HOUSE COMMITTEE SUBSTITUTE

No equivalent provision.

performing extrajudicial services.

No equivalent provision.

SECTION 1. Section 659.012(a), Government Code, is amended to read as follows:

(a) Notwithstanding Section 659.011:

(1) a judge of a district court is entitled to an annual salary from the state of at least \$125,000, except that the combined salary of a district judge from state and county sources, not including compensation for any extrajudicial services performed on behalf of the county, may not exceed the amount that is \$5,000 less than the salary provided for a justice of a court of appeals other than a chief justice;

(2) a justice of a court of appeals other than the chief justice is entitled to an annual salary from the state that is equal to 110 percent of the salary of a district judge, except that the combined salary of a justice of the court of appeals other than the chief justice from all state and county sources, not including compensation for any extrajudicial services performed on behalf of the county, may not exceed the amount that is \$5,000 less than the salary provided for a justice of the supreme court;

(3) a justice of the supreme court other than the chief justice or a judge of the court of criminal appeals other than the presiding judge is entitled to an annual salary from the state that is equal to 120 percent of the salary of a district judge; and

(4) the chief justice or presiding judge of an appellate court is entitled to an annual salary from the state that is \$2,500 more than the salary provided for the other justices or judges of the court, except that the combined salary of the chief justice of a court of appeals may not exceed the amount that is \$2,500 less than the salary provided for a justice of the supreme court.

SECTION 2. This Act takes effect September 1, 2017.

SECTION 2. Same as introduced version.