

SUBJECT: Increasing compensation of judges and associated retirement benefits

COMMITTEE: Judiciary & Civil Jurisprudence — committee substitute recommended

VOTE: 8 ayes — Leach, Julie Johnson, Davis, Flores, Moody, Murr, Schofield, Vasut

0 nays

1 absent — Slawson

WITNESSES: For —Dori Contreras, Council of Chief Justices; Scott Salmans, Judicial Compensation Commision; Emily Miskel, Judicial Section; Jennifer Rymell, Texas Association of County Court at Law Judges; Antonia Arteaga, Texas Association of District Court Judges; Nathan Hecht, Texas Supreme Court; Jack Walker, Texas Trial Lawyers Association; Thomas Baker (*Registered, but did not testify*: Melody Wilkinson, Judicial Section of State Bar of Texas, Chair; Alfonso Charles, Judicial Section of the State Bar of Texas; Kent Birdsong, Oldham County Attorneys Office; Guy Herman, Presiding Judge of the Statutory Probate Courts of Texas; Dib Waldrip, Presiding Judges of Administrative Judicial Regions; Dale Laine, TASRFJ, Inc; Lee Parsley, Texans for Lawsuit Reform; George Christian, Texas Civil Justice League; Mark Borskey, Texas Trucking Association; Darlene Byrne; J. Staley Heatly; Rebeca Martinez; Calvin Tillman; Al Zito)

Against — None

BACKGROUND: Government Code sec. 659.012(a)(1) establishes that a judge of a district court is entitled to an annual base salary as set by the General Appropriations Act in an amount equal to at least \$140,000. The salaries of judges and justices from the courts of appeals, the Supreme Court, and the Court of Criminal Appeals are determined through certain calculations established in code using this base salary.

Government Code sec. 814.103(a) establishes the standard service

retirement annuity for service credited in the elected class of membership as an amount that is equal to the number of years of service credit in that class, times 2.3 percent of the state base salary of a district court judge, excluding longevity pay and as adjusted from time to time.

Government Code sec. 814.103(a-1) and sec. 834.102(a) establishes other provisions related to calculating standard service retirement annuities for judges.

Concerns have been raised that judicial salaries in Texas lag behind those of other states. Some have suggested that increasing judicial salaries in Texas would be helpful in recruiting and retaining judges.

DIGEST: CSHB 2779 would amend Government Code sec. 659.012(a)(1) to change the annual base salary of a district court judge from \$140,000 to \$172,494.

The bill would amend Government Code sec. 814.103(a) to change the standard service retirement annuity credited in the elected class of membership to be equal to the number of years of service credit in that class, times 2.3 percent of \$140,000.

Government Code sec. 814.103(a-1) and sec. 834.102(a) would be amended to remove references to the salary of a district court judge being adjusted from time to time.

A district court judge would be entitled to an annual base salary of at least \$155,400 for fiscal year 2024, and that amount would be used for the purposes of calculating any other judicial salaries for the same fiscal year.

The bill would take effect September 1, 2023.

NOTES: According to the Legislative Budget Board, the bill would have an estimated negative impact of about \$91.3 million to general revenue related funds through fiscal 2024-25.