

BILL ANALYSIS

Senate Research Center
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S.B. 960
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DIGEST AND PURPOSE

Currently, Texas law sets caps on the amount of compensation county commissioners courts can give appellate justices and district judges. Over the past few years, Texas has experienced enormous economic growth in the legal services market. However, while attorney compensation packages have increased, judicial salaries have remained relatively static. Consequently, the difference between judicial and private sector compensation has widened. This difference in compensation is an obstacle to recruiting and retaining judicial talent. Texas judicial salaries also fall behind the compensation scales of other states. As proposed, S.B. 960 removes the state-imposed salary caps and gives county commissioners courts the option to supplement state pay for the 14 courts of appeal justices and for district court judges.

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 Section 31.001, Government Code, to authorize the commissioners court in the counties of each of the 14 courts of appeals districts to pay an annual salary (rather than an amount not to exceed \$15,000 a year) to each of the justices of the courts of appeals residing within the court of appeals district that includes those counties.

SECTION 2. Amends the heading to Section 32.001, Government Code, to read as follows:

Sec. 32.001. AUTHORITY FOR COUNTY PAYMENT OF SALARY.

SECTION 3. Amends Section 32.001(a), Government Code, to authorize the commissioners court of a county (rather than just Anderson County) to pay an annual salary to each of the judges of the district courts having jurisdiction in the county. Provides that the payment is for all judicial and administrative services performed by the judge, and deletes text prohibiting a judge's annual salary from exceeding \$1,200.

SECTION 4. Amends the heading to Section 32.002, Government Code, to read as follows:

Sec. 32.002. SALARY ADDITIONAL.

SECTION 5. Amends Section 32.002(c), Government Code, to provide that the salary authorized by Section 32.001 is in addition to the salary paid by the state.

SECTION 6. Amends Chapter 32A, Government Code, by adding Section 32.003, as follows:

Sec. 32.003. MONTHLY INSTALLMENTS. Requires the salary authorized by Section 32.001 to be paid in monthly installments from the county general fund or another available fund

of the county.

SECTION 7. Amends Sections 659.012(a) and (e), Government Code, as follows:

(a) Deletes text prohibiting the combined salary of a justice of the court of appeals other than the chief justice from all state and county sources from exceeding the amount that is \$1,000 less than the salary provided for a justice of the supreme court. Deletes text prohibiting the combined salary of the chief justice of a court of appeals from exceeding the amount that is \$500 less than the salary provided for a justice of the supreme court. Deletes text prohibiting, unless otherwise provided by law, the combined salary of a district judge from state and county sources from exceeding the amount that is \$2,000 less than the salary provided for a justice of the supreme court.

(e) Deletes text requiring the comptroller, if a salary combined with a county supplement would be in excess of the differential provided by this section, to reduce the state salary by the amount of the excess.

SECTION 8. Repealers: Sections 31.003 (Limitations), 32.001 (Anderson County) (b)-(d), 32.002 (Andrews County) (a) and (b), 32.004-32.253 (Aransas - Zapata Counties), and 659.012 (Judicial Salaries) (b), Government Code.

SECTION 9. Effective date: September 1, 2001.