

## **BILL ANALYSIS**

C.S.H.B. 2592  
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Judicial Affairs  
Committee Report (Substituted)

### **BACKGROUND 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. C.S.H.B. 2592 allows judges who choose to preside over drug court proceedings to receive supplemental compensation beyond their current salary if program funding is available and designated for that purpose. In order to prevent this supplemental compensation from cascading into a salary increase for other judges, the bill also provides that this supplemental compensation is not to be considered as part of a judge's total annual salary for the purpose of computing another salary that is based on that salary.

### **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. 2592 amends the Government Code to provide that in addition to the judge's official duties, a district judge or a statutory county court judge may preside over a proceeding in a drug court program established by the Health and Safety Code. The bill also provides that notwithstanding any other law, the district judges and statutory county court judges who preside over drug court proceedings may receive reasonable supplemental compensation in addition to any salary authorized by law if program funding is available and designated for that purpose.

The bill also 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 the purposes of computing another salary that is based on the salary of the district judge.

### **EFFECTIVE DATE**

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect on September 1, 2003.

### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

The substitute adds the words “in addition to any salary authorized by law” to the provisions authorizing supplemental compensation for district and statutory county court judges, and adds the words “notwithstanding any other law” to the provision authorizing supplemental compensation for statutory county court judges.