

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

March 10, 2005

TO: Honorable Will Hartnett, Chair, House Committee on Judiciary

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: HB1617 by Nixon (Relating to the supplemental compensation of district judges and justices of the courts of appeals.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would remove the cap on the amount paid by the counties of each of the 14 court of appeal districts for compensation to the justices of the courts of appeals for all judicial and administrative services performed by the justices.

The bill would remove the cap on the amount paid by counties as supplemental salaries to judges of the district courts having jurisdiction in the county and would authorize the commissioners court to set an annual salary amount to be paid by the county for judicial and administrative services.

Under current statute, counties may not pay justices of the courts of appeals an amount in excess of \$15,000 annually and the state and county combined salary to those justices may not exceed the amount that is \$1,000 less than the salary provided for a justice of the supreme court, or \$500 less than that amount for the chief justice of a court of appeals. Current statute caps a district judge's combined state and county salary at an amount not to exceed \$2,000 less than the salary provided for a justice of the supreme court, although specific statutes that would be repealed by the bill set other caps for certain counties.

The state's portion of a judge's or justice's salary would not change; however, when there is a visiting judge to a district court, the state pays a portion of the county's supplemental salary to the judge. If a county's portion is higher than the current caps, the state would incur an insignificant increase in its pay to visiting judges.

Local Government Impact

Removing the caps on salary amounts that counties may provide to justices of courts of appeals and district court judges would allow the county commissioners to determine within the county's budget the amount to pay in salaries. The fiscal impact would vary, but is not anticipated to be significant.

Source Agencies:

LBB Staff: JOB, DLBa