

By: Wentworth

S.B. No. 1519

A BILL TO BE ENTITLED

1 AN ACT
2 relating to longevity pay for certain state judges and justices.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

4 SECTION 1. Section 659.042, Government Code, is amended to
5 read as follows:

6 Sec. 659.042. EXCLUSIONS. The following are not entitled
7 to longevity pay under this subchapter:

8 (1) a member of the legislature;

9 (2) an individual who holds a statewide office that is
10 normally filled by vote of the people, except as provided by Section
11 659.0445;

12 (3) an independent contractor or an employee of an
13 independent contractor;

14 (4) a temporary employee;

15 (5) an officer or employee of a public junior college;

16 (6) an academic employee of a state institution of
17 higher education; or

18 (7) a state employee who retired from state employment
19 on or after June 1, 2005, and who receives an annuity based wholly
20 or partly on service as a state officer or state employee in a
21 public retirement system, as defined by Section 802.001, that was
22 credited to the state employee.

23 SECTION 2. Subsection (a), Section 659.044, Government
24 Code, is amended to read as follows:

1 (a) Except as provided by Subsections (e) and (f) and
2 Section 659.0445, the monthly amount of longevity pay is \$20 for
3 every two years of lifetime service credit.

4 SECTION 3. Subchapter D, Chapter 659, Government Code, is
5 amended by adding Section 659.0445 to read as follows:

6 Sec. 659.0445. LONGEVITY PAY FOR STATE JUDGES AND JUSTICES.

7 (a) A judge or justice who receives a salary paid by the state, is
8 a member of the Judicial Retirement System of Texas Plan One or the
9 Judicial Retirement System of Texas Plan Two, and is an active
10 judge, as defined by Section 74.041, is entitled to longevity pay as
11 provided by this section.

12 (b) The monthly amount of longevity pay under this section
13 to which a judge or justice described by Subsection (a) is entitled:

14 (1) is \$20 for each year of service credited in the
15 applicable retirement system, subject to Subsection (c); and

16 (2) is calculated and becomes payable beginning with
17 the month following the month in which the judge or justice
18 completes 16 years of service for which credit is established in the
19 applicable retirement system.

20 (c) A judge or justice may not receive longevity pay for
21 more than 16 years of service credited in the applicable retirement
22 system.

23 SECTION 4. Subsection (a), Section 814.103, Government
24 Code, is amended to read as follows:

25 (a) Except as provided by Subsection (b), the standard
26 service retirement annuity for service credited in the elected
27 class of membership is an amount equal to the number of years of

1 service credit in that class, times two percent of the state salary,
2 excluding longevity pay payable under Section 659.0445 and as
3 adjusted from time to time, being paid a district judge.

4 SECTION 5. Section 831.001, Government Code, is amended by
5 adding Subdivision (6-a) to read as follows:

6 (6-a) "State salary" does not include the amount of
7 any longevity pay payable under Section 659.0445.

8 SECTION 6. Section 836.001, Government Code, is amended by
9 adding Subdivision (9-a) to read as follows:

10 (9-a) "State salary" does not include the amount of
11 any longevity pay payable under Section 659.0445.

12 SECTION 7. This Act takes effect September 1, 2007.