

By: Wentworth

S.B. No. 497

Substitute the following for S.B. No. 497:

By: Alonzo

C.S.S.B. No. 497

A BILL TO BE ENTITLED

AN ACT

relating to compensation paid to certain judges and justices.

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

SECTION 1. Subsection (b), Section 26.006, Government Code, is amended to read as follows:

(b) To receive a supplement under Subsection (a), a county judge must file with the comptroller's judiciary section [~~Office of Court Administration of the Texas Judicial System~~] an affidavit stating that at least 40 percent of the functions that the judge performs are judicial functions. [~~The office of court administration shall send the affidavit to the comptroller.~~]

SECTION 2. Subsection (a), Section 659.0125, Government Code, is amended to read as follows:

(a) Notwithstanding Section 659.012 or any other law, a district judge who presides over multidistrict litigation involving claims for asbestos-related or silica-related injuries is entitled to receive, in addition to all other compensation, expenses, and perquisites authorized by law, the maximum amount of compensation set by the Texas Judicial Council for a presiding judge under Section 74.051(b). The annual amount must be apportioned over 12 equal monthly payments and be paid to the judge by the comptroller's judiciary section [~~Texas Judicial Council~~] for each month during which the judge retains jurisdiction over the claims.

1 SECTION 3. Section 659.0445, Government Code, is amended by
2 amending Subsection (b) and adding Subsections (d) and (e) to read
3 as follows:

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

6 (1) is equal to .031 multiplied by the amount of the
7 judge's or justice's gross monthly salary earned during the month in
8 which the judge or justice completes 16 years of service for which
9 credit is established in the applicable retirement system [~~\$20 for~~
10 ~~each year of service credited in the applicable retirement system,~~
11 ~~subject to Subsection (c)~~]; and

12 (2) [~~is calculated and~~] becomes payable beginning with
13 the month following the month in which the judge or justice
14 completes 16 years of service for which credit is established in the
15 applicable retirement system.

16 (d) The commissioners court of a county may provide
17 longevity pay calculated in accordance with this section to a judge
18 or justice described by Subsection (a) who:

19 (1) previously served as a statutory county court
20 judge in the county;

21 (2) is not otherwise eligible for longevity pay under
22 Subsection (b); and

23 (3) would be entitled to longevity pay under this
24 section if the service credit the judge or justice earned as a
25 statutory county court judge was established in the applicable
26 retirement system.

27 (e) Notwithstanding any other law, longevity pay that is

1 paid to a judge or justice under this section is not included as
2 part of the judge's or justice's combined salary from state and
3 county sources for purposes of the salary limitations provided by
4 Section 659.012.

5 SECTION 4. Section 659.0445(c), Government Code, is
6 repealed.

7 SECTION 5. The changes in law made by this Act apply to
8 longevity pay payable to a judge or justice after the effective date
9 of this Act, regardless of the date the judge or justice first
10 becomes entitled to longevity pay.

11 SECTION 6. This Act takes effect September 1, 2009.