

1-1 By: Wentworth S.B. No. 497
1-2 (In the Senate - Filed January 16, 2009; February 17, 2009,
1-3 read first time and referred to Committee on Jurisprudence;
1-4 March 9, 2009, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 7, Nays 0; March 9, 2009,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 497 By: Wentworth

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to compensation paid to certain judges and justices.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Subsection (b), Section 26.006, Government Code,
1-13 is amended to read as follows:

1-14 (b) To receive a supplement under Subsection (a), a county
1-15 judge must file with the comptroller's judiciary section [~~Office of~~
1-16 ~~Court Administration of the Texas Judicial System~~] an affidavit
1-17 stating that at least 40 percent of the functions that the judge
1-18 performs are judicial functions. [~~The office of court~~
1-19 ~~administration shall send the affidavit to the comptroller.~~]

1-20 SECTION 2. Subsection (a), Section 659.0125, Government
1-21 Code, is amended to read as follows:

1-22 (a) Notwithstanding Section 659.012 or any other law, a
1-23 district judge who presides over multidistrict litigation
1-24 involving claims for asbestos-related or silica-related injuries
1-25 is entitled to receive, in addition to all other compensation,
1-26 expenses, and perquisites authorized by law, the maximum amount of
1-27 compensation set by the Texas Judicial Council for a presiding
1-28 judge under Section 74.051(b). The annual amount must be
1-29 apportioned over 12 equal monthly payments and be paid to the judge
1-30 by the comptroller's judiciary section [~~Texas Judicial Council~~]
1-31 for each month during which the judge retains jurisdiction over the
1-32 claims.

1-33 SECTION 3. Section 659.0445, Government Code, is amended by
1-34 adding Subsections (d) and (e) to read as follows:

1-35 (d) The commissioners court of a county may provide
1-36 longevity pay calculated in accordance with this section to a judge
1-37 or justice described by Subsection (a) who:

1-38 (1) previously served as a statutory county court
1-39 judge in the county;

1-40 (2) is not otherwise eligible for longevity pay under
1-41 Subsection (b); and

1-42 (3) would be entitled to longevity pay under this
1-43 section if the service credit the judge or justice earned as a
1-44 statutory county court judge was established in the applicable
1-45 retirement system.

1-46 (e) Notwithstanding any other law, longevity pay that is
1-47 paid to a judge or justice under this section is not included as
1-48 part of the judge's or justice's combined salary from state and
1-49 county sources for purposes of the salary limitations provided by
1-50 Section 659.012.

1-51 SECTION 4. This Act takes effect September 1, 2009.

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