

By: Huffman

S.B. No. 387

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to judicial compensation and the contributions to,  
3 benefits from, membership in, and administration of the Judicial  
4 Retirement System of Texas Plan One and Plan Two; making conforming  
5 changes.

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

7 SECTION 1. Section 201.105(a), Family Code, is amended to  
8 read as follows:

9 (a) An associate judge appointed under this subchapter is  
10 entitled to a salary in the amount equal to [~~be determined by a~~  
11 ~~majority vote of the presiding judges of the administrative~~  
12 ~~judicial regions. The salary may not exceed~~] 90 percent of the  
13 state base salary paid to a district judge as set by the General  
14 Appropriations Act in accordance with Section 659.012(a),  
15 Government Code.

16 SECTION 2. Section 201.205(a), Family Code, is amended to  
17 read as follows:

18 (a) An associate judge appointed under this subchapter is  
19 entitled to a salary in the amount equal to [~~as determined by a~~  
20 ~~majority vote of the presiding judges of the administrative~~  
21 ~~judicial regions. The salary may not exceed~~] 90 percent of the  
22 state base salary paid to a district judge as set by the [~~state~~]  
23 General Appropriations Act in accordance with Section 659.012(a),  
24 Government Code.

1 SECTION 3. Section 25.0015(a), Government Code, is amended  
2 to read as follows:

3 (a) Beginning on the first day of the state fiscal year, the  
4 state shall annually compensate each county in an amount equal to 60  
5 percent of the state base salary paid to ~~of~~ a district court judge  
6 as set by ~~in~~ the General Appropriations Act in accordance with  
7 Section 659.012(a) ~~county~~ for each statutory county court judge  
8 in the county who:

9 (1) does not engage in the private practice of law; and

10 (2) presides over a court with at least the  
11 jurisdiction provided by Section 25.0003.

12 SECTION 4. Section 26.006, Government Code, is amended to  
13 read as follows:

14 Sec. 26.006. SALARY SUPPLEMENT FROM STATE FOR ~~CERTAIN~~  
15 COUNTY JUDGES. (a) A county judge is entitled to an annual salary  
16 supplement from the state in an amount equal to 18 percent of the  
17 state base salary paid to ~~annual compensation provided for~~ a  
18 district judge as set by ~~in~~ the General Appropriations Act in  
19 accordance with Section 659.012(a) ~~if at least 40 percent of the~~  
20 ~~functions that the judge performs are judicial functions~~.

21 (b) ~~[To receive a supplement under Subsection (a), a county~~  
22 ~~judge must file with the comptroller's judiciary section an~~  
23 ~~affidavit stating that at least 40 percent of the functions that the~~  
24 ~~judge performs are judicial functions.~~

25 ~~[(c)]~~ The commissioners court of ~~in~~ a county ~~[with a~~  
26 ~~county judge who is entitled to receive a salary supplement under~~  
27 ~~this section]~~ may not reduce the county funds provided for the

1 salary or office of the county judge as a result of the salary  
2 supplement required by this section.

3 SECTION 5. Section [41.013](#), Government Code, is amended to  
4 read as follows:

5 Sec. 41.013. COMPENSATION OF CERTAIN PROSECUTORS. Except  
6 as otherwise provided by law, a district attorney or criminal  
7 district attorney is entitled to receive from the state annual  
8 compensation in an amount equal to at least 80 percent of the state  
9 base salary paid to [~~annual compensation provided for~~] a district  
10 judge as set by [~~in~~] the General Appropriations Act in accordance  
11 with Section [659.012](#)(a).

12 SECTION 6. Section [46.001](#)(2), Government Code, is amended  
13 to read as follows:

14 (2) "Benchmark salary" means the state base salary  
15 paid to [~~that is provided for~~] a district judge as set by [~~in~~] the  
16 General Appropriations Act in accordance with Section [659.012](#)(a).

17 SECTION 7. Section [46.003](#)(a), Government Code, is amended  
18 to read as follows:

19 (a) The state prosecuting attorney and each state  
20 prosecutor is entitled to receive from the state a salary in an  
21 amount [~~compensation~~] equal to the state base salary paid to  
22 [~~compensation that is provided for~~] a district judge as set by [~~in~~]  
23 the General Appropriations Act in accordance with Section  
24 [659.012](#)(a).

25 SECTION 8. Section [54.653](#)(b), Government Code, is amended  
26 to read as follows:

27 (b) The salary of a full-time magistrate may not exceed an

1 amount equal to 90 percent of the sum of:

2 (1) the state base salary paid to a district judge as  
3 set by the General Appropriations Act in accordance with [~~by the~~  
4 ~~state under~~] Section 659.012(a) [~~659.012~~]; and

5 (2) the maximum amount of county contributions and  
6 supplements allowed by law to be paid to a district judge under  
7 Section 659.012.

8 SECTION 9. Section 74.003(e), Government Code, is amended  
9 to read as follows:

10 (e) A retired justice or judge assigned as provided by this  
11 section is entitled to receive, pro rata for the time serving on  
12 assignment, from money appropriated from the general revenue fund  
13 for that purpose, an amount equal to the compensation received from  
14 state and county sources by a justice of the court of appeals to  
15 which assigned. For purposes of determining the amount to be paid to  
16 a retired justice or judge under this subsection, the compensation  
17 received from the state by a justice of the court of appeals to  
18 which the retired justice or judge is assigned is the amount equal  
19 to the state base salary paid to a justice of that court of appeals  
20 as set in accordance with Section 659.012(a).

21 SECTION 10. Sections 74.051(b) and (c), Government Code,  
22 are amended to read as follows:

23 (b) Except as provided by Subsection (c), a presiding judge  
24 shall receive a salary in an amount not to exceed 30 percent of the  
25 state base salary paid to a district judge as set by the General  
26 Appropriations Act in accordance with Section 659.012(a) [~~\$33,000 a~~  
27 ~~year~~]. The Texas Judicial Council shall set the salary biennially

1 and, in arriving at the amount of the salary, shall consider whether  
 2 the presiding judge is active in administrative duties, performs  
 3 part time, or is a retired judge. The salary set by the Texas  
 4 Judicial Council shall be apportioned to each county in the region  
 5 according to the population of the counties in [~~comprising~~]  
 6 region and shall be paid through the county budget process.

7 (c) A presiding judge who is a retired or former district  
 8 judge or a retired appellate judge and who presides over an  
 9 administrative region with 30 or more district courts, statutory  
 10 county courts, and retired and former judges named on the list  
 11 maintained under Section 74.055 for the administrative region is  
 12 entitled to an annual salary for each fiscal year in an amount equal  
 13 to [~~as follows~~]:

Number of Courts and Judges	Salary
30 to 49	<u>30 percent of the state base salary paid to a district judge as set by the General Appropriations Act in accordance with Section 659.012(a) [\$35,000]</u>
50 to 69	<u>35 percent of the state base salary paid to a district judge as set by the General Appropriations Act in accordance with Section 659.012(a) [\$40,000]</u>
70 to 89	<u>40 percent of the state base</u>

1 salary paid to a district  
2 judge as set by the General  
3 Appropriations Act in  
4 accordance with Section  
5 659.012(a) [~~\$45,000~~]  
6 90 or more 45 percent of the state base  
7 salary paid to a district  
8 judge as set by the General  
9 Appropriations Act in  
10 accordance with Section  
11 659.012(a) [~~\$50,000~~]

12 SECTION 11. Sections 74.061(b), (h), and (i), Government  
13 Code, are amended to read as follows:

14 (b) While serving in a county outside the judge's [~~his~~]  
15 judicial district or county, an assigned [~~a~~] judge is entitled to  
16 receive, in addition to the assigned judge's [~~his~~] necessary  
17 expenses, additional compensation from the county to which the  
18 assigned judge [~~he~~] is assigned in an amount not to exceed the  
19 difference between the compensation of the assigned judge from all  
20 sources, exclusive of the per diem provided by Subsection (f), and  
21 the compensation received from all sources by the judge of the court  
22 to which the assigned judge [~~he~~] is assigned. If the judge of the  
23 court to which the assigned judge is assigned is paid an annual  
24 salary from the state in accordance with Section 659.012(b), the  
25 amount by which that annual salary exceeds the amount of the state  
26 base salary as set by the General Appropriations Act for the judge's  
27 position in accordance with Section 659.012(a) is not included in

1 the compensation of the judge for purposes of determining the  
2 compensation of the assigned judge under this subsection. The  
3 county shall pay the compensation provided by this subsection on  
4 approval of the presiding judge of the administrative region in  
5 which the court to which the assigned judge is assigned is located.

6 (h) Notwithstanding Subsection (c), the salary from the  
7 state of a retired judge or justice assigned to a district court is  
8 determined pro rata based on the amount of the state base salary  
9 paid to a district judge as set by the General Appropriations Act in  
10 accordance with Section 659.012(a) [~~sum of the regular judge's~~  
11 ~~salary from the county plus the greater of:~~

12 [~~(1) the regular judge's salary from the state on~~  
13 ~~August 31, 2007; or~~

14 [~~(2) 100 percent of the regular judge's salary from the~~  
15 ~~state, as established by the General Appropriations Act for any~~  
16 ~~fiscal year]~~.

17 (i) Notwithstanding Subsection (d):

18 (1) [~~7~~] the salary from the state of a former judge or  
19 justice assigned to a [~~district~~] court of appeals is determined pro  
20 rata based on the amount of the state base salary paid to a justice  
21 of a court of appeals as set in accordance with Section 659.012(a);  
22 and

23 (2) the salary from the state of a former judge or  
24 justice assigned to a district court is determined pro rata based on  
25 the amount of the state base salary paid to a district judge as set  
26 by the General Appropriations Act in accordance with Section  
27 659.012(a) [~~greater of:~~

1           ~~[(1) the regular judge's salary from the state on~~  
2 ~~August 31, 2007; or~~

3           ~~[(2) 100 percent of the regular judge's salary from the~~  
4 ~~state, as established by the General Appropriations Act for any~~  
5 ~~fiscal year].~~

6           SECTION 12. Section 75.016(c), Government Code, is amended  
7 to read as follows:

8           (c) The Commissioners Court of Travis County may set  
9 additional compensation to be paid to the presiding criminal judge  
10 by the county in any amount that does not exceed the amount the  
11 local administrative district judge of Travis County receives from  
12 this state. Notwithstanding any other law, compensation paid the  
13 presiding criminal judge under this subsection is not included as  
14 part of the judge's combined base salary from all state and county  
15 sources for purposes of the salary limitations provided by Section  
16 659.012.

17           SECTION 13. Section 659.012, Government Code, is amended to  
18 read as follows:

19           Sec. 659.012. JUDICIAL SALARIES. (a) Notwithstanding  
20 Section 659.011 and subject to Subsections (b) and (b-1):

21           (1) a judge of a district court is entitled to an  
22 annual base salary from the state as set by the General  
23 Appropriations Act in an amount equal to [of] at least \$140,000  
24 [\$125,000], except that the combined base salary of a district  
25 judge from all state and county sources, including compensation for  
26 any extrajudicial services performed on behalf of the county, may  
27 not exceed the amount that is \$5,000 less than the maximum combined



1 base salary from all state and county sources [~~provided~~] for a  
2 justice of a court of appeals other than a chief justice as  
3 determined under this subsection;

4 (2) a justice of a court of appeals other than the  
5 chief justice is entitled to an annual base salary from the state in  
6 the amount [~~that is~~] equal to 110 percent of the state base salary  
7 of a district judge as set by the General Appropriations Act, except  
8 that the combined base salary of a justice of the court of appeals  
9 other than the chief justice from all state and county sources,  
10 including compensation for any extrajudicial services performed on  
11 behalf of the county, may not exceed the amount that is \$5,000 less  
12 than the base salary [~~provided~~] for a justice of the supreme court  
13 as determined under this subsection;

14 (3) a justice of the supreme court other than the chief  
15 justice or a judge of the court of criminal appeals other than the  
16 presiding judge is entitled to an annual base salary from the state  
17 in the amount [~~that is~~] equal to 120 percent of the state base  
18 salary of a district judge as set by the General Appropriations Act;  
19 and

20 (4) the chief justice or presiding judge of an  
21 appellate court is entitled to an annual base salary from the state  
22 in the amount equal to [~~that is~~] \$2,500 more than the state base  
23 salary provided for the other justices or judges of the court,  
24 except that the combined base salary of the chief justice of a court  
25 of appeals from all state and county sources may not exceed the  
26 amount equal to [~~that is~~] \$2,500 less than the base salary  
27 [~~provided~~] for a justice of the supreme court as determined under

1 this subsection.

2 (b) A judge or justice for whom the amount of a state base  
3 salary is prescribed by Subsection (a) is entitled to an annual  
4 salary from the state in the amount equal to:

5 (1) 110 percent of the state base salary paid in  
6 accordance with Subsection (a) for the judge's or justice's  
7 position, beginning with the pay period that begins after the judge  
8 or justice accrues four years of service credit in the Judicial  
9 Retirement System of Texas Plan One or the Judicial Retirement  
10 System of Texas Plan Two;

11 (2) 120 percent of the state base salary paid in  
12 accordance with Subsection (a) for the judge's or justice's  
13 position, beginning with the pay period that begins after the judge  
14 or justice accrues eight years of service credit in the Judicial  
15 Retirement System of Texas Plan One or the Judicial Retirement  
16 System of Texas Plan Two; and

17 (3) 130 percent of the state base salary paid in  
18 accordance with Subsection (a) for the judge's or justice's  
19 position, beginning with the pay period that begins after the judge  
20 or justice accrues 12 years of service credit in the Judicial  
21 Retirement System of Texas Plan One or the Judicial Retirement  
22 System of Texas Plan Two.

23 (b-1) A limitation on the combined base salary from all  
24 state and county sources prescribed by Subsection (a)(1) or (2)  
25 applies to a judge or justice to whom Subsection (b) applies, except  
26 that the amount by which the annual salary from the state paid to  
27 the judge or justice in accordance with Subsection (b) exceeds the

1 amount of the state base salary for the judge's or justice's  
2 position set by the General Appropriations Act in accordance with  
3 Subsection (a) is not included as part of the judge's or justice's  
4 combined base salary from all state and county sources for purposes  
5 of determining whether the judge's or justice's salary exceeds the  
6 limitation.

7       (c) To the extent of any conflict, the salary limitations  
8 provided by Subsection (a) [~~this section~~] for the combined base  
9 salary of a state judge or justice from state and local sources  
10 prevail [~~prevails~~] over any provision of Chapter 31 or 32 that  
11 authorizes the payment of additional compensation to a state judge  
12 or justice.

13       (d) Notwithstanding any other provision in this section or  
14 other law, in a county with more than five district courts, a  
15 district judge who serves as a local administrative district judge  
16 under Section 74.091 is entitled to an annual base salary from the  
17 state in the amount equal to [~~that is~~] \$5,000 more than the maximum  
18 salary from the state to which the judge is otherwise entitled under  
19 Subsection (a) or (b).

20       (e) For the purpose of salary payments by the state, the  
21 comptroller shall determine from sworn statements filed by the  
22 justices of the courts of appeals and district judges that the  
23 required salary limitations provided by Subsection (a) [~~this~~  
24 ~~section~~] are maintained. If the state base [~~a~~] salary for a judge  
25 or justice prescribed by Subsection (a) combined with additional  
26 compensation from a county would exceed [~~be in excess of~~] the  
27 limitations provided by Subsection (a) [~~this section~~], the

1 comptroller shall reduce the [~~state~~] salary payment made by the  
2 state by the amount of the excess.

3 SECTION 14. Section 814.103, Government Code, is amended to  
4 read as follows:

5 Sec. 814.103. SERVICE RETIREMENT BENEFITS FOR ELECTED CLASS  
6 SERVICE. (a) Except as provided by Subsection (b), the standard  
7 service retirement annuity for service credited in the elected  
8 class of membership is an amount equal to the number of years of  
9 service credit in that class, times two percent of the state base  
10 salary, excluding longevity pay payable under Section 659.0445 and  
11 as adjusted from time to time, being paid to a district judge as set  
12 by the General Appropriations Act in accordance with Section  
13 659.012(a).

14 (b) The standard service retirement annuity for service  
15 credited in the elected class may not exceed at any time 100 percent  
16 of the state base salary being paid to a district judge as set by the  
17 General Appropriations Act in accordance with Section 659.012(a).

18 SECTION 15. Section 815.204(c), Government Code, is amended  
19 to read as follows:

20 (c) The medical board shall:

21 (1) review all medical examinations required by this  
22 subtitle and Subtitle D;

23 (2) investigate essential statements and certificates  
24 made by or on behalf of a member of the retirement system in  
25 connection with an application for disability retirement; and

26 (3) report in writing to the executive director its  
27 conclusions and recommendations on all matters referred to it.

1 SECTION 16. Sections 834.102(a) and (d), Government Code,  
2 are amended to read as follows:

3 (a) The base service retirement annuity is an amount equal  
4 to 50 percent of the state salary, as adjusted from time to time,  
5 being paid in accordance with Section 659.012(b)(3) to a judge of a  
6 court of the same classification as the court on which the retiree  
7 last served before retirement.

8 (d) The service retirement annuity of a person qualifying  
9 for retirement under Section 834.101(b) is an amount computed as a  
10 percentage of the state salary, as adjusted from time to time, being  
11 paid in accordance with Section 659.012(b)(3) to a judge of a court  
12 of the same classification as the court on which the retiree last  
13 served before retirement, according to the following schedule:

14	percentage
15 age at retirement	of state salary
16 at least 60 but less than 61	40 percent
17 at least 61 but less than 62	41.7 percent
18 at least 62 but less than 63	43.6 percent
19 at least 63 but less than 64	45.6 percent
20 at least 64 but less than 65	47.7 percent

21 SECTION 17. Section 834.201(b), Government Code, is amended  
22 to read as follows:

23 (b) A member otherwise eligible may not receive a disability  
24 retirement annuity unless the medical board designated under  
25 Section 815.204 finds [~~chief justice of the supreme court~~  
26 ~~certifies~~] that the member is mentally or physically incapacitated  
27 for the further performance of regular judicial duties and submits

1 a certification of disability to the executive director appointed  
2 under Section 815.202.

3 SECTION 18. Section 834.202, Government Code, is amended to  
4 read as follows:

5 Sec. 834.202. APPLICATION FOR DISABILITY; INFORMATION  
6 ABOUT PHYSICAL INCAPACITY. (a) A member may apply for a disability  
7 retirement annuity by:

8 (1) filing an application for retirement with the  
9 board of trustees; or

10 (2) having an application filed with the board by the  
11 member's spouse, employer, or legal representative.

12 (b) A member who applies for retirement because of physical  
13 incapacity shall file with the board of trustees [~~supreme court~~]  
14 written reports by two physicians licensed to practice medicine in  
15 this state, fully reporting the claimed physical incapacity.

16 ~~[(b) The chief justice of the supreme court may appoint a~~  
17 ~~physician licensed in this state to make any additional medical~~  
18 ~~investigation the court finds necessary.]~~

19 SECTION 19. Subchapter C, Chapter 834, Government Code, is  
20 amended by adding Section 834.2025 to read as follows:

21 Sec. 834.2025. DETERMINATION OF DISABILITY. In determining  
22 whether a member is mentally or physically incapacitated for the  
23 further performance of regular judicial duties, the medical board  
24 designated under Section 815.204 may apply the standard prescribed  
25 by Section 814.203.

26 SECTION 20. Section 835.1015(b), Government Code, is  
27 amended to read as follows:

1 (b) A member who elects to make contributions under  
2 Subsection (a) shall contribute at the member contribution rate  
3 required under Section 840.102(a) multiplied by [~~six percent of~~]  
4 the member's state compensation for each payroll period in the  
5 manner provided by Sections 835.101(a) and (b).

6 SECTION 21. Subchapter A, Chapter 837, Government Code, is  
7 amended by adding Section 837.004 to read as follows:

8 Sec. 837.004. RESUMPTION OF MEMBERSHIP AFTER TERMINATION.

9 (a) A retiree described by Section 837.102(a) may elect to rejoin  
10 the retirement system as a member and receive service credit in the  
11 retirement system for service performed as a judicial officer after  
12 the retiree's effective date of retirement if, before taking the  
13 oath of office, the retiree has been separated from judicial  
14 service for at least 12 full consecutive months. The retiree must  
15 provide notice of the election to the board of trustees in a manner  
16 and form prescribed by rules adopted by the board of trustees.

17 (b) Notwithstanding Section 840.106, if a member whose  
18 membership in the retirement system was made by an election under  
19 Subsection (a) again retires:

20 (1) the member, at the time of the member's subsequent  
21 retirement, may select a service retirement annuity as if the  
22 retiree were retiring for the first time; and

23 (2) the retirement system shall recompute the annuity  
24 to include additional service credit established by the member  
25 under this section.

26 (c) If a member under Subsection (b)(1) selects an optional  
27 service retirement annuity payable under Section 839.103(a)(3) or

1 (4), the retirement system shall reduce the number of months of  
2 payments by the number of months for which the annuity was paid  
3 before the member resumed service.

4 (d) The board of trustees shall adopt rules necessary to  
5 implement this section.

6 SECTION 22. Section 837.102(a), Government Code, is amended  
7 to read as follows:

8 (a) Except as provided by Section 837.004, a [A] retiree who  
9 resumes service as a judicial officer other than by appointment or  
10 assignment described in Section 837.101 may not rejoin or receive  
11 credit in the retirement system for the resumed service.

12 SECTION 23. Section 839.102(a), Government Code, as amended  
13 by Chapters 1033 (H.B. 1114) and 1203 (H.B. 617), Acts of the 79th  
14 Legislature, Regular Session, 2005, is reenacted and amended to  
15 read as follows:

16 (a) Except as provided by Subsections (b), (c), (d), and  
17 (f), the standard service retirement annuity is an amount equal to  
18 50 percent of the state salary being paid in accordance with Section  
19 659.012(b)(3) at the time the member retires to a judge of a court  
20 of the same classification as the last court to which the retiring  
21 member was elected or appointed.

22 SECTION 24. Section 839.102(c), Government Code, is amended  
23 to read as follows:

24 (c) The standard service retirement annuity of a person  
25 qualifying for retirement under Section 839.101(b) is an amount  
26 computed as a percentage of the state salary being paid in  
27 accordance with Section 659.012(b)(3) at the time the member



1 retires to a judge of a court of the same classification as the last  
 2 court to which the retiring member was elected or appointed,  
 3 according to the following schedule:

4 age at retirement	percentage of state salary
5 at least 60 but less than 61	40 percent
6 at least 61 but less than 62	41.7 percent
7 at least 62 but less than 63	43.6 percent
8 at least 63 but less than 64	45.6 percent
9 at least 64 but less than 65	47.7 percent.

10 SECTION 25. Section 839.201(b), Government Code, is amended  
 11 to read as follows:

12 (b) A member otherwise eligible may not receive a disability  
 13 retirement annuity unless the [~~chief justice of the supreme court~~  
 14 ~~and the~~] medical board finds [~~certify~~] that the member is mentally  
 15 or physically incapacitated for the further performance of regular  
 16 judicial duties and submits a certification of disability to the  
 17 executive director.

18 SECTION 26. Section 839.202, Government Code, is amended to  
 19 read as follows:

20 Sec. 839.202. APPLICATION FOR DISABILITY; DISABILITY  
 21 REPORTS. (a) A member may apply for a disability retirement  
 22 annuity by:

23 (1) filing an application for retirement with the  
 24 board of trustees; or

25 (2) having an application filed with the board by the  
 26 member's spouse, employer, or legal representative.

27 (a-1) A member who applies for retirement because of

1 physical incapacity shall file with the board of trustees  
2 [~~retirement system and the chief justice of the supreme court~~]  
3 written reports by two physicians licensed to practice medicine in  
4 this state, fully reporting the claimed physical incapacity.

5 (b) The board of trustees [~~retirement system~~] shall refer an  
6 application for disability retirement to the medical board for its  
7 recommendations. The medical board may require an applicant to  
8 submit any additional information it considers necessary to enable  
9 it to make its recommendations.

10 [~~(c) The chief justice of the supreme court may direct the~~  
11 ~~retirement system to employ a physician under Section 840.203 or~~  
12 ~~may direct the medical board to require additional information~~  
13 ~~under Subsection (b).~~]

14 SECTION 27. Subchapter C, Chapter 839, Government Code, is  
15 amended by adding Section 839.2025 to read as follows:

16 Sec. 839.2025. DETERMINATION OF DISABILITY. In determining  
17 whether a member is mentally or physically incapacitated for the  
18 further performance of regular judicial duties, the medical board  
19 may apply the standard prescribed by Section 814.203.

20 SECTION 28. Section 840.102(a), Government Code, is amended  
21 to read as follows:

22 (a) Except as provided by Subsections (g) and (h), each  
23 payroll period, a judicial officer who is a member of the retirement  
24 system is required to contribute 9.5 [+  
25

26 [~~(1) 6.6~~] percent of the officer's state compensation  
27 for service rendered after [~~August 31, 2013, and before~~] September  
1, 2019 [~~2014,~~

1           ~~[(2) 6.9 percent of the officer's state compensation~~  
2 ~~for service rendered after August 31, 2014, and before September 1,~~  
3 ~~2015;~~

4           ~~[(3) 7.2 percent of the officer's state compensation~~  
5 ~~for service rendered after August 31, 2015, and before September 1,~~  
6 ~~2016;~~

7           ~~[(4) 7.5 percent of the officer's state compensation~~  
8 ~~for service rendered after August 31, 2016; or~~

9           ~~[(5) for service rendered on or after September 1,~~  
10 ~~2017, the lesser of:~~

11                   ~~[(A) 7.5 percent of the officer's state~~  
12 ~~compensation; or~~

13                   ~~[(B) a percentage of the officer's state~~  
14 ~~compensation equal to 7.5 percent reduced by one-tenth of one~~  
15 ~~percent for each one-tenth of one percent that the state~~  
16 ~~contribution rate for the fiscal year to which the service relates~~  
17 ~~is less than the state contribution rate established for the 2015~~  
18 ~~fiscal year].~~

19           SECTION 29. Sections [840.202\(c\)](#) and [840.203](#), Government  
20 Code, are repealed.

21           SECTION 30. Sections [834.201\(b\)](#) and [834.202](#), Government  
22 Code, as amended by this Act, and Section [834.2025](#), Government  
23 Code, as added by this Act, apply only to an application for  
24 disability retirement filed on or after the effective date of this  
25 Act. An application filed before the effective date of this Act is  
26 governed by the law in effect on the date the application was filed,  
27 and that law is continued in effect for that purpose.

1           SECTION 31. Section 837.004, Government Code, as added by  
2 this Act, applies to a retiree of the Judicial Retirement System of  
3 Texas Plan Two regardless of whether the person retired from  
4 judicial service before, on, or after the effective date of this  
5 Act.

6           SECTION 32. Section 839.102, Government Code, as amended by  
7 this Act, applies only to a member of the Judicial Retirement System  
8 of Texas Plan Two who retires on or after the effective date of this  
9 Act. A member who retires before the effective date of this Act is  
10 governed by the law in effect immediately before that date, and the  
11 former law is continued in effect for that purpose.

12           SECTION 33. Sections 839.201(b) and 839.202, Government  
13 Code, as amended by this Act, and Section 839.2025, Government  
14 Code, as added by this Act, apply only to an application for  
15 disability retirement filed on or after the effective date of this  
16 Act. An application filed before the effective date of this Act is  
17 governed by the law in effect on the date the application was filed,  
18 and that law is continued in effect for that purpose.

19           SECTION 34. This Act takes effect September 1, 2019.