

Amend CSHB 2779 (senate committee report) as follows:

(1) In SECTION 4 of the bill, amend Section 834.102(a), Government Code, as follows:

(A) In Subdivision (1) (page 2, line 53), strike "or" and substitute "~~or~~".

(B) In Subdivision (2) (page 2, line 54), between "2019," and "is", insert "and before September 1, 2023,".

(C) In Subdivision (2) (page 2, line 58), between "retirement" and the period, insert the following:

; or

(3) on or after September 1, 2023, is an amount equal to 50 percent of the state salary being paid in accordance with Section 659.012(b)(3) to a judge of a court of the same classification as the court on which the retiree last served before retirement

(2) Add the following appropriately numbered SECTIONS to the bill and renumber subsequent SECTIONS of the bill accordingly:

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

(b) Except as provided by Subsection (c), a presiding judge shall receive a salary in an amount not to exceed 40 [~~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). The Texas Judicial Council shall set the salary biennially and, in arriving at the amount of the salary, shall consider whether the presiding judge is active in administrative duties, performs part time, or is a retired judge. The salary set by the Texas Judicial Council shall be apportioned to each county in the region according to the population of the counties in the region and shall be paid through the county budget process.

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

Number of Courts and Judges Salary

30 to 49 40 [~~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)

50 to 69 45 [~~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)

70 to 89 50 [~~40~~] 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)

90 or more 55 [~~45~~] 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)

SECTION _____. (a) Subject to Subsection (b) of this section, Section 659.012(b), Government Code, is amended to read as follows:

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

(1) 110 percent of the state base salary paid in accordance with Subsection (a) for the judge's or justice's position, beginning with the pay period that begins after the judge or justice accrues four years of:

(A) contributing service credit in the Judicial Retirement System of Texas Plan One or the Judicial Retirement System of Texas Plan Two;

(B) service as a judge of a statutory county court, multicounty statutory county court, or statutory probate court; or

(C) combined contributing service credit and service as provided by Paragraphs (A) and (B); [~~and~~]

(2) 120 percent of the state base salary paid in accordance with Subsection (a) for the judge's or justice's position, beginning with the pay period that begins after the judge or justice accrues eight years of:

(A) contributing service credit in the Judicial Retirement System of Texas Plan One or the Judicial Retirement

System of Texas Plan Two;

(B) service as a judge of a statutory county court, multicounty statutory county court, or statutory probate court; or

(C) combined contributing service credit and service as provided by Paragraphs (A) and (B); and

(3) 130 percent of the state base salary paid in accordance with Subsection (a) for the judge's or justice's position, beginning with the pay period that begins after the judge or justice accrues 12 years of:

(A) contributing service credit in the Judicial Retirement System of Texas Plan One or the Judicial Retirement System of Texas Plan Two;

(B) service as a judge or a full-time associate judge of a district court, statutory county court, multicounty statutory county court, or statutory probate court or as a district attorney, criminal district attorney, or county attorney; or

(C) combined contributing service credit and service as provided by Paragraphs (A) and (B).

(b) If H.B. No. 3474, Acts of the 88th Legislature, Regular Session, 2023, relating to the operation and administration of and practices and procedures regarding proceedings in the judicial branch of state government becomes law, Subsection (a) of this section takes effect on the effective date of this Act and Section 1 of this Act, also amending Section 659.012(b), Government Code, has no effect. If H.B. No. 3474 does not take effect, this section has no effect.