

## **BILL ANALYSIS**

C.S.H.B. 2779  
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Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Texas continues to lag in the amount of compensation provided to our judges, justices, and their staff. One of the keys to an effective judiciary is exceptional judges and excellent support staff. The judiciary is a cornerstone of government and cannot afford to continue to lose talent due to a lack of appropriate compensation. According to a December 2022 report by the Judicial Compensation Commission (JCC), Texas district court judges ranked 41st in compensation compared to other states. Intermediate appellate-level judges ranked 23rd and the highest appellate courts, which include the Texas Supreme Court and Court of Criminal Appeals, ranked 29th. Based on that JCC report, increasing the annual state base salary for district judges from \$140,000 to \$172,494 would move district court judges to 10th, appellate justices to 10th, and the high court justices to 15th in the nation within their respective positions. Further, Texas currently has a mandatory retirement age for our judges. As the age of our current judges continues to increase, the state may soon be facing many retirements, and adequate compensation will be even more important to recruit and retain exceptional judges on the bench. C.S.H.B. 2779 increases the annual base salary for district judges to account for inflation and provide a meaningful increase in salary for state judges.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 2779 amends the Government Code to increase the annual state base salary of a district court judge as set by the General Appropriations Act (GAA) from at least \$140,000 to at least \$172,494. The bill retains \$140,000 as the base amount used in the calculation of the standard service retirement annuity for a member of the elected class of the Employees Retirement System of Texas (ERS), excluding a district or criminal district attorney who is in the elected class whose effective date of retirement is on or after September 1, 2019, by changing the nature of that amount from the state base salary of a district court judge, excluding applicable longevity pay, as set by the GAA to a flat \$140,000. The bill removes language that specifies that the base amount used in the calculation of the standard service retirement annuity for a district or criminal district attorney who is in the elected class of ERS or for a member of the Judicial Retirement System of Texas Plan One is adjusted from time to time.

C.S.H.B. 2779 entitles a district court judge to an annual state base salary in an amount equal to at least \$155,400 for the state fiscal year ending in 2024 and establishes that the amount must

be used for calculating any other judicial salaries that reference that base salary for the same state fiscal year.

**EFFECTIVE DATE**

September 1, 2023.

**COMPARISON OF INTRODUCED AND SUBSTITUTE**

While C.S.H.B. 2779 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute removes statutory provisions that specify that the base amount used in the calculation of the standard service retirement annuity for a district or criminal district attorney who is in the elected class of ERS or for a member of the Judicial Retirement System of Texas Plan One is adjusted from time to time, whereas the introduced did not remove those provisions.