88R2177 JTZ-D

By:  Schofield, et al. H.B. No. 438

A BILL TO BE ENTITLED

AN ACT

relating to the annual base salary from the state of a district judge.

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

SECTION 1.  Section 659.012, Government Code, is amended by amending Subsection (a) and adding Subsections (b-2) and (b-3) to read as follows:

(a)  Notwithstanding Section 659.011 and subject to Subsections (b), [~~and~~] (b-1), and (b-2):

(1)  a judge of a district court is entitled to an annual base salary from the state as set by the General Appropriations Act in an amount equal to at least $140,000, except that the combined base salary of a district judge from all state and county sources, including compensation for any extrajudicial services performed on behalf of the county, may not exceed the amount that is $5,000 less than the maximum combined base salary from all state and county sources for a justice of a court of appeals other than a chief justice as determined under this subsection;

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

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

(4)  the chief justice or presiding judge of an appellate court is entitled to an annual base salary from the state in the amount equal to $2,500 more than the state base salary provided for the other justices or judges of the court, except that the combined base salary of the chief justice of a court of appeals from all state and county sources may not exceed the amount equal to $2,500 less than the base salary for a justice of the supreme court as determined under this subsection.

(b-2)  The annual base salary from the state to which a judge of a district court is entitled under Subsection (a)(1) for each year of a state fiscal biennium is the amount equal to the sum of:

(1)  the annual base salary from the state under Subsection (a)(1) that is paid to a judge of a district court under that subdivision in the preceding state fiscal biennium; and

(2)  subject to Subsection (b-3), the annual base salary described by Subdivision (1) multiplied by the average percentage change in the Consumer Price Index for All Urban Consumers published by the United States Department of Labor, Bureau of Labor Statistics, or, if that index is discontinued or superseded, a similar index selected or calculated by the comptroller, during the two years preceding the year in which the state fiscal biennium for which the salary is computed begins.

(b-3)  For purposes of Subsection (b-2)(2), if the average percentage change in the Consumer Price Index for All Urban Consumers published by the United States Department of Labor, Bureau of Labor Statistics, or, if that index is discontinued or superseded, a similar index selected or calculated by the comptroller, during the period prescribed by that subdivision is less than zero, the percentage change is considered to be zero.

SECTION 2.  The change in law made by this Act applies beginning with the state fiscal biennium beginning September 1, 2025.

SECTION 3.  This Act takes effect September 1, 2023.