88R23135 JTZ-F

By:  Leach H.B. No. 2779

Substitute the following for H.B. No. 2779:

By:  Murr C.S.H.B. No. 2779

A BILL TO BE ENTITLED

AN ACT

relating to the compensation of a district judge and the associated retirement benefits of certain other elected state officials.

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

SECTION 1.  Section 659.012(a), Government Code, is amended to read as follows:

(a)  Notwithstanding Section 659.011 and subject to Subsections (b) and (b-1):

(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 $172,494 [~~$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.

SECTION 2.  Sections 814.103(a) and (a-1), Government Code, are amended to read as follows:

(a)  Except as provided by Subsection (a-1) or (b), the standard service retirement annuity for service credited in the elected class of membership is an amount equal to the number of years of service credit in that class, times 2.3 percent of $140,000 [~~the state base salary, excluding longevity pay payable under Section 659.0445 and as adjusted from time to time, being paid to a district judge as set by the General Appropriations Act in accordance with Section 659.012(a)~~].

(a-1)  Except as provided by Subsection (b), the standard service retirement annuity for service credited in the elected class of membership for a member of the class under Section 812.002(a)(3) whose effective date of retirement is on or after September 1, 2019, is an amount equal to the number of years of service credit in that class, times 2.3 percent of the state salary, excluding longevity pay payable under Section 659.0445 [~~and as adjusted from time to time~~], being paid in accordance with Section 659.012 to a district judge who has the same number of years of contributing service credit as the member on the member's last day of service as a district or criminal district attorney, as applicable.

SECTION 3.  Section 834.102(a), Government Code, is amended to read as follows:

(a)  The base service retirement annuity for a person whose effective date of retirement is:

(1)  before September 1, 2019, is an amount equal to 50 percent of the state base salary[~~, as adjusted from time to time,~~] being paid in accordance with Section 659.012(a) to a judge of a court of the same classification as the court on which the retiree last served before retirement; or

(2)  on or after September 1, 2019, is an amount equal to 50 percent of the state salary[~~, as adjusted from time to time,~~] being paid in accordance with Section 659.012(b)(2) to a judge of a court of the same classification as the court on which the retiree last served before retirement.

SECTION 4.  Notwithstanding Section 659.012(a), Government Code, as amended by this Act, 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 $155,400 for the state fiscal year beginning September 1, 2023, and ending August 31, 2024, and that amount is the annual base salary to be used for the purpose of calculating any other judicial salaries by reference to that section for the state fiscal year beginning September 1, 2023, and ending August 31, 2024.

SECTION 5.  This Act takes effect September 1, 2023.