

By: Huffman

S.B. No. 277

A BILL TO BE ENTITLED

AN ACT

relating to the service credit used in calculating longevity pay for certain judges and prosecutors.

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

SECTION 1. Section 25.0005(a), Government Code, is amended to read as follows:

(a) A statutory county court judge, other than a statutory county court judge who engages in the private practice of law, shall be paid a total annual salary set by the commissioners court at an amount that is not less than \$1,000 less than the sum of the annual salary as set by the General Appropriations Act in accordance with Section 659.012 paid to a district judge with comparable years of service as the statutory county court judge and any state or county contributions and supplements paid to a district judge in the county, other than contributions received as compensation under Section 74.051. A statutory county court judge's total annual salary includes any state or county contributions and supplements paid to the judge. For purposes of this subsection, the years of service of a statutory county court judge include any years of service as:

(1) an appellate court, district court, multicounty statutory county court, or statutory probate court justice or judge; or

(2) a district attorney, criminal district attorney,

1 or county attorney.

2 SECTION 2. Section 25.0023(a), Government Code, is amended  
3 to read as follows:

4 (a) The commissioners court shall set the total annual  
5 salary of each judge of a statutory probate court at an amount that  
6 is at least equal to the sum of the annual salary as set by the  
7 General Appropriations Act in accordance with Section 659.012 paid  
8 to a district judge with comparable years of service as the  
9 statutory probate court judge and any state or county contributions  
10 and supplements paid to a district judge in the county, other than  
11 contributions received as compensation under Section 74.051. A  
12 statutory probate court judge's total annual salary includes any  
13 state or county contributions and supplements paid to the judge,  
14 other than contributions paid under Section 25.0022(e). For  
15 purposes of this subsection, the years of service of a statutory  
16 probate court judge include any years of service as:

17 (1) an appellate court, district court, multicounty  
18 statutory county court, or statutory county court justice or judge;  
19 or

20 (2) a district attorney, criminal district attorney,  
21 or county attorney.

22 SECTION 3. Section 25.2607(d), Government Code, is amended  
23 to read as follows:

24 (d) Notwithstanding Section 25.0015, the state shall  
25 annually compensate the administrative county of a multicounty  
26 statutory county court for the salary of the judge of the  
27 multicounty statutory county court in an amount equal to 100

1 percent of the state [~~base~~] salary paid to a district judge with  
2 comparable years of service as the multicounty statutory county  
3 court judge, as set by the General Appropriations Act in accordance  
4 with Section 659.012 [~~659.012(a)~~]. For purposes of this subsection,  
5 the years of service of a multicounty statutory county court judge  
6 include any years of service as:

7 (1) an appellate court, district court, statutory  
8 county court, or statutory probate court justice or judge; or

9 (2) a district attorney, criminal district attorney,  
10 or county attorney.

11 SECTION 4. Section 41.013, Government Code, is amended to  
12 read as follows:

13 Sec. 41.013. COMPENSATION OF CERTAIN PROSECUTORS. (a)  
14 Except as otherwise provided by law, a district attorney or  
15 criminal district attorney is entitled to receive from the state  
16 annual compensation in an amount equal to at least 80 percent of the  
17 state annual salary as set by the General Appropriations Act in  
18 accordance with Section 659.012 paid to a district judge with  
19 comparable years of service as the district attorney or criminal  
20 district attorney.

21 (b) For purposes of this section, the years of service of a  
22 district attorney or criminal district attorney include any years  
23 of service as:

24 (1) a district attorney, criminal district attorney,  
25 or county attorney; or

26 (2) an appellate court justice, district judge, judge  
27 of a statutory county court, judge of a multicounty statutory

1 county court, or judge or justice of a statutory probate court.

2 SECTION 5. Section 46.003, Government Code, is amended by  
3 adding Subsection (a-1) to read as follows:

4 (a-1) For purposes of this section, the years of service of  
5 the state prosecuting attorney or a state prosecutor include any  
6 years of service as:

7 (1) a county attorney; or

8 (2) an appellate court justice, district judge, judge  
9 of a statutory county court, judge of a multicounty statutory  
10 county court, or judge or justice of a statutory probate court.

11 SECTION 6. Section 659.012(b), Government Code, is amended  
12 to read as follows:

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

16 (1) 110 percent of the state base salary paid in  
17 accordance with Subsection (a) for the judge's or justice's  
18 position, beginning with the pay period that begins after the judge  
19 or justice accrues four years of:

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

23 (B) service as a judge of a statutory county  
24 court, multicounty statutory county court, or statutory probate  
25 court or as a district attorney, criminal district attorney, or  
26 county attorney; or

27 (C) combined contributing service credit and

1 service as provided by Paragraphs (A) and (B); and

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

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

9 (B) service as a judge of a statutory county  
10 court, multicounty statutory county court, or statutory probate  
11 court or as a district attorney, criminal district attorney, or  
12 county attorney; or

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

15 SECTION 7. This Act takes effect September 1, 2023.