

BILL ANALYSIS

Senate Research Center
81R2776 YDB-D

H.B. 765
By: Hartnett (Carona)
Jurisprudence
5/6/2009
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, the State of Texas pays benefit replacement pay to district court judges who have served since August 31, 1995.

H.B. 765 requires a commissioners court to pay a judge of a statutory probate court replacement benefit pay and longevity pay under the same conditions and in the same amount as is received by a district judge.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 25.0023, Government Code, by amending Subsection (b) and adding Subsection (c), as follows:

(b) Requires the commissioners court annually, notwithstanding any other law and in addition to the judge's annual salary, to pay a judge of a statutory probate court who has continuously served as a judge of a statutory probate court or a statutory county court since August 31, 1995, an additional amount equal to the amount of benefit replacement pay a district judge is entitled to receive from the state under Subchapter H (Benefit Replacement Pay), Chapter 659 (Compensation), for equivalent continuous service. Deletes existing text requiring the salary be paid in equal monthly installments.

(c) Requires the commissioners court monthly to pay a statutory probate court judge who has served as a judge of a statutory probate court or a statutory county court for at least 16 years longevity pay in an amount equal to the amount of longevity pay a district judge is entitled to receive from the state for equivalent years of service. Provides that the longevity pay is in addition to the judge's monthly salary.

SECTION 2. Effective date: upon passage or September 1, 2009.