

**Special Provisions - Judiciary
Selected Fiscal and Policy Issues - Senate**

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1. **Exempt Positions.** Recommendation revise Section 7(d), Informational Listing – Judicial Compensation, to include explanatory language related to the supplement to county prosecutors provided by the state and to add the base salary of the Chief Justice and Justice positions of the newly created 15th Court of Appeals to the informational table.

Government Code Sections 659.012, Judicial Salaries, and 46.003, Compensation of State Prosecutors, establish a tiered, tenure-based compensation structure for certain judges and professional prosecutor positions that is linked to the base salary of a district judge and adjusts depending on the judge or professional prosecutor's tenure. For their first four years of service, the judge or the professional prosecutor earns a base salary that is a certain percentage of the base salary of a district judge. When their tenure is between 4-8 years of service, the judge or professional prosecutor earns 110 percent of their base salary. With 8 or more years of tenure, the judge or professional prosecutor's salary is 120 percent of their base salary.

Government Code Section 46.0031, Compensation of County Prosecutors, establishes a supplement from the state provided to the county in an amount equal to one-half of the amount paid to a district judge, or \$70,000, with comparable years of service divided by the total number of counties served by the prosecutor. The statute also provides that the supplement cannot be less than one-sixth of the amount paid to a district judge, or \$23,334, in which case the prosecutor will receive the minimum.

2. **Unexpended Balance Authority.** Recommendations continue the authority for the Supreme Court of Texas, Court of Criminal Appeals, 14 Courts of Appeals, Office of Court Administration, Office of Capital and Forensic Writs, Office of the State Prosecuting Attorney, and the State Commission on Judicial Conduct to carry forward any unexpended and unobligated appropriation authority remaining at the end of the first year of the biennium into the second year of the biennium.

Recommendations add the State Law Library and the 15th Court of Appeals to the list of agencies in Section 9, Unexpended Balance Authority, and deletes Rider 3, Unexpended Balances, in the State Law Library's bill pattern.

**Special Provisions - Judiciary
Rider Highlights - Senate**

Modification of Existing Riders

- Sec 7. **Schedule of Exempt Positions.** Recommendations revise **(d) Informational Listing – Judicial Compensation** to include explanatory language related to the supplement provided to county prosecutors and adds to the table the base compensation for the Chief Justice and Justice positions of the 15th Court of Appeals.
- Sec 9. **Unexpended Balance Authority.** Recommendations add the State Law Library and the 15th Court of Appeals to the list of agencies in the section to provide the authority to carry forward any unexpended, unobligated appropriation authority for non-estimated strategies within the biennium.

The following section includes recommendations to make conforming changes such as updating fiscal years and amounts to reflect recommendations: Section 5, Interagency Contracts for Assigned Judges and Appellate Courts.

Deleted Riders

- Sec 10. **Contingency for SB 1045.** Recommendations delete the rider due to the enactment of the legislation by the Eighty-eighth Legislature, Regular Session, 2023.