

1 SB292
2 208818-3
3 By Senator Albritton
4 RFD: Judiciary
5 First Read: 02-MAR-21

2
3
4 ENGROSSED

5
6
7 A BILL
8 TO BE ENTITLED
9 AN ACT

10
11 Relating to judicial compensation; to establish a
12 uniform pay plan for circuit judges, district judges,
13 appellate court judges, supreme court justices, and the chief
14 justice of the supreme court; to provide for the elimination
15 of county salary supplements and expense allowances for
16 circuit and district judges; and to repeal Section 12-17-68,
17 Code of Alabama 1975.

18 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

19 Section 1. (a) Pursuant to Amendment 426 of the
20 Constitution of Alabama 1901, now appearing as Section 148 of
21 the Official Recompilation of the Constitution of Alabama of
22 1901, as amended, and notwithstanding any other provision of
23 law, beginning on October 1, 2021, judges and justices shall
24 be compensated as follows:

25 (1) The chief justice of the supreme court's initial
26 salary shall be one hundred seventy-six thousand dollars
27 (\$176,000).

1 (2) An associate supreme court justice's initial
2 salary shall be one hundred seventy-five thousand dollars
3 (\$175,000).

4 (3) An appellate court judge's initial salary shall
5 be one hundred seventy-four thousand dollars (\$174,000). The
6 presiding judge of any appellate court shall receive
7 additional compensation of five hundred dollars (\$500) per
8 year.

9 (4) A circuit judge's initial salary shall be one
10 hundred forty thousand dollars (\$140,000).

11 (5) A district judge's initial salary shall be one
12 hundred thirty-nine thousand dollars (\$139,000).

13 (b) (1) a. The salary of circuit judges and district
14 judges shall be increased by 7.5 percent on October 1 after
15 the completion of six full years of service as a circuit or
16 district judge. The salary shall be increased by an additional
17 7.5 percent on October 1 after the completion of 12 full years
18 of service as a circuit or district judge. The salary shall be
19 increased by an additional 7.5 percent on October 1 after the
20 completion of 18 full years of service as a circuit or
21 district judge.

22 b. A district judge that is later appointed or
23 elected as a circuit judge shall receive as an initial salary
24 the base salary of a circuit judge plus the appropriate amount
25 for bench experience as a circuit or district judge as
26 provided in paragraph a.

1 c. A circuit or district judge who is later
2 appointed or elected as the chief justice of the supreme
3 court, a supreme court justice, or a judge of the appellate
4 court, shall receive the initial salary of the chief justice
5 of the supreme court, a supreme court justice, or an appellate
6 court judge as provided in subdivision (1), (2), or (3) of
7 subsection (a).

8 (2)a. The salary of the chief justice of the supreme
9 court, supreme court justices, and judges of the appellate
10 courts shall be increased by 7.5 percent on October 1 after
11 the completion of six full years of service as the chief
12 justice of the supreme court, a supreme court justice, or a
13 judge of the appellate court. The salary shall be increased by
14 an additional 7.5 percent on October 1 after the completion of
15 12 full years of service as the chief justice of the supreme
16 court, a supreme court justice, or a judge of the appellate
17 court. The salary shall be increased by an additional 7.5
18 percent on October 1 after the completion of 18 full years of
19 service as the chief justice of the supreme court, a supreme
20 court justice, or a judge of the appellate court.

21 b. A chief justice of the supreme court, a supreme
22 court justice, or a judge of the appellate court that is later
23 appointed or elected as a chief justice of the supreme court,
24 a supreme court justice, or a judge of an appellate court
25 shall receive as an initial salary the base salary of the
26 judge or justice as provided in subdivision (1), (2), or (3)
27 of subsection (a) plus the appropriate amount for bench

1 experience as the chief justice of the supreme court, a
2 supreme court justice, or a judge of the appellate court as
3 provided in paragraph a.

4 (3) The compensation paid by the state to any judge
5 or justice in service on October 1, 2021 may not be diminished
6 pursuant to this act. If a judge or justice's compensation
7 would be diminished pursuant to subsection (a), his or her
8 compensation received on October 1, 2021 shall remain the same
9 as it was prior to October 1, 2021 and may not be increased
10 until the bench experience increase provided for in subsection
11 (b) exceeds his or her current compensation.

12 (c) (1) Notwithstanding any existing general or local
13 law, existing circuit or district judges in service on October
14 1, 2021 and any circuit or district judge appointed or elected
15 after October 1, 2021 may only be paid compensation from the
16 State Treasury, and may not receive any salary supplement or
17 expense allowance, or both, from any county.

18 (2) This subsection shall supersede any local law
19 providing a salary supplement or expense allowance for a
20 circuit or district judge.

21 (d) (1) Beginning on October 1, 2021, and
22 notwithstanding any other provision of law, any compensation,
23 salary supplement, or expense allowance under existing law
24 paid by the state, or any political subdivision of the state,
25 to any elected official or state officer or employee,
26 excluding circuit and district judges, that is based in whole
27 or in part on the compensation, salary supplement, or expense

1 allowance of another judge or justice shall be based on the
2 salary, salary supplement, or expense allowance of the judge
3 or justice on September 30, 2021.

4 (2) Subdivision (1) does not apply to district
5 attorneys in office on October 1, 2021.

6 Section 2. This act ratifies any pay scales for
7 judges or justices approved prior to October 1, 2021, by the
8 current chief justice of the supreme court or any prior chief
9 justice of the supreme court.

10 Section 3. Section 12-17-68 of the Code of Alabama
11 1975, relating to local salary supplements and expense
12 allowances of district court judges, is specifically repealed.

13 Section 4. This act shall become effective on
14 October 1, 2021 following its passage and approval by the
15 Governor, or its otherwise becoming law.

1
2
3
4
5
6
7
8
9
10

11
12
13
14
15
16
17
18

Senate

Read for the first time and referred to the Senate
committee on Judiciary..... 02-MAR-21

Read for the second time and placed on the calen-
dar 1 amendment..... 01-APR-21

Read for the third time and passed as amended 08-APR-21

Yeas 29
Nays 0
Abstaining 1

Patrick Harris,
Secretary.