

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

SYNOPSIS: Under existing law, circuit judges' salaries are set by statute. District judges, appellate judges, and supreme court justices' salaries are based on circuit judges' salary.

This bill would establish the initial salaries for all state judges and justices and would provide for salary increases based on bench experience.

This bill would eliminate county salary supplements and expense allowances for circuit and district judges.

A BILL
TO BE ENTITLED
AN ACT

Relating to judicial compensation; to establish a uniform pay plan for circuit judges, district judges, appellate court judges, supreme court justices, and the chief justice of the supreme court; to provide for the elimination

1 of county salary supplements and expense allowances for
2 circuit and district judges; and to repeal Section 12-17-68,
3 Code of Alabama 1975.

4 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

5 Section 1. (a) Pursuant to Amendment 426 of the
6 Constitution of Alabama 1901, now appearing as Section 148 of
7 the Official Recompilation of the Constitution of Alabama of
8 1901, as amended, and notwithstanding any other provision of
9 law, beginning on October 1, 2021, judges and justices shall
10 be compensated as follows:

11 (1) The chief justice of the supreme court's initial
12 salary shall be one hundred seventy-six thousand dollars
13 (\$176,000).

14 (2) An associate supreme court justice's initial
15 salary shall be one hundred seventy-five thousand dollars
16 (\$175,000).

17 (3) An appellate court judge's initial salary shall
18 be one hundred seventy-four thousand dollars (\$174,000). The
19 presiding judge of any appellate court shall receive
20 additional compensation of five hundred dollars (\$500) per
21 year.

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

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

26 (b) (1) a. The salary of circuit judges and district
27 judges shall be increased by 7.5 percent on October 1 after

1 the completion of six full years of service as a circuit or
2 district judge. The salary shall be increased by an additional
3 7.5 percent on October 1 after the completion of 12 full years
4 of service as a circuit or district judge. The salary shall be
5 increased by an additional 7.5 percent on October 1 after the
6 completion of 18 full years of service as a circuit or
7 district judge.

8 b. A district judge that is later appointed or
9 elected as a circuit judge shall receive as an initial salary
10 the base salary of a circuit judge plus the appropriate amount
11 for bench experience as a circuit or district judge as
12 provided in paragraph a.

13 c. A circuit or district judge who is later
14 appointed or elected as the chief justice of the supreme
15 court, a supreme court justice, or a judge of the appellate
16 court, shall receive the initial salary of the chief justice
17 of the supreme court, a supreme court justice, or an appellate
18 court judge as provided in subdivision (1), (2), or (3) of
19 subsection (a).

20 (2)a. The salary of the chief justice of the supreme
21 court, supreme court justices, and judges of the appellate
22 courts shall be increased by 7.5 percent on October 1 after
23 the completion of six full years of service as the chief
24 justice of the supreme court, a supreme court justice, or a
25 judge of the appellate court. The salary shall be increased by
26 an additional 7.5 percent on October 1 after the completion of
27 12 full years of service as the chief justice of the supreme

1 court, a supreme court justice, or a judge of the appellate
2 court. The salary shall be increased by an additional 7.5
3 percent on October 1 after the completion of 18 full years of
4 service as the chief justice of the supreme court, a supreme
5 court justice, or a judge of the appellate court.

6 b. A chief justice of the supreme court, a supreme
7 court justice, or a judge of the appellate court that is later
8 appointed or elected as a chief justice of the supreme court,
9 a supreme court justice, or a judge of an appellate court
10 shall receive as an initial salary the base salary of the
11 judge or justice as provided in subdivision (1), (2), or (3)
12 of subsection (a) plus the appropriate amount for bench
13 experience as the chief justice of the supreme court, a
14 supreme court justice, or a judge of the appellate court as
15 provided in paragraph a.

16 (3) The compensation paid by the state to any judge
17 or justice in service on October 1, 2021 may not be diminished
18 pursuant to this act. If a judge or justice's compensation
19 would be diminished pursuant to subsection (a), his or her
20 compensation received on October 1, 2021 shall remain the same
21 as it was prior to October 1, 2021 and may not be increased
22 until the bench experience increase provided for in subsection
23 (b) exceeds his or her current compensation.

24 (c) (1) Notwithstanding any existing general or local
25 law, existing circuit or district judges in service on October
26 1, 2021 and any circuit or district judge appointed or elected
27 after October 1, 2021 may only be paid compensation from the

1 State Treasury, and may not receive any salary supplement or
2 expense allowance, or both, from any county.

3 (2) This subsection shall supersede any local law
4 providing a salary supplement or expense allowance for a
5 circuit or district judge.

6 (d) Beginning on October 1, 2021, and
7 notwithstanding any other provision of law, any compensation,
8 salary supplement, or expense allowance under existing law
9 paid by the state, or any political subdivision of the state,
10 to any elected official or state officer or employee,
11 excluding circuit and district judges, that is based in whole
12 or in part on the compensation, salary supplement, or expense
13 allowance of another judge or justice shall be based on the
14 salary, salary supplement, or expense allowance of the judge
15 or justice on September 30, 2021.

16 Section 2. This act ratifies any pay scales for
17 judges or justices approved prior to October 1, 2021, by the
18 current chief justice of the supreme court or any prior chief
19 justice of the supreme court.

20 Section 3. Section 12-17-68 of the Code of Alabama
21 1975, relating to local salary supplements and expense
22 allowances of district court judges, is specifically repealed.

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