

HB57 INTRODUCED



1 Q7CW45-1
2 By Representative Lee
3 RFD: Ways and Means General Fund
4 First Read: 07-Mar-23
5 PFD: 06-Mar-23



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SYNOPSIS:

Under existing law, the salary of the circuit clerks in the state's judicial system is based on the pay plan of the Unified Judicial System.

This bill would revise the salary of all circuit clerks in the state's judicial system, including the Deputy Circuit Clerk of the Bessemer Division of the Tenth Judicial Circuit, to increase the pay grade for circuit clerks beginning the next term of office in January 2025 based on the pay plan adopted by the personnel system of the Unified Judicial System, as amended.

A BILL
TO BE ENACTED
AN ACT

To amend Section 12-17-81 of the Code of Alabama 1975, to further provide for the salary of all circuit clerks in the Unified Judicial System based on the pay plan adopted by the personnel system of the Unified Judicial System.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 12-17-81 of the Code of Alabama 1975, is amended to read as follows:



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29 "§12-17-81

30 (a) For the purposes of this section, the following
31 terms shall have the following meanings:

32 (1) ANNIVERSARY DATE. Annually, the first Monday after
33 the second Tuesday in January.

34 (2) CIRCUIT CLERKS. All circuit clerks in the Unified
35 Judicial System and the Deputy Circuit Clerk of the Bessemer
36 Division in the Tenth Judicial Circuit.

37 ~~(2)~~ (3) PAY PLAN. The pay plan adopted by the Unified
38 Judicial System personnel system, or its successor entity,
39 providing the pay range with steps, as the same may be amended
40 from time to time.

41 ~~(3)~~ (4) STATE SALARY. The annual salary of circuit
42 clerks and district clerks payable from the State Treasury.

43 ~~(b) Effective January 18, 1999, the annual salary of~~
44 ~~circuit clerks and district clerks, who first take office by~~
45 ~~appointment or election on or after January 18, 1999, payable~~
46 ~~from the State Treasury shall be fixed at step one of the pay~~
47 ~~plan for Assistant Clerk of the Court of Criminal Appeals.~~
48 ~~Thereafter, the state salary of circuit clerks and district~~
49 ~~clerks shall be increased annually, on the anniversary date,~~
50 ~~by one step on the pay plan until the maximum step authorized~~
51 ~~by the pay plan is reached. This section shall not diminish~~
52 ~~any local supplement currently provided to any circuit clerk~~
53 ~~or district clerk pursuant to any general or local act;~~
54 ~~provided further that nothing in this section as amended by~~
55 ~~Act 98-301 of the 1998 Regular Session shall serve to increase~~
56 ~~any local supplement in effect on July 1, 1998. In no event~~



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57 ~~shall the annual state salary of any circuit clerk or district~~
58 ~~clerk be diminished by this section.~~

59 ~~(c) Effective January 18, 1999, the state salary~~
60 ~~payable to circuit clerks and district clerks, who are already~~
61 ~~serving in office on that date and who have not more than six~~
62 ~~years of service, shall be an amount equal to step five of the~~
63 ~~pay plan for Assistant Clerk of the Court of Criminal Appeals.~~
64 ~~The state salary shall be increased on January 17, 2000, or on~~
65 ~~the anniversary date of creditable service, to step six of the~~
66 ~~pay plan. Beginning on the anniversary date in the year 2002,~~
67 ~~and annually thereafter, the state salary shall be increased~~
68 ~~in an amount equal to one step in the pay plan until the~~
69 ~~maximum step authorized by the pay plan is reached.~~

70 ~~(d) Effective January 18, 1999, the state salary~~
71 ~~payable to circuit clerks and district clerks, who are in~~
72 ~~office on that date and who have not less than six and not~~
73 ~~more than 12 years of service, shall be an amount equal to~~
74 ~~fifty-four thousand dollars (\$54,000), plus one-third of the~~
75 ~~difference between fifty-four thousand dollars (\$54,000) and~~
76 ~~step 12 of the pay plan for Assistant Clerk of the Court of~~
77 ~~Criminal Appeals. The state salary shall be increased on~~
78 ~~January 17, 2000, to an amount equal to fifty-four thousand~~
79 ~~dollars (\$54,000), plus two-thirds of the difference between~~
80 ~~fifty-four thousand dollars (\$54,000) and step 12 of the pay~~
81 ~~plan. The state salary shall be increased on January 15, 2001,~~
82 ~~or on the anniversary date of creditable service, to an amount~~
83 ~~equal to step 12 of the pay plan. Beginning on the anniversary~~
84 ~~date in the year 2002, and annually thereafter, the state~~



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85 ~~salary shall be increased in an amount equal to one step in~~
86 ~~the pay plan until the maximum step authorized by the pay plan~~
87 ~~is reached.~~

88 ~~(e) Effective January 18, 1999, the state salary~~
89 ~~payable to circuit clerks and district clerks, who are in~~
90 ~~office on that date and who have more than 12 years of~~
91 ~~service, shall be an amount equal to fifty-four thousand~~
92 ~~dollars (\$54,000), plus one-third of the difference between~~
93 ~~fifty-four thousand dollars (\$54,000) and step 18 of the pay~~
94 ~~plan for Assistant Clerk of the Court of Criminal Appeals. The~~
95 ~~state salary shall be increased on January 17, 2000, to an~~
96 ~~amount equal to fifty-four thousand dollars (\$54,000), plus~~
97 ~~two-thirds of the difference between fifty-four thousand~~
98 ~~dollars (\$54,000) and step 18 of the pay plan for Assistant~~
99 ~~Clerk of the Court of Criminal Appeals. The state salary shall~~
100 ~~be increased on January 15, 2001, or on the anniversary date~~
101 ~~of creditable service, to an amount equal to step 18 of the~~
102 ~~pay plan.~~

103 ~~(f) Notwithstanding the provisions of this section as~~
104 ~~amended by Act 98-301 of the 1998 Regular Session, no circuit~~
105 ~~or district clerk shall receive any salary increase for state~~
106 ~~employees which is enacted to apply effective FY 1999.~~

107 (b) Effective beginning with the term of office
108 commencing in January 2025, the annual salary of circuit
109 clerks who first take office by appointment or election on or
110 after that date payable from the State Treasury shall be fixed
111 at step one of pay grade 86 of the pay plan and the annual
112 salary of circuit clerks serving in office prior to that date



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113 and continuing to serve who are receiving a salary in pay
114 grade 84 shall be fixed at the corresponding step in pay grade
115 86 of the pay plan. Thereafter, the state salary of circuit
116 clerks shall be increased annually on the anniversary date, by
117 one step on the pay plan until the maximum step authorized by
118 the pay plan is reached.

119 (c) This section shall not diminish any local
120 supplement provided to a circuit clerk pursuant to any general
121 or local act in effect on of the effective date of the act
122 adding this language; provided further that nothing in this
123 section shall increase any local supplement. In no event shall
124 the annual state salary of any circuit clerk be diminished by
125 this section."

126 Section 2. This act shall become effective beginning
127 the next term of circuit clerks beginning in January 2025,
128 following its passage and approval by the Governor, or its
129 otherwise becoming law.