HB353 ENROLLED



- 1 HB353
- 2 QN2KC54-2
- 3 By Representative Hill
- 4 RFD: Ways and Means General Fund
- 5 First Read: 27-Feb-25



1 Enrolled, An Act,

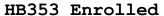
- Relating to compensation for district attorneys,
- 4 judges, and certain local officials; to amend Sections
- 5 12-10B-1 and 12-10B-3, Code of Alabama 1975, to remove
- 6 restrictions on district attorney salary increases; and to
- 7 amend Section 12-17-182, Code of Alabama 1975, to provide for
- 8 the compensation of newly appointed district attorneys.
- 9 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:
- 10 Section 1. Sections 12-10B-1 and 12-10B-3, Code of
- 11 Alabama 1975, are amended to read as follows:
- 12 "\$12-10B-1
- 13 (a) Pursuant to—Amendment 426 Section 148 of the
- 14 Constitution of Alabama 1901 of 2022, now appearing as Section
- 15 148 of the Official Recompilation of the Constitution of
- 16 Alabama of 1901, as amended, and notwithstanding any other
- provision of law, beginning on October 1, 2021, judges and
- 18 justices shall be compensated as follows:
- 19 (1) The chief justice of the supreme court's initial
- 20 salary shall be one hundred seventy-six thousand dollars
- 21 (\$176,000).
- 22 (2) An associate supreme court justice's initial salary
- shall be one hundred seventy-five thousand dollars (\$175,000).
- 24 (3) An appellate court judge's initial salary shall be
- one hundred seventy-four thousand dollars (\$174,000). The
- 26 presiding judge of any appellate court shall receive
- 27 additional compensation of five hundred dollars (\$500) per
- 28 year.



- 29 (4) A circuit judge's initial salary shall be one 30 hundred forty thousand dollars (\$140,000).
- 31 (5) A district judge's initial salary shall be one 32 hundred thirty-nine thousand dollars (\$139,000).

- 33 (b) Each of these amounts shall be adjusted by the
 34 Administrative Office of Courts to reflect any cost-of-living
 35 adjustment effective on or after October 1, 2021.
 - (b)(1)a.(c)(1)a. The salary of circuit judges and district judges shall be increased by 7.5 percent on October 1 after the completion of six full years of service as a circuit or district judge. The salary shall be increased by an additional 7.5 percent on October 1 after the completion of 12 full years of service as a circuit or district judge. The salary shall be increased by an additional 7.5 percent on October 1 after the completion of 18 full years of service as a circuit or district judge.
 - b. A district judge who is subsequently appointed or elected as a circuit judge shall receive as an initial salary the base salary of a circuit judge plus the appropriate amount for bench experience as a circuit or district judge as provided in paragraph a.
 - c. A circuit or district judge who is subsequently appointed or elected as the chief justice of the supreme court, a supreme court justice, or a judge of the appellate court, shall receive the initial salary of the chief justice of the supreme court, a supreme court justice, or an appellate court judge as provided in <u>subdivision</u> subdivisions (a) (1), (a) (2), or (a) (3) <u>of subsection</u> (a).







- (2) a. The salary of the chief justice of the supreme court, supreme court justices, and judges of the appellate courts shall be increased by 7.5 percent on October 1 after the completion of six full years of service as the chief justice of the supreme court, a supreme court justice, or a judge of the appellate court. The salary shall be increased by an additional 7.5 percent on October 1 after the completion of 12 full years of service as the chief justice of the supreme court, a supreme court justice, or a judge of the appellate court. The salary shall be increased by an additional 7.5 percent on October 1 after the completion of 18 full years of service as the chief justice of the supreme court, a supreme court justice, or a judge of the appellate court.
 - b. A chief justice of the supreme court, a supreme court justice, or a judge of the appellate court who is subsequently appointed or elected as a chief justice of the supreme court, a supreme court justice, or a judge of an appellate court shall receive as an initial salary the base salary of the judge or justice as provided in—subdivision—subdivisions (a) (1), (a) (2), or (a) (3)—of subsection (a), plus the appropriate amount for bench experience as the chief justice of the supreme court, a supreme court justice, or a judge of the appellate court as provided in paragraph a.
 - (3) The compensation paid by the state to any judge or justice in service on October 1, 2021, may not be diminished pursuant to this section. If a judge's or justice's compensation would be diminished pursuant to subsection (a), his or her compensation received on October 1, 2021, shall



remain the same as it was prior to October 1, 2021, and may not be increased until the bench experience increase provided for in subsection (b) exceeds his or her current compensation.

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

- (2) This subsection shall supersede any local law providing a salary supplement or expense allowance for a circuit or district judge."
- 98 "\$12-10B-3

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- 99 (a) Beginning on October 1, 2021, and notwithstanding any other provision of law, any compensation, salary 100 supplement, or expense allowance under existing law paid by 101 102 the state, or any political subdivision of the state, to any 103 elected official or state officer or employee, excluding 104 circuit and district judges, district attorneys, and the 105 Attorney General, that is based in whole or in part on the 106 compensation, salary supplement, or expense allowance of another judge or justice shall be based on the salary, salary 107 108 supplement, or expense allowance of the judge or justice on 109 September 30, 2021.
- 110 (b) Beginning with the next term of office following

 111 October 1, 2025, the compensation of any elected official

 112 subject to a local law that sets his or her compensation in



113	whole or in part on the salary of a circuit or district judge			
114	shall be calculated using the base amounts in Section			
115	12-10B-1, and any adjustment based on service or longevity			
116	must be based on the elected official's own time in office.			
117	(c) Any compensation paid to an elected official			
118	subject to this section between October 1, 2021, and the			
119	official's next term of office commencing after October 1,			
120	2025, is ratified and confirmed."			
121	Section 2. Section 12-17-182, Code of Alabama 1975, is			
122	also amended to read as follows:			
123	" §12-17-182			
124	(a) (1) Subject to subdivision (2), district District			
125	attorneys for each judicial circuit in the state serving on			
126	October 1, 2021, until the end of his or her service, shall be			
127	paid by the state an annual salary of an amount equal to one			
128	thousand dollars (\$1,000) less than the salary paid by the			
129	state to the highest paid circuit judge of the state, payable			
130	as the salaries of other state officers are paid. District			
131	attorneys holding office on October 1, 2021, are exempt from			
132	subsection (b).			
133	(2) A district attorney's salary may only increase			
134	after the completion of the term for which he or she was			
135	appointed or elected, and after completion of any subsequent			
136	elected term.			
137	(b)(1) Notwithstanding subsection (a), any district			
138	attorney newly appointed or elected after October 1, 2021,			
139	shall receive an initial salary of one hundred forty thousand			

dollars (\$140,000). This amount shall be adjusted to reflect



141 any cost-of-living adjustment enacted by the Legislature on or
142 after October 1, 2021.

- by 7.5 percent for the term commencing after the completion of the first term for which he or she was appointed or elected as district attorney. The salary shall be increased by an additional 7.5 percent for the term commencing after the completion of his or her second term as district attorney. The salary shall be increased by an additional 7.5 percent for the term commencing after the completion of his or her second term as district attorney. The term commencing after the completion of his or her third term as district attorney. The salary shall further be increased by any cost-of-living adjustment enacted by the Legislature not already granted to the district attorney during the previous term.
- (c) The compensation paid by the state to any district attorney in service on October 1, 2021, 2025 may not be diminished pursuant to Act 2021-441 the act adding this amendatory language.
- 160 proposed in Senate Bill of the 2025 Regular Session,

 161 providing that the salary of a district attorney may not be

 162 decreased during his or her term of office, the salary of each

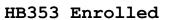
 163 district attorney shall be increased by any cost-of-living

 164 adjustment effective on or after October 1, 2021, that is not

 165 already reflected in his or her compensation.
- (e) The salary adjustment pursuant to subdivision

 (b) (1) is prospective and a district attorney serving on

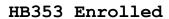
 October 1, 2025 shall not receive back pay."





Section 3. This act shall become effective on October

170 1, 2025.





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180		Speaker of the House of Repre	esentatives		
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185	President and Presiding Officer of the Senate				
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188	House of Representatives				
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190	I hereby certify that the within Act originated in and				
191	was passed by the House 01-Apr-25, as amended.				
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193		John Treadwell			
194	Clerk				
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200	Senate	06-May-25	Amended and Passed		
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202	House	06-May-25	Concurred in Senate		
203			Amendment		
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