

SB227 INTRODUCED



1 SB227
2 LS3PWYW-1
3 By Senator Barfoot
4 RFD: Finance and Taxation General Fund
5 First Read: 05-Mar-25



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4 SYNOPSIS:

5 Under existing law, the salary of any justice,
6 judge, or district attorney newly appointed or elected
7 is set by law.

8 This bill would make certain technical
9 amendments to the law to allow for the implementation
10 of certain cost-of-living adjustments already enacted.

11 This bill would also further implement a
12 proposed constitutional amendment to change when a
13 district attorney's salary may be altered.

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16 A BILL
17 TO BE ENTITLED
18 AN ACT
19

20 Relating to compensation for district attorneys,
21 judges, and certain local officials; to amend Sections
22 12-10B-1 and 12-10B-3, Code of Alabama 1975, to remove
23 restrictions on district attorney salary increases; and to
24 amend Section 12-17-182, Code of Alabama 1975, to provide for
25 the compensation of newly appointed district attorneys.

26 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

27 Section 1. Sections 12-10B-1 and 12-10B-3, Code of
28 Alabama 1975, are amended to read as follows:



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"§12-10B-1

(a) Pursuant to ~~Amendment 426~~ Section 148 of the Constitution of Alabama ~~1901 of 2022, now appearing as Section 148 of the Official Recompilation of the Constitution of Alabama of 1901, as amended~~, and notwithstanding any other provision of law, beginning on October 1, 2021, judges and justices shall be compensated as follows:

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

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

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

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

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

(b) Each of these amounts shall be adjusted by the Administrative Office of Courts to reflect any cost-of-living 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



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57 additional 7.5 percent on October 1 after the completion of 12
58 full years of service as a circuit or district judge. The
59 salary shall be increased by an additional 7.5 percent on
60 October 1 after the completion of 18 full years of service as
61 a circuit or district judge.

62 b. A district judge who is subsequently appointed or
63 elected as a circuit judge shall receive as an initial salary
64 the base salary of a circuit judge plus the appropriate amount
65 for bench experience as a circuit or district judge as
66 provided in paragraph a.

67 c. A circuit or district judge who is subsequently
68 appointed or elected as the chief justice of the supreme
69 court, a supreme court justice, or a judge of the appellate
70 court, shall receive the initial salary of the chief justice
71 of the supreme court, a supreme court justice, or an appellate
72 court judge as provided in ~~subdivision~~ subdivisions (a) (1),
73 (a) (2), or (a) (3) ~~of subsection (a)~~.

74 (2)a. The salary of the chief justice of the supreme
75 court, supreme court justices, and judges of the appellate
76 courts shall be increased by 7.5 percent on October 1 after
77 the completion of six full years of service as the chief
78 justice of the supreme court, a supreme court justice, or a
79 judge of the appellate court. The salary shall be increased by
80 an additional 7.5 percent on October 1 after the completion of
81 12 full years of service as the chief justice of the supreme
82 court, a supreme court justice, or a judge of the appellate
83 court. The salary shall be increased by an additional 7.5
84 percent on October 1 after the completion of 18 full years of



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85 service as the chief justice of the supreme court, a supreme
86 court justice, or a judge of the appellate court.

87 b. A chief justice of the supreme court, a supreme
88 court justice, or a judge of the appellate court who is
89 subsequently appointed or elected as a chief justice of the
90 supreme court, a supreme court justice, or a judge of an
91 appellate court shall receive as an initial salary the base
92 salary of the judge or justice as provided in ~~subdivision~~
93 subdivisions (a) (1), (a) (2), or (a) (3) ~~of subsection (a)~~, plus
94 the appropriate amount for bench experience as the chief
95 justice of the supreme court, a supreme court justice, or a
96 judge of the appellate court as provided in paragraph a.

97 (3) The compensation paid by the state to any judge or
98 justice in service on October 1, 2021, may not be diminished
99 pursuant to this section. If a judge's or justice's
100 compensation would be diminished pursuant to subsection (a),
101 his or her compensation received on October 1, 2021, shall
102 remain the same as it was prior to October 1, 2021, and may
103 not be increased until the bench experience increase provided
104 for in subsection (b) exceeds his or her current compensation.

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

112 (2) This subsection shall supersede any local law



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providing a salary supplement or expense allowance for a circuit or district judge."

"§12-10B-3

(a) Beginning on October 1, 2021, and notwithstanding any other provision of law, any compensation, salary supplement, or expense allowance under existing law paid by the state, or any political subdivision of the state, to any elected official or state officer or employee, excluding circuit and district judges, district attorneys, and the Attorney General, that is based in whole or in part on the compensation, salary supplement, or expense allowance of another judge or justice shall be based on the salary, salary supplement, or expense allowance of the judge or justice on September 30, 2021.

(b) Beginning with the next term of office following October 1, 2025, the compensation of any elected official subject to a local law that sets his or her compensation in whole or in part on the salary of a circuit or district judge shall be calculated using the base amounts in Section 12-10B-1, and any adjustment based on service or longevity must be based on the elected official's own time in office.

(c) Any compensation paid to an elected official subject to this section between October 1, 2021, and the official's next term of office commencing after October 1, 2025, is ratified and confirmed."

Section 2. Section 12-17-182, Code of Alabama 1975, is also amended to read as follows:

"§12-17-182



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(a) ~~(1) Subject to subdivision (2), district~~ District attorneys for each judicial circuit in the state serving on October 1, 2021, until the end of his or her service, shall be paid by the state an annual salary of an amount equal to one thousand dollars (\$1,000) less than the salary paid by the state to the highest paid circuit judge of the state, payable as the salaries of other state officers are paid. District attorneys holding office on October 1, 2021, are exempt from subsection (b).

~~(2) A district attorney's salary may only increase after the completion of the term for which he or she was appointed or elected, and after completion of any subsequent elected term.~~

(b) (1) Notwithstanding subsection (a), any district attorney newly appointed or elected after October 1, 2021, shall receive ~~an initial salary of one hundred forty thousand dollars (\$140,000)~~ the salary equivalent to an incoming circuit court judge as determined by the Alabama Administrative Office of Courts.

(2) The salary of district attorneys shall be increased 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 third term as district attorney. The salary shall further be increased by



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169 any cost-of-living adjustment enacted by the Legislature not
170 already granted to the district attorney during the previous
171 term.

172 (c) The compensation paid by the state to any district
173 attorney in service on October 1, ~~2021~~, 2025 may not be
174 diminished pursuant to ~~Act 2021-441~~ the act adding this
175 amendatory language.

176 (d) Upon ratification of the constitutional amendment
177 proposed in Senate Bill of the 2025 Regular Session,
178 providing that the salary of a district attorney may not be
179 decreased during his or her term of office, the salary of each
180 district attorney shall be increased by any cost-of-living
181 adjustment effective on or after October 1, 2021, that is not
182 already reflected in his or her compensation."

183 Section 3. This act shall become effective on October
184 1, 2025.