

HB34 INTRODUCED



1 HB34
2 88Y72H-1
3 By Representative Hill
4 RFD: Judiciary
5 First Read: 06-Feb-24
6 PFD: 12-Jan-24



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SYNOPSIS:

Under existing law, a district judge who is appointed or elected as a circuit judge receives as an initial salary the base salary for a circuit judge plus the appropriate amount for bench experience as a district judge.

Under existing law, a supreme court justice or judge of an appellate court who is appointed or elected to the supreme court or an appellate court receives as an initial salary the base salary for a supreme court justice or appellate court judge plus the appropriate amount for bench experience as a judge or justice.

This bill provides that a supreme court justice, appellate court judge, circuit judge, or district judge's salary shall be based on the number of years he or she has served as a judge or justice of a state court.

A BILL
TO BE ENTITLED
AN ACT

Relating to judicial compensation; to amend Section 12-10B-1, Code of Alabama 1975, to provide that a justice or



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29 judge's salary shall be based on the number of years he or she
30 has served as a judge or justice of a state court.

31 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

32 Section 1. Section 12-10B-1, Code of Alabama 1975, is
33 amended to read as follows:

34 "§12-10B-1

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

41 (1) The chief justice of the supreme court's initial
42 salary shall be one hundred seventy-six thousand dollars
43 (\$176,000).

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

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

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

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

55 (b) (1) ~~a.~~ The salary of the chief justice of the supreme
56 court, supreme court associate justices, judges of the



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57 appellate courts, circuit judges, and district judges shall be
58 increased by 7.5 percent on October 1 after the completion of
59 six full years of service as a circuit ~~or,~~ district, or
60 appellate judge or justice. The salary shall be increased by
61 an additional 7.5 percent on October 1 after the completion of
62 12 full years of service as a circuit ~~or,~~ district or
63 appellate judge or justice. The salary shall be increased by
64 an additional 7.5 percent on October 1 after the completion of
65 18 full years of service as a circuit ~~or,~~ district, or
66 appellate judge or justice.

67 ~~b. A district judge who is subsequently appointed or~~
68 ~~elected as a circuit judge shall receive as an initial salary~~
69 ~~the base salary of a circuit judge plus the appropriate amount~~
70 ~~for bench experience as a circuit or district judge as~~
71 ~~provided in paragraph a.~~

72 ~~c. A circuit or district judge who is subsequently~~
73 ~~appointed or elected as the chief justice of the supreme~~
74 ~~court, a supreme court justice, or a judge of the appellate~~
75 ~~court, shall receive the initial salary of the chief justice~~
76 ~~of the supreme court, a supreme court justice, or an appellate~~
77 ~~court judge as provided in subdivision (1), (2), or (3) of~~
78 ~~subsection (a).~~

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



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85 ~~an additional 7.5 percent on October 1 after the completion of~~
86 ~~12 full years of service as the chief justice of the supreme~~
87 ~~court, a supreme court justice, or a judge of the appellate~~
88 ~~court. The salary shall be increased by an additional 7.5~~
89 ~~percent on October 1 after the completion of 18 full years of~~
90 ~~service as the chief justice of the supreme court, a supreme~~
91 ~~court justice, or a judge of the appellate court.~~

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

102 ~~(3)~~ (2) The compensation paid by the state to any judge
103 or justice in service on October 1, 2021, may not be
104 diminished pursuant to this section. If a judge's or justice's
105 compensation would be diminished pursuant to subsection (a),
106 his or her compensation received on October 1, 2021, shall
107 remain the same as it was prior to October 1, 2021, and may
108 not be increased until the bench experience increase provided
109 for in subsection (b) exceeds his or her current compensation.

110 (c) (1) Notwithstanding any existing general or local
111 law, existing circuit or district judges in service on October
112 1, 2021, and any circuit or district judge appointed or



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113 elected after October 1, 2021, may only be paid compensation
114 from the State Treasury, and may not receive any salary
115 supplement or expense allowance, or both, from any county.

116 (2) This subsection shall supersede any local law
117 providing a salary supplement or expense allowance for a
118 circuit or district judge."

119 Section 2. This act shall become effective immediately.