

STATE OF OKLAHOMA

2nd Session of the 48th Legislature (2002)

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 2789

By: Askins

COMMITTEE SUBSTITUTE

An Act relating to courts; amending 20 O.S. 2001, Sections 3.1, 30.2A, 31.2 and 92.1A, which relate to salaries and compensation of judiciary; providing exception to statutory salaries; creating the Board on Judicial Compensation to establish compensation for members of the State Judiciary, subject to amendment or rejection by the Legislature; providing for membership and appointment; providing for staffing and support; providing terms; providing for officers; providing for travel reimbursement; providing for meetings; providing duties; providing for a quorum; providing effective date for changes in salaries, subject to legislative action; defining State Judiciary for purposes of act; providing for codification; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 20 O.S. 2001, Section 3.1, is amended to read as follows:

Section 3.1 ~~Notwithstanding other limits established by law, beginning January 1, 2001~~ Except as otherwise provided by the Board on Judicial Compensation, the following judicial officers shall receive compensation for their services, payable monthly as follows:

1. The Chief Justice of the Oklahoma Supreme Court shall receive an annual salary of One Hundred Ten Thousand and Two Hundred Ninety-nine Dollars (\$110,299.00); and
2. An Associate Justice of the Oklahoma Supreme Court shall receive an annual salary of One Hundred Six Thousand Seven Hundred Six Dollars (\$106,706.00).

SECTION 2. AMENDATORY 20 O.S. 2001, Section 30.2A, is amended to read as follows:

Section 30.2A ~~Notwithstanding other limits established by law, beginning January 1, 2001~~ Except as otherwise provided by the Board on Judicial Compensation, the following judicial officers shall receive compensation for their services, payable monthly as follows:

1. The Presiding Judge of the Oklahoma Court of Civil Appeals shall receive an annual salary of One Hundred Three Thousand One Hundred Nine Dollars (\$103,109.00); and

2. A Judge of the Oklahoma Court of Civil Appeals shall receive an annual salary of One Hundred One Thousand Seven Hundred Fourteen Dollars (\$101,714.00).

SECTION 3. AMENDATORY 20 O.S. 2001, Section 31.2, is amended to read as follows:

Section 31.2 ~~Notwithstanding other limits established by law, beginning January 1, 2001~~ Except as otherwise provided by the Board on Judicial Compensation, the following judicial officers shall receive compensation for their services, payable monthly as follows:

1. The Presiding Judge of the Oklahoma Court of Criminal Appeals shall receive an annual salary of One Hundred Ten Thousand Two Hundred Ninety-nine Dollars (\$110,299.00); and

2. A Judge of the Oklahoma Court of Criminal Appeals shall receive an annual salary of One Hundred Six Thousand Seven Hundred Six Dollars (\$106,706.00).

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 31.3 of Title 20, unless there is created a duplication in numbering, reads as follows:

A. There is hereby created the Board on Judicial Compensation. Members of the State Judiciary shall receive such compensation as shall be fixed by the Board on Judicial Compensation, unless such compensation is rejected or amended by an affirmative vote of the Legislature.

B. The Board shall be composed of seven (7) members. Two members shall be appointed by the Speaker of the House of Representatives; two members shall be appointed by the President Pro Tempore of the Senate; two members shall be appointed by the Governor; and one member shall be appointed by the Chief Justice of the Oklahoma Supreme Court. The members appointed by the Speaker of the House of Representatives shall be from communications media and retail business. The members appointed by the President Pro Tempore of the Senate shall be from labor and civic organizations. The members appointed by the Governor shall be from manufacturing and professional fields not otherwise specified. The member appointed by the Chief Justice of the Supreme Court shall be from agriculture. No more than four members shall be from any one political party. No active or retired judge or attorney practicing law in any state may serve on the Board on Judicial Compensation.

C. The Administrative Office of the Courts shall provide such staff and support as is necessary for the Board on Judicial Compensation to carry out its duties. Requests from the Board for staff and support shall be coordinated through the Office of the Administrative Director of the Courts.

D. The members of the Board shall serve terms which run concurrently with the terms of the respective appointed authorities and shall serve at their pleasure.

E. The members of the Board shall select a chair and secretary and such other officers as they deem necessary.

F. Members of the Board shall serve without compensation but shall be reimbursed for all actual and necessary expenses incurred in the performance of their duties in accordance with the State Travel Reimbursement Act.

SECTION 5. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 31.4 of Title 20, unless there is created a duplication in numbering, reads as follows:

A. The Board on Judicial Compensation shall meet on the third Tuesday of September in every odd-numbered year at nine o'clock a.m. in the Administrative Office of the Courts, at which meeting the Board shall review the compensation paid to members of the State Judiciary and, if necessary, change the compensation. In its review, the Board shall consider various factors, including judicial compensation in other states, with an emphasis on states within the region, the value of comparable services performed in the private sector, compensation of attorneys in the private and public sectors, compensation of other state, county and municipal public officials, and changes in the cost of living. The Board may, at the call of the chair or upon a majority vote of its membership, hold such additional meetings as are necessary to carry out its official duties. Any change in judicial compensation shall be made by the Board not later than the third Tuesday of November in said odd-numbered year. Four members of the Board shall constitute a quorum and a majority vote of the quorum shall be necessary for the Board to act.

B. Any change in judicial compensation, unless rejected or amended as provided for in Section 4 of this act, shall become effective on July 1 of the following calendar year. Any amendment by an affirmative vote of the Legislature shall become effective as provided by said amendment.

SECTION 6. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 31.5 of Title 20, unless there is created a duplication in numbering, reads as follows:

For purposes of this act, the State Judiciary for which the Board on Judicial Compensation shall review and set compensation shall be as follows:

1. The Chief Justice of the Oklahoma Supreme Court;
2. The Associate Justices of the Oklahoma Supreme Court;

3. The Presiding Judge of the Oklahoma Court of Criminal Appeals;

4. The Judges of the Oklahoma Court of Criminal Appeals;

5. The Presiding Judge of the Oklahoma Court of Civil Appeals;

6. The Judges of the Oklahoma Court of Civil Appeals; and

7. The District Court Judges of the State of Oklahoma.

SECTION 7. AMENDATORY 20 O.S. 2001, Section 92.1A, is amended to read as follows:

Section 92.1A ~~Notwithstanding other limits established by law, beginning January 1, 2001~~ Except as otherwise provided by the Board on Judicial Compensation, the following judicial officers shall receive compensation for their services, payable monthly as follows:

1. A judge of the district court shall receive an annual salary of Ninety-five Thousand Eight Hundred Ninety-eight Dollars (\$95,898.00);

2. An associate district judge:

a. in a county with a population of thirty thousand (30,000) or more persons shall receive an annual salary of Eighty-seven Thousand Eight Hundred Seventy-five Dollars (\$87,875.00) ~~+~~ and

b. in a county with a population of less than thirty thousand (30,000) persons, shall receive an annual salary of Eighty-five Thousand Five Hundred Dollars (\$85,500.00); and

3. A special judge shall receive an annual salary of Eighty Thousand Seven Hundred Fifty Dollars (\$80,750.00).

SECTION 8. This act shall become effective January 1, 2003.

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