

ENROLLED SENATE
BILL NO. 1075

By: Morgan and Robinson of the
Senate

and

Mitchell and Bonny of the
House

An Act relating to justices and judges; amending 20 O.S. 2001, Section 3.1, which relates to the Supreme Court; providing exception; increasing compensation; 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; amending 20 O.S. 2001, Section 30.2A, which relates to the Court of Civil Appeals; providing exception; increasing compensation; amending 20 O.S. 2001, Sections 31 and 31.2, which relate to the Court of Criminal Appeals; tying salaries to Justices of the Supreme Court; providing exception; increasing compensation; amending 20 O.S. 2001, Section 92.1A, which relates to district court judges; providing exception; increasing compensation; deleting certain compensation qualifier for associate district judges; 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)~~ One Hundred Seventeen Thousand Five Hundred Seventy-one Dollars (\$117,571.00); 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)~~ One Hundred Thirteen Thousand Five Hundred Seventy-one Dollars (\$113,571.00).

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3.2 of Title 20, unless there is created a duplication in numbering, reads as follows:

A. There is hereby created the Board on Judicial Compensation. Pursuant to the provisions of Section 11 of Article VII of the Oklahoma Constitution, members of the State Judiciary shall receive compensation as shall be fixed by the Board on Judicial Compensation as provided in this act, unless such compensation is rejected or amended by law passed by a majority vote of each house of the Legislature. If the Governor vetoes such a law, the procedure shall be the same as for the veto of any other bill or joint resolution.

B. The Board shall be composed of seven (7) members. Two members shall be appointed by the President Pro Tempore of the Senate, two members shall be appointed by the Speaker of the House of Representatives, two members shall be appointed by the Governor, and one member shall be appointed by the Chief Justice of the Supreme Court. The members appointed by the President Pro Tempore of the Senate shall be from labor and civic organizations. The members appointed by the Speaker of the House of Representatives shall be from communications media and retail business. 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 appointing 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 by their appointing authority for all actual and necessary expenses incurred in the performance of their duties in accordance with the State Travel Reimbursement Act.

SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3.3 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 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 2 of this act, shall become effective on July 1 of the following calendar year. Any amendment passed by a majority vote of each house of the Legislature shall become effective as provided by said amendment unless vetoed by the Governor.

SECTION 4. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 3.4 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 Supreme Court;
2. The Associate Justices of the Supreme Court;
3. The Presiding Judge of the Court of Criminal Appeals;
4. The Judges of the Court of Criminal Appeals;
5. The Presiding Judge of the Court of Civil Appeals;
6. The Judges of the Court of Civil Appeals;
7. The district court judges;
8. The associate district court judges; and
9. The special district court judges.

SECTION 5. 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)~~ One Hundred Nine Thousand Seven Hundred Thirty-one Dollars (\$109,731.00); 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)~~ One Hundred Eight Thousand Three Hundred Thirty-six Dollars (\$108,336.00).

SECTION 6. AMENDATORY 20 O.S. 2001, Section 31, is amended to read as follows:

Section 31. The Court of Criminal Appeals shall consist of five (5) Judges, any three of whom shall constitute a quorum, and the concurrence of three Judges shall be necessary to a decision of said Court. Said Judges shall have the same qualifications and receive the same salaries as Justices of the Supreme Court.

SECTION 7. 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)~~ One Hundred Seventeen Thousand Five Hundred Seventy-one Dollars (\$117,571.00); 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)~~ One Hundred Thirteen Thousand Five Hundred Seventy-one Dollars (\$113,571.00).

SECTION 8. 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)~~ One Hundred Two Thousand Five Hundred Twenty-nine Dollars (\$102,529.00);

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)~~ Ninety-four Thousand Eight Hundred Thirty-nine Dollars (\$94,839.00); 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);~~

3. A special judge shall receive an annual salary of ~~Eighty Thousand Seven Hundred Fifty Dollars (\$80,750.00)~~ Eighty-seven Thousand One Hundred Fifty Dollars (\$87,150.00).

SECTION 9. This act shall become effective July 1, 2005.

Passed the Senate the 27th day of May, 2004.

Presiding Officer of the Senate

Passed the House of Representatives the 28th day of May, 2004.

Presiding Officer of the House
of Representatives

