

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                                   STATE OF OKLAHOMA

3                                   1st Session of the 55th Legislature (2015)

4   ENGROSSED SENATE

5   BILL NO. 548

By: Sykes of the Senate

and

Sears of the House

6  
7  
8  
9       An Act relating to judicial officers; amending 20  
10      O.S. 2011, Sections 3.1, 3.2, 3.3, 30.2A and 31.2,  
11      which relate to salaries; requiring legislative  
12      approval of changes in judicial compensation;  
13      authorizing legislative amendment of changes in  
14      judicial compensation; modifying compensation of  
15      certain judicial officers; requiring payment from  
16      existing available funds; and providing an effective  
17      date.

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

19       SECTION 1.       AMENDATORY       20 O.S. 2011, Section 3.1, is  
20      amended to read as follows:

21       Section 3.1.   A.   Except as otherwise provided by the Board on  
22      Judicial Compensation, the following judicial officers shall receive  
23      compensation for their services, payable monthly as follows:

24       1.   The Chief Justice of the Supreme Court shall receive an  
25      annual salary of ~~One Hundred Seventeen Thousand Five Hundred~~  
26      ~~Seventy one Dollars (\$117,571.00)~~ One Hundred Fifty-five Thousand  
27      Eight Hundred Twenty Dollars (\$155,820.00); and

1           2. An Associate Justice of the Supreme Court shall receive an  
2 annual salary of ~~One Hundred Thirteen Thousand Five Hundred Seventy-~~  
3 ~~one Dollars (\$113,571.00)~~ One Hundred Forty-five Thousand Nine  
4 Hundred Fourteen Dollars (\$145,914.00).

5           B. Any increase in salary provided for in subsection A of this  
6 section must be paid from existing available funds.

7           SECTION 2.           AMENDATORY           20 O.S. 2011, Section 3.2, is  
8 amended to read as follows:

9           Section 3.2. A. There is hereby created the Board on Judicial  
10 Compensation. Pursuant to the provisions of Section 11 of Article  
11 VII of the Oklahoma Constitution, members of the State Judiciary  
12 shall receive compensation as shall be fixed by the Board on  
13 Judicial Compensation as provided in ~~this act~~ Section 3.1 et seq. of  
14 this title, unless if such compensation is ~~rejected~~ approved, or  
15 amended and approved, by law passed by a majority vote of each house  
16 of the Legislature. If the Governor vetoes such a law, the  
17 procedure shall be the same as for the veto of any other bill or  
18 joint resolution.

19           B. The Board shall be composed of seven (7) members. Two  
20 members shall be appointed by the President Pro Tempore of the  
21 Senate, two members shall be appointed by the Speaker of the House  
22 of Representatives, two members shall be appointed by the Governor,  
23 and one member shall be appointed by the Chief Justice of the  
24 Supreme Court. The members appointed by the President Pro Tempore

1 of the Senate shall be from labor and civic organizations. The  
2 members appointed by the Speaker of the House of Representatives  
3 shall be from communications media and retail business. The members  
4 appointed by the Governor shall be from manufacturing and  
5 professional fields not otherwise specified. The member appointed  
6 by the Chief Justice of the Supreme Court shall be from agriculture.  
7 No more than four members shall be from any one political party. No  
8 active or retired judge or attorney practicing law in any state may  
9 serve on the Board on Judicial Compensation.

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

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

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

20 F. Members of the Board shall serve without compensation but  
21 shall be reimbursed by their appointing authority for all actual and  
22 necessary expenses incurred in the performance of their duties in  
23 accordance with the State Travel Reimbursement Act.  
24

1       SECTION 3.       AMENDATORY       20 O.S. 2011, Section 3.3, is  
2 amended to read as follows:

3       Section 3.3. A. The Board on Judicial Compensation shall meet  
4 on the third Tuesday of September in every odd-numbered year in the  
5 Administrative Office of the Courts, at which meeting the Board  
6 shall review the compensation paid to members of the State Judiciary  
7 and, if necessary, change the compensation. In its review, the  
8 Board shall consider various factors, including judicial  
9 compensation in other states, with an emphasis on states within the  
10 region, the value of comparable services performed in the private  
11 sector, compensation of attorneys in the private and public sectors,  
12 compensation of other state, county and municipal public officials,  
13 and changes in the cost of living. The Board may, at the call of  
14 the chair or upon a majority vote of its membership, hold such  
15 additional meetings as are necessary to carry out its official  
16 duties. Any change in judicial compensation shall be made by the  
17 Board not later than the third Tuesday of November in said odd-  
18 numbered year. Four members of the Board shall constitute a quorum  
19 and a majority vote of the quorum shall be necessary for the Board  
20 to act.

21       B. Any change in judicial compensation, ~~unless rejected or~~  
22 ~~amended as provided for in Section 2 of this act~~ if approved, or  
23 amended and approved, by the Legislature as provided in Section 3.2  
24 of this title, shall become effective on July 1 of the following

1 calendar year. Any amendment passed by a majority vote of each  
2 house of the Legislature shall become effective as provided by ~~said~~  
3 such amendment unless vetoed by the Governor.

4 SECTION 4. AMENDATORY 20 O.S. 2011, Section 30.2A, is  
5 amended to read as follows:

6 Section 30.2A. A. Except as otherwise provided by the Board on  
7 Judicial Compensation, the following judicial officers shall receive  
8 compensation for their services, payable monthly as follows:

9 1. The Presiding Judge of the Court of Civil Appeals shall  
10 receive an annual salary of ~~One Hundred Nine Thousand Seven Hundred~~  
11 ~~Thirty-one Dollars (\$109,731.00)~~ One Hundred Forty Thousand Seven  
12 Hundred Ninety-five Dollars (\$140,795.00); and

13 2. A Judge of the Court of Civil Appeals shall receive an  
14 annual salary of ~~One Hundred Eight Thousand Three Hundred Thirty-six~~  
15 ~~Dollars (\$108,336.00)~~ One Hundred Thirty-eight Thousand Two Hundred  
16 Thirty-five Dollars (\$138,235.00).

17 B. Any increase in salary provided for in subsection A of this  
18 section must be paid from existing available funds.

19 SECTION 5. AMENDATORY 20 O.S. 2011, Section 31.2, is  
20 amended to read as follows:

21 Section 31.2. A. Except as otherwise provided by the Board on  
22 Judicial Compensation, the following judicial officers shall receive  
23 compensation for their services, payable monthly as follows:  
24

1        1. The Presiding Judge of the Court of Criminal Appeals shall  
2 receive an annual salary of ~~One Hundred Seventeen Thousand Five~~  
3 ~~Hundred Seventy-one Dollars (\$117,571.00)~~ One Hundred Fifty-one  
4 Thousand Thirty-four Dollars (\$151,034.00); and

5        2. A Judge of the Court of Criminal Appeals shall receive an  
6 annual salary of ~~One Hundred Thirteen Thousand Five Hundred Seventy-~~  
7 ~~one Dollars (\$113,571.00)~~ One Hundred Forty-five Thousand Nine  
8 Hundred Fourteen Dollars (\$145,914.00).

9        B. Any increase in salary provided for in subsection A of this  
10 section must be paid from existing available funds.

11        SECTION 6. This act shall become effective in accordance with  
12 the provisions of Section 58 of Article V of the Oklahoma  
13 Constitution.

14  
15 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated  
16 04/01/2015 - DO PASS.  
17  
18  
19  
20  
21  
22  
23  
24