

**Issue Docket**

**Conference Committee on House Bill 1**

**2020-21 General Appropriations Bill**

**Article IV - Judiciary**

**As of April 15, 2019**

201 SUPREME COURT OF TEXAS

| Item                                   | House<br>2020-21 | Senate<br>2020-21 | Biennial Difference | Explanation   |
|--|------------------|-------------------|---------------------|---|
|  | IV-1             | IV-1              |                     |   |
| <b>Technical Correction</b>            | IV-1             | IV-1              |                     | Increase House Strategy A.1.1, Appellate Court Operations, by \$117,550 in General Revenue to fully fund the 2.8 percent salary increase for fiscal year 2020 in fiscal year 2021.  |
| <b>Cross-Agency Issue</b>              |                  |                   |                     | <p><b>Judicial Pay Increase</b><br/>House provides \$27.1 million in General Revenue for a 10 percent judicial salary increase contingent on the enactment of House Bill 2384. See supplement on page 19 showing cross agency totals.</p>   |
| Number of Full-Time-Equivalents (FTEs) | 87.0             | 85.0              |                     | House provides an increase of 2.0 FTEs each fiscal year for the Children's Commission to hire two staff attorneys.  |
| A.1.1 APPELLATE COURT OPERATIONS       | \$ 13,091,331    | \$ 12,690,540     | \$ 400,791          | <p>Out of General Revenue Funds:</p> <ul style="list-style-type: none"> <li>a. House provides an increase of \$86,908 for a 2.8 percent salary increase for 14 senior staff attorney positions.<br/>Senate provides an increase of \$140,000 for a \$5,000 salary increase for the same positions.</li> <li>b. House provides an increase of \$57,622 for a 2.8 percent salary increase for 18 court law clerk positions.</li> <li>c. House provides an increase of \$30,083 for a 2.8 percent salary increase for 9 clerk positions.</li> <li>d. House provides an increase of \$63,778 for a 2.8 percent salary increase for 20 administrative positions.</li> <li>e. See Cross-Agency Issue: Judicial Pay Increase.</li> </ul> |

| Item                             | House<br>2020-21 | Senate<br>2020-21 | Biennial Difference | Explanation  |
|----------------------------------|------------------|-------------------|---------------------|--|
| B.1.1 BASIC CIVIL LEGAL SERVICES | \$ 75,288,000    | \$ 69,449,568     | \$ 5,838,432        | <ul style="list-style-type: none"> <li>a. House provides an increase of \$2,438,432 in General Revenue to provide funding at fiscal year 2010–11 levels for Basic Civil Legal Services.</li> <li>b. House provides an increase of \$3,000,000 in General Revenue to provide additional services to veterans and their immediate families.</li> <li>c. House provides an increase of \$400,000 in General Revenue-Dedicated Sexual Assault Program Account No. 5010 to provide funding at 2016-17 funding levels. (2020-21 funding totals \$10,000,000.)</li> </ul> |
| B.1.2 COURT IMPROVEMENT PROJECTS | \$ 6,544,671     | \$ 5,544,671      | \$ 1,000,000        | <p>House provides an increase in General Revenue for the Children's Commission to provide the Office of Court Administration's Child Support Courts with training, provide up-to-date policies and practices on abused and neglected children, and to hire two staff attorney positions (2.0 FTEs).</p>  |

211 COURT OF CRIMINAL APPEALS

| Item                              | House<br>2020-21                        | Senate<br>2020-21 | Biennial Difference | Explanation  |
|-----------------------------------|---|-------------------|---------------------|--|
| <b>Technical Correction</b>       | IV-3                                    | IV-3              |                     |  |
|                                   | IV-3                                    | IV-3              |                     | Increase House Strategy A.1.1, Appellate Court Operations, by \$126,653 in General Revenue to fully fund the 2.8 percent salary increase for fiscal year 2020 in fiscal year 2021.   |
| A.1.1 APPELLATE COURT OPERATIONS  | \$ 13,491,116                           | \$ 13,615,974     | \$ 124,858          | <p>Out of General Revenue Funds:</p> <p>a. House provides an increase of \$165,182 for a 2.8 percent salary increase each fiscal year for 27 attorney positions.<br/>Senate provides an increase of \$270,000 for a \$5,000 salary increase for the same positions.</p> <p>b. House provides an increase of \$65,506 for a 2.8 percent salary increase each fiscal year for 23 clerk positions.<br/>Senate provides an increase of \$254,469 for 23 clerk positions to establish salary parity with the similar positions at the Supreme Court.</p> <p>c. House provides an increase of \$26,165 for a 2.8 percent salary increase each fiscal year for 10 executive assistant positions.<br/>Senate provides an increase of \$159,642 for 10 executive assistant positions to establish salary parity with similar positions at the Supreme Court.</p> <p>d. See Cross-Agency Issue: Judicial Pay Increase.</p> |
| Judicial Education: Mental Health | IV-6 Rider 7<br>Rider Packet, page IV-1 |                   |                     | Senate directs that judicial education include information for judges and staff on mental health care resources available in the court's geographic region.  |

**COA COURTS OF APPEALS**

| <b>Item</b>   | <b>House<br/>2020-21</b> | <b>Senate<br/>2020-21</b> | <b>Biennial Difference</b> | <b>Explanation</b>   |
|---|--------------------------|---------------------------|----------------------------|--|
|   | IV-6 through IV-20       | IV-6 through IV-20        |                            | All Strategy differences due to Cross-Agency Issue on Judicial Pay Increase. |
| 221 First Court of Appeals District, Houston<br>A.1.1 APPELLATE COURT OPERATIONS      | \$ 9,687,154             | \$ 9,409,954              | \$ 277,200                 |  |
| 222 Second Court of Appeals District, Fort Worth<br>A.1.1 APPELLATE COURT OPERATIONS  | \$ 7,496,879             | \$ 7,281,279              | \$ 215,600                 |  |
| 223 Third Court of Appeals District, Austin<br>A.1.1 APPELLATE COURT OPERATIONS       | \$ 6,305,508             | \$ 6,120,708              | \$ 184,800                 |  |
| 224 Fourth Court of Appeals District, San Antonio<br>A.1.1 APPELLATE COURT OPERATIONS | \$ 7,475,658             | \$ 7,260,058              | \$ 215,600                 |  |
| 225 Fifth Court of Appeals District, Dallas<br>A.1.1 APPELLATE COURT OPERATIONS       | \$ 13,396,598            | \$ 12,996,198             | \$ 400,400                 |  |
| 226 Sixth Court of Appeals District, Texarkana<br>A.1.1 APPELLATE COURT OPERATIONS    | \$ 3,413,023             | \$ 3,320,623              | \$ 92,400                  |  |
| 227 Seventh Court of Appeals District, Amarillo<br>A.1.1 APPELLATE COURT OPERATIONS   | \$ 4,265,512             | \$ 4,142,312              | \$ 123,200                 |  |
| 228 Eighth Court of Appeals District, El Paso<br>A.1.1 APPELLATE COURT OPERATIONS     | \$ 3,467,034             | \$ 3,374,634              | \$ 92,400                  |  |
| 229 Ninth Court of Appeals District, Beaumont<br>A.1.1 APPELLATE COURT OPERATIONS     | \$ 4,272,497             | \$ 4,149,297              | \$ 123,200                 |  |
| 230 Tenth Court of Appeals District, Waco<br>A.1.1 APPELLATE COURT OPERATIONS         | \$ 3,414,310             | \$ 3,321,910              | \$ 92,400                  |  |

| Item  | House<br>2020-21 | Senate<br>2020-21 | Biennial Difference | Explanation |
|---|------------------|-------------------|---------------------|-------------|
| 231 Eleventh Court of Appeals District, Eastland<br>A.1.1 APPELLATE COURT OPERATIONS  | \$ 3,419,050     | \$ 3,326,650      | \$ 92,400           |             |
| 232 Twelfth Court of Appeals District, Tyler<br>A.1.1 APPELLATE COURT OPERATIONS      | \$ 3,407,253     | \$ 3,314,853      | \$ 92,400           |             |
| 233 Thirteenth Court of Appeals District, Corpus<br>Christi-Edinburg                  | \$ 6,274,623     | \$ 6,089,823      | \$ 184,800          |             |
| 234 Fourteenth Court of Appeals District, Houston<br>A.1.1 APPELLATE COURT OPERATIONS | \$ 9,953,444     | \$ 9,676,244      | \$ 277,200          |             |

212 OFFICE OF COURT ADMINISTRATION, TEXAS JUDICIAL COUNCIL

| Item                                   | House<br>2020-21 | Senate<br>2020-21 | Biennial Difference | Explanation   |
|--|------------------|-------------------|---------------------|---|
|  | IV-21            | IV-21             |                     |   |
| <b>Cross-Strategy Issue</b>            |                  |                   |                     | <p>1) <b>Lump-sum annual retirement payments</b><br/>                     House provides an increase of \$600,000 in General Revenue across Strategy B.1.1, Child Support Courts Program, and B.1.2, Child Protection Courts Program, for lump-sum annual retirement payments for staff eligible to retire in the 2020-21 biennium.<br/>                     Senate provides an increase of \$200,000 in General Revenue for the same purpose.</p>  |
| Number of Full-Time-Equivalents (FTEs) | 286.6            | 284.6             |                     | House provides an increase of 2.0 FTEs each fiscal year for two attorney positions to assist visiting appellate judges with processing cases.   |
| A.1.1 COURT ADMINISTRATION             | \$ 12,285,075    | \$ 11,769,075     | \$ 516,000          | House provides an increase in General Revenue for two attorney positions (2.0 FTEs) each fiscal year to assist visiting appellate judges with processing cases.   |
| A.1.2 INFORMATION TECHNOLOGY           | \$ 98,546,559    | \$ 80,724,803     | \$ 17,821,756       | <p>a. House provides an increase of \$29,651,160 in Economic Stability Fund to create a uniform case management system to provide magistrates immediate access to critical information.<br/>                     Senate provides an increase of \$11,829,384 in General Revenue and \$17,821,776 in General Revenue-Dedicated Statewide Electronic Filing System Account No. 5157 for the same purpose.</p> <p>b. House provides an estimated increase of \$17,821,756 in General Revenue-Dedicated Statewide Electronic Filing System Account No. 5157 based on the Comptroller's Biennial Revenue Estimate for vendor contract payments and statewide judicial technology projects. See Rider 17 below.</p> |

| Item   | House<br>2020-21                           | Senate<br>2020-21                          | Biennial Difference | Explanation  |
|--|--|--|---------------------|--|
| B.1.1 CHILD SUPPORT COURTS PROGRAM   | \$ 16,450,410                              | \$ 16,175,057                              | \$ 275,353          | See Cross-Strategy Issue.  |
| B.1.2 CHILD PROTECTION COURTS PROGRAM  | \$ 12,680,091                              | \$ 12,555,444                              | \$ 124,647          | <p>a. House provides an increase of \$3,667,513 in General Revenue and 18.0 FTEs to create nine additional Child Protection Courts.</p> <p>Senate provides an increase of \$3,616,329 in General Revenue and 18.0 FTEs for the same purpose. The Senate provides the same amount as the House but Senate Bill 1 shows less due to a technical error.</p> <p>b. See Cross-Strategy Issue.</p>   |
| D.1.1 TX INDIGENT DEFENSE COMM   | \$ 104,435,712                             | \$ 84,435,712                              | \$ 20,000,000       | <p>a. House provides an increase of \$10,000,000 in General Revenue for grants to public defender offices for a pilot project for the early identification and specialized representation of indigent defendants with a mental illness.</p> <p>b. House provides an increase of \$10,000,000 in General Revenue-Dedicated Fair Defense Account No. 5073 for grants to counties for indigent defense.</p>   |
| Texas Indigent Defense Commission  | IV-23, Rider 7<br>Rider Packet, page IV-2  | IV-23, Rider 7<br>Rider Packet, page IV-2  |                     | House removes language capping the appropriations and the FTE amounts for the administration of the commission.  |
| Guardianship Compliance Project  | IV-25, Rider 15<br>Rider Packet, page IV-2 | IV-25, Rider 13<br>Rider Packet, page IV-2 |                     | <p>House requires \$5,564,817 in General Revenue and 34.3 FTEs in Strategy A.1.1, Court Administration, to be utilized for the Guardianship Compliance Project.</p> <p>Senate requires \$4,810,734 in General Revenue and 28.0 FTEs in Strategy A.1.1, Court Administration, to be utilized for the Guardianship Compliance</p>  |
| E-Filing Account Appropriation and Capital Budget Authority/Statewide eFiling System Account Estimated Appropriation | IV-25, Rider 17<br>Rider Packet, page IV-3 | IV-25, Rider 18<br>Rider Packet, page IV-3 |                     | House allows the agency to increase capital budget authority to establish new capital projects using General Revenue-Dedicated Statewide Electronic Filing System Account No. 5157 (GR-D 5157) appropriations in Strategy A.1.2, Information Technology, upon approval of the Legislative Budget Board; provides transfer authority to prioritize vendor contract payments; and requires quarterly reports detailing statewide electronic filing system vendor contract payments and GR-D 5157 account balances. |



| Item                                    | House<br>2020-21                           | Senate<br>2020-21                          | Biennial Difference | Explanation  |
|---|--|--|---------------------|--|
| Statewide Case Management System        |  | IV-25, Rider 17<br>Rider Packet, page IV-4 |                     | Senate prioritizes GR-D 5157 for vendor contract payments except for amounts purposed for the Statewide Case Management System and to fund Senate Bill 325 contingent on the enactment of the bill, or similar legislation.  |
| Indigent Defense with Mental Illness    | IV-25, Rider 18<br>Rider Packet, page IV-4 |  |                     | Senate requires that \$11,829,384 in General Revenue and \$17,821,776 in General Revenue-Dedicated Statewide Electronic Filing System Account No. 5157 and 2.0 FTEs appropriated to Strategy A.1.2, Information Technology, be utilized to create a statewide case management system.  |
| Fair Defense Account 5073 Appropriation | IV-26, Rider 19<br>Rider Packet, page IV-4 |  |                     | House requires that \$5,000,000 in General Revenue appropriated each fiscal year to the Texas Indigent Defense Commission be provided as grants to public defender offices for a pilot project for the early identification and specialized representation of indigent defendants with a mental illness.   |
| Contingency for Senate Bill 325         |  | IV-25, Rider 19<br>Rider Packet, page IV-4 |                     | House requires that \$10,000,000 in General Revenue-Dedicated Fair Defense Account No. 5073 appropriated to the Texas Indigent Defense Commission be utilized as grants to counties to provide indigent defense.   |
| Contingency for Behavioral Health Funds | IV-26, Rider 20<br>Rider Packet, page IV-5 |  |                     | Senate requires the agency to use \$350,000 in General Revenue-Dedicated Statewide Electronic Filing System Account No. 5157 from amounts appropriated in Strategy A.1.2, Information Technology, in fiscal year 2020 to establish and maintain a registry for protective orders.  |
| Uniform Case Management System          | IV-26, Rider 21<br>Rider Packet, page IV-5 |  |                     | House requires that General Revenue-Related behavioral health funds appropriated to the Texas Indigent Defense Commission be subject to the requirements of Art. IX, Statewide Behavioral Health Strategic Plan and Coordinated Expenditures.<br><br>House provides intent that (1) appropriations for the uniform case management system be expended through a competitive procurement process and at least two software management systems meet qualifications for evaluation; and (2) that the system meet specific requirements. |

215 OFFICE OF CAPITAL AND FORENSIC WRITS

| Item                                   | House<br>2020-21 | Senate<br>2020-21 | Biennial Difference | Explanation  |
|--|------------------|-------------------|---------------------|--|
| <b>Technical Correction</b>            | IV-26            | IV-26             |                     |  |
|  | IV-26            | IV-26             |                     |  |
| Number of Full-Time-Equivalents (FTEs) | 24.5             | 16.5              |                     | House provides an increase of 8.0 FTEs each fiscal year 5 attorney positions, 1 mitigation specialist position, 1 Deputy Director position, and 1 Staff Services Officer position.   |
| A.1.1 POST-CONVICTION REPRESENTATION   | \$ 4,367,236     | \$ 2,772,009      | \$ 1,595,227        | <p>Out of General Revenue-Dedicated Fair Defense Account No. 5073:</p> <ul style="list-style-type: none"> <li>a. House provides an increase of \$31,799 for a 2.8 percent cost-of-living salary increase for 8 attorney positions<br/>Senate provides an increase of \$80,000 for the same purpose.</li> <li>b. House provides an increase of \$15,616 for a 2.8 percent cost-of-living salary increase for 5 mitigation specialist positions.<br/>Senate provides an increase of \$10,000 for the same purpose.</li> <li>c. House provides an increase of \$502,500 for 2 attorney positions (2.0 FTEs) and 1 mitigation specialist position (1.0 FTE).</li> <li>d. House provides an increase of \$79,425 for travel and other operating expenses for additional staff.</li> <li>e. House provides an increase of \$220,000 for a Deputy Director position (1.0 FTE).</li> <li>f. House provides an increase of \$120,000 for a Staff Services Officer position (1.0 FTE).</li> <li>g. House provides an increase of \$139,850 for litigation expenses and equipment.</li> <li>h. House provides an increase of \$582,875 for three attorney positions (3.0 FTEs) to represent inmates in noncapital cases where questionable forensic science contributed to a conviction.</li> </ul> |

| Item | House<br>2020-21 | Senate<br>2020-21 | Biennial Difference | Explanation  |
|------|------------------|-------------------|---------------------|--|
|      |                  |                   |                     | i. Senate provides an increase of \$6,838 for a salary increase for the Executive Director position. |

213 OFFICE OF THE STATE PROSECUTING ATTORNEY

| Item                            | House<br>2020-21    | Senate<br>2020-21   | Biennial Difference | Explanation  |
|---------------------------------|---------------------|---------------------|---------------------|--|
| A.1.1 REPRESENTATION BEFORE CCA | IV-27<br>\$ 930,000 | IV-27<br>\$ 860,254 | \$ 69,746           | House provides an increase of \$69,746 in General Revenue for a 10 percent salary increase for the following positions:<br>a. \$42,746 for 2 Assistant State Prosecutor positions.<br>b. \$6,000 for 1 administrative assistant position.<br>c. See Cross-Agency Issue: Judicial Pay Increase. |

243 STATE LAW LIBRARY

| Item                                | House<br>2020-21 | Senate<br>2020-21 | Biennial Difference | Explanation   |
|-------------------------------------|------------------|-------------------|---------------------|---|
|                                     | IV-28            | IV-28             |                     |   |
| <b>Technical Correction</b>         | IV-28            | IV-28             |                     | Increase House Strategy A.1.1, Administration and Operations, by \$13,133 in General Revenue to fully fund the 2.8 percent salary increase for fiscal year 2020 in fiscal year 2021.  |
| A.1.1 ADMINISTRATION AND OPERATIONS | \$ 2,227,506     | \$ 2,032,103      | \$ 195,403          | <p>a. House provides an increase of \$170,000 in General Revenue to continue remote access to the libraries digital legal reference materials at fiscal year 2018-19 service levels.</p> <p>b. House provides an increase of \$4,088 in General Revenue for a 2.8 percent cost-of-living salary increase for the Assistant Director position.</p> <p>c. House provides an increase of \$22,545 in General Revenue for a 2.8 percent cost-of-living salary increase for 7 professional librarian positions.</p> <p>d. Senate provides an increase of \$1,230 in General Revenue to increase the salary of the Director position.</p> <p>e. House provides an increase of \$30,000 in Economic Stabilization Fund for the digitization of historical statutes.<br/>Senate provides an increase of \$30,000 in General Revenue for the same purpose.</p> |

242 STATE COMMISSION ON JUDICIAL CONDUCT

| Item                                 | House<br>2020-21 | Senate<br>2020-21 | Biennial Difference | Explanation   |
|--------------------------------------|------------------|-------------------|---------------------|---|
|                                      | IV-30            | IV-29             |                     |   |
| <b>Technical Correction</b>          | IV-30            | IV-29             |                     | (1) Increase House Strategy A.1.1, Administration and Enforcement, by \$8,876 in General Revenue to fully fund the 2.8 percent salary increase for fiscal year 2020 in fiscal year 2021 for 4 attorney positions.   |
|                                      |                  |                   |                     | (2) Decrease House Strategy A.1.1, Administration and Enforcement, by \$87,000 in General Revenue due to a duplication error.   |
| A.1.1 ADMINISTRATION AND ENFORCEMENT | \$ 2,587,701     | \$ 2,363,374      | \$ 224,327          | <p>Out of General Revenue Funds:</p> <ul style="list-style-type: none"> <li>a. House provides an increase of \$87,200 to change a current investigator position to an attorney position.</li> <li>b. House provides an increase of \$18,001 for a 2.8 percent cost-of-living salary increase for 4 attorney positions.</li> <li>c. House provides an increase of \$34,678 for a 3 percent salary increase for all remaining staff positions.</li> <li>d. Senate provides an increase of \$2,752 to increase the salary of the Executive Director position.</li> </ul> |

**241 JUDICIARY SECTION, COMPTROLLER'S DEPARTMENT**

| Item   | House<br>2020-21 | Senate<br>2020-21 | Biennial Difference | Explanation                                    |
|--|------------------|-------------------|---------------------|--|
|  | IV-31            | IV-30             |                     |  |
| Schedule of Exempt Positions:  |                  |                   |                     |  |
| District Judges and Criminal District Judges (472)                           | \$ 140,000       | \$ 154,000        |                     |  |
| District Attorneys, Criminal District Attorneys, and<br>County Attorneys (5) | \$ 112,000       | \$ 123,000        |                     |  |
| Professional Prosecutors (157)   | \$ 140,000       | \$ 154,000        |                     |  |
| A.1.1 DISTRICT JUDGES  | \$ 148,302,524   | \$ 135,114,524    | \$ 13,188,000       | See Cross-Agency Issue: Judicial Pay Increase. |
| A.1.2 VISITING JUDGES - REGIONS  | \$ 11,635,476    | \$ 10,577,706     | \$ 1,057,770        | See Cross-Agency Issue: Judicial Pay Increase. |
| A.1.3 VISITING JUDGES - APPELLATE  | \$ 801,854       | \$ 728,958        | \$ 72,896           | See Cross-Agency Issue: Judicial Pay Increase. |
| B.1.1 DISTRICT ATTORNEYS: SALARIES   | \$ 1,550,654     | \$ 1,483,454      | \$ 67,200           | See Cross-Agency Issue: Judicial Pay Increase. |
| B.1.2 PROFESSIONAL PROSECUTORS: SALARIES                                     | \$ 47,991,937    | \$ 43,595,937     | \$ 4,396,000        | See Cross-Agency Issue: Judicial Pay Increase. |
| B.1.3 FELONY PROSECUTORS: SALARIES   | \$ 753,870       | \$ 681,070        | \$ 72,800           | See Cross-Agency Issue: Judicial Pay Increase. |
| C.1.1 CONSTITUTIONAL CO. JUDGE SUPPLEMENT                                    | \$ 12,339,194    | \$ 11,255,594     | \$ 1,083,600        | See Cross-Agency Issue: Judicial Pay Increase. |
| C.1.2 STATUTORY CO. JUDGE 573 SUPPLEMENT                                     | \$ 45,490,490    | \$ 41,374,490     | \$ 4,116,000        | See Cross-Agency Issue: Judicial Pay Increase. |
| C.1.4 1ST MULTICOUNTY COURT AT LAW   | \$ 334,000       | \$ 306,000        | \$ 28,000           | See Cross-Agency Issue: Judicial Pay Increase. |
| D.1.1 ASST. PROSECUTOR LONGEVITY PAY   | \$ 9,365,246     | \$ 8,018,000      | \$ 1,347,246        |  |

| Item   | House<br>2020-21 | Senate<br>2020-21                             | Biennial Difference | Explanation  |
|--|------------------|---|---------------------|--|
|  |                  |   |                     | House includes General Revenue for assistant prosecutor longevity pay to offset anticipated decreases in revenues to Assistant Prosecutor Supplement Fund No. 303 and anticipated increases in the number of prosecutors eligible for the program.   |
| D.1.2 COUNTY ATTORNEY SUPPLEMENT   | \$ 13,278,723    | \$ 12,066,669                                 | \$ 1,212,054        | See Cross-Agency Issue: Judicial Pay Increase.   |
| D.1.4 SPECIAL PROSECUTION UNIT, WALKER CO  | \$ 10,848,538    | \$ 10,957,900                                 | \$ 109,362          | <p>a. House adds \$290,376 from General Revenue for a new prosecutor position within the Juvenile Division that focuses on sexual assault cases.</p> <p>Senate adds \$251,494 from General Revenue for the same position.</p> <p>b. House adds \$56,230 from General Revenue for staff salary increases contingent on a general state employee salary increase.</p> <p>c. Senate adds \$156,916 from General Revenue for a 5 percent increase in attorney salaries across all divisions.</p> <p>d. Senate adds \$47,558 from General Revenue for a 5 percent increase in investigator salaries across all divisions.</p> |
| D.1.9 COST OF EXTRAORDINARY PROSECUTION  | \$ -             | \$ 1,306,750                                  | \$ 1,306,750        | <p>Senate includes General Revenue for grants to counties to cover increased costs of member contributions to the Employees Retirement System for state prosecutors due to enactment of House Bill 9 by the Eight-fourth Legislature, 2015.</p> <p>House aligns state prosecutor state compensation equally with a district judge's state compensation pursuant to Government Code, Chapter 46.003.</p>  |
| Grants to Counties Due to Enactment of House Bill 9, Eighty-fourth Legislature, 2015 |                  | IV-34, Rider #9<br>Rider Packet,<br>Page IV-7 |                     | Senate rider identifies \$1,306,750 in appropriations from the General Revenue Fund for grants to counties to cover increased costs of member contributions to the Employees Retirement System for state prosecutors due to enactment of House Bill 9 by the Eight-fourth Legislature, 2015.   |



| Item                       | House<br>2020-21                               | Senate<br>2020-21 | Biennial Difference | Explanation   |
|----------------------------|--|-------------------|---------------------|---|
| Visiting Judge - Appellate | IV-35, Rider #10<br>Rider Packet,<br>Page IV-7 |                   |                     | House rider permits appropriations in Strategy A.1.3, Visiting Judge - Appellate, to be used by the Judiciary Section, Comptroller's Department to reimburse courts of appeals for the salary or fee paid to a staff attorney employed or contracted by a court of appeals to assist judges assigned to cases in addition to their ordinary caseload contingent on written approval of the Council of Chief Justices. |

**S04 SPECIAL PROVISIONS - JUDICIARY**

| Item                          | House<br>2020-21                                     | Senate<br>2020-21 | Biennial Difference | Explanation   |
|-------------------------------|--|-------------------|---------------------|---|
| Contingent on House Bill 2384 | IV-37<br><br>IV-37, Sec 9<br>Rider Packet, page IV-8 | IV-35             |                     | House makes funds appropriated elsewhere for a ten percent increase to judicial salaries and associated benefits costs each fiscal year contingent on the enactment of House Bill 2384 or similar legislation relating to judicial compensation by the Eighty-sixth Legislature, Regular Session. |

**10 percent Judicial Salary Increase Contingent on the Enactment of House Bill 2384**

|   | Number of Positions | HB 1 Salary Level | SB 1 Salary Level    | Biennial Increase in HB 1 |
|---|---------------------|-------------------|----------------------|---------------------------|
| <b>Supreme Court</b>  |                     |                   |                      |                           |
| Chief Justice   | 1                   | \$ 187,300        | \$ 170,500           | \$ 33,600                 |
| Justice   | 8                   | \$ 184,800        | \$ 168,000           | \$ 268,800                |
| <b>Total</b>  |                     |                   |                      | \$ 302,400                |
| <b>Court of Criminal Appeals</b>  |                     |                   |                      |                           |
| Presiding Judge   | 1                   | \$ 187,300        | \$ 170,500           | \$ 33,600                 |
| Justice   | 8                   | \$ 184,800        | \$ 168,000           | \$ 268,800                |
| <b>Total</b>  |                     |                   |                      | \$ 302,400                |
| <b>Courts of Appeals Districts</b>  |                     |                   |                      |                           |
| Chief Justice   | 14                  | \$ 171,900        | \$ 156,500           | \$ 431,200                |
| Justice   | 66                  | \$ 169,400        | \$ 154,000           | \$ 2,032,800              |
| <b>Total</b>  |                     |                   |                      | \$ 2,464,000              |
| <b>State Prosecuting Attorney</b>   | 1                   | \$ 154,000        | \$ 143,500           | \$ 21,000                 |
| <b>District Courts - Judges</b>   | 471                 | \$ 154,000        | \$ 140,000           | \$ 13,188,000             |
| <b>Multicounty Court at Law</b>   | 1                   | \$ 154,000        | \$ 140,000           | \$ 28,000                 |
| <b>Prosecutors</b>  |                     |                   |                      |                           |
| District Attorneys  | 3                   | \$ 123,200        | \$ 112,000           | \$ 67,200                 |
| Professional Prosecutors  | 157                 | \$ 154,000        | \$ 140,000           | \$ 4,396,000              |
| Felony Prosecutors - Jackson & Fayette  | 2                   | \$ 123,200        | \$ 112,000           | \$ 44,800                 |
| Felony Prosecutors - Oldham   | 1                   | \$ 125,500        | \$ 111,500           | \$ 28,000                 |
| <b>Total</b>  |                     |                   |                      | \$ 4,536,000              |
| <b>Constitutional County Court Judge Salary Supplement</b>                        | 215                 | \$ 27,720         | \$ 25,200            | \$ 1,083,600              |
| <b>Statutory County Court Judge Salary Supplement</b>                             | 245                 | \$ 92,400         | \$ 84,000            | \$ 4,116,000              |
| <b>County Attorney Salary Supplement</b>  |                     |                   |                      |                           |
| (Salary percent based on number of counties served)                               |                     |                   |                      |                           |
| 16.67 percent   | 95                  | \$ 25,672         | \$ 23,338            | \$ 443,460                |
| 25.00 percent   | 35                  | \$ 38,500         | \$ 35,000            | \$ 245,000                |
| 33.33 percent   | 2                   | \$ 51,328         | \$ 46,662            | \$ 18,664                 |
| 50.00 percent   | 36                  | \$ 77,000         | \$ 70,000            | \$ 504,000                |
| <b>Total</b>  |                     |                   |                      | \$ 1,212,054              |
| <b>Visiting Judge Program</b>   |                     |                   |                      |                           |
| District Courts   |                     | \$ 5,817,738      | \$ 5,288,853         | \$ 1,057,771              |
| Appellate Courts  |                     | \$ 400,927        | \$ 364,479           | \$ 72,896                 |
| <b>Total</b>  |                     |                   |                      | \$ 1,130,667              |
| <b>Total General Revenue in Article for a 10 percent Judicial Salary Increase</b> |                     |                   | \$ <b>28,384,121</b> |                           |
| Grants to Counties due to HB 9 84(R)  |                     | \$ 1,306,750      | \$ (1,306,750)       |                           |
| <b>Total General Revenue Difference</b>   |                     |                   | \$ <b>27,077,371</b> |                           |

Note:

- (1) Conforming increases to benefit costs are located in Article I and total \$2,944,037
- (2) Section 9, Special Provisions - Judiciary in HB1 makes all amounts appropriated to fund a 10 percent judicial salary increase and associated benefits each fiscal year contingent on the enactment House Bill 2384, or similar legislation.
- (3) House Bill 9, Eighty-fourth Legislature, Regular Session, provides grants to counties to cover increased costs of member contributions to ERS for state prosecutors.

**Article IV Salary Increase Comparison for Similar Positions**

| Agency  | House 2.8% COA Increase |                           |            | Senate                |                         |                       |            | Difference   |
|---|-------------------------|---------------------------|------------|-----------------------|-------------------------|-----------------------|------------|--------------|
|   | HB 1                    | HB 1 Technical Correction | HB 1 Total | \$5,000/year Increase | Salary Parity with SCOT | \$1,000/year Increase | SB 1 Total |              |
| <b>201 Supreme Court</b>                        |                         |                           |            |                       |                         |                       |            |              |
| 14 Staff Attorney Positions                     | \$ 86,908               | \$ 42,854                 | \$ 129,762 | \$ 140,000            |                         |                       | \$ 140,000 | \$ (10,238)  |
| <b>211 Court of Criminal Appeals</b>            |                         |                           |            |                       |                         |                       |            |              |
| 27 Attorney Positions                           | \$ 165,182              | \$ 81,450                 | \$ 246,632 | \$ 270,000            |                         |                       | \$ 270,000 | \$ (23,368)  |
| 23 Clerk Positions                              | \$ 65,506               | \$ 32,301                 | \$ 97,807  |                       | \$ 254,469              |                       | \$ 254,469 | \$ (156,662) |
| 10 Executive Assistant Positions                | \$ 26,165               | \$ 12,902                 | \$ 39,067  |                       | \$ 159,642              |                       | \$ 159,642 | \$ (120,575) |
| <b>215 Office of Capital and Forensic Writs</b> |                         |                           |            |                       |                         |                       |            |              |
| 8 Attorney Positions                            | \$ 31,799               | \$ 15,680                 | \$ 47,479  | \$ 80,000             |                         |                       | \$ 80,000  | \$ (32,521)  |
| 5 Mitigation Specialist Positions               | \$ 15,616               | \$ 7,700                  | \$ 23,316  |                       |                         | \$ 10,000             | \$ 10,000  | \$ 13,316    |
| <b>Total</b>                                    | \$ 391,176              | \$ 192,887                | \$ 584,063 | \$ 490,000            | \$ 414,111              | \$ 10,000             | \$ 914,111 | \$ (330,048) |