

HB353 INTRODUCED



1 HB353
2 QN2KC54-1
3 By Representative Hill
4 RFD: Ways and Means General Fund
5 First Read: 27-Feb-25



1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

SYNOPSIS:

Under existing law, the salary of any justice, judge, or district attorney newly appointed or elected is set by law.

This bill would make certain technical amendments to the law to allow for the implementation of certain cost-of-living adjustments already enacted.

This bill would also further implement a proposed constitutional amendment to change when a district attorney's salary may be altered.

A BILL
TO BE ENTITLED
AN ACT

Relating to compensation for district attorneys, judges, and certain local officials; to amend Sections 12-10B-1 and 12-10B-3, Code of Alabama 1975, to remove restrictions on district attorney salary increases; and to amend Section 12-17-182, Code of Alabama 1975, to provide for the compensation of newly appointed district attorneys.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 12-10B-1 and 12-10B-3, Code of Alabama 1975, are amended to read as follows:



HB353 INTRODUCED

29 "§12-10B-1

30 (a) Pursuant to ~~Amendment 426~~ Section 148 of the
31 Constitution of Alabama ~~1901 of 2022, now appearing as Section~~
32 ~~148 of the Official Recompilation of the Constitution of~~
33 ~~Alabama of 1901, as amended~~, and notwithstanding any other
34 provision of law, beginning on October 1, 2021, judges and
35 justices shall be compensated as follows:

36 (1) The chief justice of the supreme court's initial
37 salary shall be one hundred seventy-six thousand dollars
38 (\$176,000).

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

41 (3) An appellate court judge's initial salary shall be
42 one hundred seventy-four thousand dollars (\$174,000). The
43 presiding judge of any appellate court shall receive
44 additional compensation of five hundred dollars (\$500) per
45 year.

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

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

50 (b) Each of these amounts shall be adjusted by the
51 Administrative Office of Courts to reflect any cost-of-living
52 adjustment effective on or after October 1, 2021.

53 ~~(b) (1) a.~~ (c) (1) a. The salary of circuit judges and
54 district judges shall be increased by 7.5 percent on October 1
55 after the completion of six full years of service as a circuit
56 or district judge. The salary shall be increased by an



HB353 INTRODUCED

57 additional 7.5 percent on October 1 after the completion of 12
58 full years of service as a circuit or district judge. The
59 salary shall be increased by an additional 7.5 percent on
60 October 1 after the completion of 18 full years of service as
61 a circuit or district judge.

62 b. A district judge who is subsequently appointed or
63 elected as a circuit judge shall receive as an initial salary
64 the base salary of a circuit judge plus the appropriate amount
65 for bench experience as a circuit or district judge as
66 provided in paragraph a.

67 c. A circuit or district judge who is subsequently
68 appointed or elected as the chief justice of the supreme
69 court, a supreme court justice, or a judge of the appellate
70 court, shall receive the initial salary of the chief justice
71 of the supreme court, a supreme court justice, or an appellate
72 court judge as provided in ~~subdivision~~ subdivisions (a) (1),
73 (a) (2), or (a) (3) ~~of subsection (a)~~.

74 (2)a. The salary of the chief justice of the supreme
75 court, supreme court justices, and judges of the appellate
76 courts shall be increased by 7.5 percent on October 1 after
77 the completion of six full years of service as the chief
78 justice of the supreme court, a supreme court justice, or a
79 judge of the appellate court. The salary shall be increased by
80 an additional 7.5 percent on October 1 after the completion of
81 12 full years of service as the chief justice of the supreme
82 court, a supreme court justice, or a judge of the appellate
83 court. The salary shall be increased by an additional 7.5
84 percent on October 1 after the completion of 18 full years of



HB353 INTRODUCED

85 service as the chief justice of the supreme court, a supreme
86 court justice, or a judge of the appellate court.

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

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

105 ~~(c) (1)~~ (d) (1) Notwithstanding any existing general or
106 local law, existing circuit or district judges in service on
107 October 1, 2021, and any circuit or district judge appointed
108 or elected after October 1, 2021, may only be paid
109 compensation from the State Treasury, and may not receive any
110 salary supplement or expense allowance, or both, from any
111 county.

112 (2) This subsection shall supersede any local law



HB353 INTRODUCED

113 providing a salary supplement or expense allowance for a
114 circuit or district judge."

115 "§12-10B-3

116 (a) Beginning on October 1, 2021, and notwithstanding
117 any other provision of law, any compensation, salary
118 supplement, or expense allowance under existing law paid by
119 the state, or any political subdivision of the state, to any
120 elected official or state officer or employee, excluding
121 circuit and district judges, district attorneys, and the
122 Attorney General, that is based in whole or in part on the
123 compensation, salary supplement, or expense allowance of
124 another judge or justice shall be based on the salary, salary
125 supplement, or expense allowance of the judge or justice on
126 September 30, 2021.

127 (b) Beginning with the next term of office following
128 October 1, 2025, the compensation of any elected official
129 subject to a local law that sets his or her compensation in
130 whole or in part on the salary of a circuit or district judge
131 shall be calculated using the base amounts in Section
132 12-10B-1, and any adjustment based on service or longevity
133 must be based on the elected official's own time in office.

134 (c) Any compensation paid to an elected official
135 subject to this section between October 1, 2021, and the
136 official's next term of office commencing after October 1,
137 2025, is ratified and confirmed."

138 Section 2. Section 12-17-182, Code of Alabama 1975, is
139 also amended to read as follows:

140 "§12-17-182



HB353 INTRODUCED

141 (a) ~~(1) Subject to subdivision (2), district~~ District
142 attorneys for each judicial circuit in the state serving on
143 October 1, 2021, until the end of his or her service, shall be
144 paid by the state an annual salary of an amount equal to one
145 thousand dollars (\$1,000) less than the salary paid by the
146 state to the highest paid circuit judge of the state, payable
147 as the salaries of other state officers are paid. District
148 attorneys holding office on October 1, 2021, are exempt from
149 subsection (b).

150 ~~(2) A district attorney's salary may only increase~~
151 ~~after the completion of the term for which he or she was~~
152 ~~appointed or elected, and after completion of any subsequent~~
153 ~~elected term.~~

154 (b) (1) Notwithstanding subsection (a), any district
155 attorney newly appointed or elected after October 1, 2021,
156 shall receive ~~an initial salary of one hundred forty thousand~~
157 ~~dollars (\$140,000)~~ the salary equivalent to an incoming
158 circuit court judge as determined by the Alabama
159 Administrative Office of Courts.

160 (2) The salary of district attorneys shall be increased
161 by 7.5 percent for the term commencing after the completion of
162 the first term for which he or she was appointed or elected as
163 district attorney. The salary shall be increased by an
164 additional 7.5 percent for the term commencing after the
165 completion of his or her second term as district attorney. The
166 salary shall be increased by an additional 7.5 percent for the
167 term commencing after the completion of his or her third term
168 as district attorney. The salary shall further be increased by



HB353 INTRODUCED

169 any cost-of-living adjustment enacted by the Legislature not
170 already granted to the district attorney during the previous
171 term.

172 (c) The compensation paid by the state to any district
173 attorney in service on October 1, ~~2021,~~ 2025 may not be
174 diminished pursuant to ~~Act 2021-441~~ the act adding this
175 amendatory language.

176 (d) Upon ratification of the constitutional amendment
177 proposed in Senate Bill _____ of the 2025 Regular Session,
178 providing that the salary of a district attorney may not be
179 decreased during his or her term of office, the salary of each
180 district attorney shall be increased by any cost-of-living
181 adjustment effective on or after October 1, 2021, that is not
182 already reflected in his or her compensation."

183 Section 3. This act shall become effective on October
184 1, 2025.