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An act to amend Section 68203 of the Government Code, relating to
courts.



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THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 68203 of the Government Code is amended to read:

68203. (a) On July 1, 1980, and on July 1 of each year thereafter, the salary of each justice and judge named in Sections 68200 to 68202, inclusive, and 68203.1 shall be increased by the amount that is produced by multiplying the then current salary of each justice or judge by the average percentage salary increase for the current fiscal year for California state employees; provided, that in any fiscal year in which the Legislature places a dollar limitation on salary increases for state employees the same limitation shall apply to judges in the same manner applicable to state employees in comparable wage categories.

(b) (1) For the purposes of this section, average percentage salary increases for California state employees shall be those increases as reported by the Department of Human Resources to the State Controller in a pay letter.

(2) For purposes of this section the average percentage salary increase for the current fiscal year for California state employees shall be reduced by the average percentage salary decrease resulting from the furlough or enrollment in a personal leave program of California state employees in that current fiscal year, as determined by the Department of Human Resources, in consultation with the Department of Finance.

(3) If the reduction required pursuant to paragraph (2) results in a percentage that is equal to or less than zero, the salary of each justice and judge named in Sections 68200 to 68202, inclusive, and 68203.1 shall not be increased.



(4) Persons working for the California State University system, the judicial branch, or the Legislature are not considered California state employees for purposes of this subdivision.

(c) For purposes of this section, beginning on July 1, 2016, a salary increase occurring on or after July 1 of any fiscal year for California state employees that is made effective on July 1 of that fiscal year shall be included in the calculation of the average percentage salary increase for that fiscal year, retroactive to July 1 of that fiscal year. The Department of Human Resources shall report any retroactive average percentage salary increase to the State Controller in a pay letter.

(e)

(d) The salary increase for judges and justices made on July 1, 1980, for the 1980–81 fiscal year, shall in no case exceed 5 percent.

(d)

(e) On January 1, 2001, the salary of the justices and judges named in Sections 68200 to 68202, inclusive, shall be increased by the amount that is produced by multiplying the salary of each justice and judge as of December 31, 2000, by $8\frac{1}{2}$ percent.

(e)

(f) On January 1, 2007, the salary of the justices and judges identified in Sections 68200 to 68202, inclusive, and 68203.1 shall also be increased by the amount that is produced by multiplying the salary of each justice and judge as of December 31, 2006, by 8.5 percent.

(f)



(g) Notwithstanding Article 2 (commencing with Section 3287) of Chapter 1 of Title 2 of Part 1 of Division 4 of the Civil Code, Chapter 5 (commencing with Section 685.010) of Division 1 of Title 9 of Part 2 of the Code of Civil Procedure, any other law, or any court judgment that has not been finally determined upon appeal as of the date this subdivision is enacted, any award of interest on an order to pay unpaid salary or judicial retiree benefits pursuant to this section shall not exceed the rate of interest accrued on moneys in the Pooled Money Investment Account.

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LEGISLATIVE COUNSEL'S DIGEST

Bill No.

as introduced, _____.

General Subject: Judicial salaries.

Existing law authorizes the Legislature to prescribe compensation for judges or courts of record. Existing law specifies the salaries of justices and judges of the Supreme Court, the courts of appeal, and trial courts, and provides for the annual increase of those salaries by the amount that is produced by multiplying the judge's or justice's current salary by the average percentage salary increase for the current fiscal year for California state employees, as provided.

This bill would, beginning on July 1, 2016, include a salary increase occurring on or after July 1 of any fiscal year for California state employees that is made effective July 1 of that fiscal year in the calculation of the average percentage salary increase for that fiscal year, retroactive to July 1 of that fiscal year. The bill would also require the Department of Human Resources to report any retroactive percentage salary increase to the State Controller in a pay letter.



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Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local
program: no.



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