
DIGEST

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HB 589 Original

2023 Regular Session

Zeringue

Abstract: Provides for changes to the Judges' Supplemental Compensation Fund.

Present law provides that the Judges' Supplemental Compensation Fund proceeds shall be used solely and exclusively for salary supplements to judges and commissioners, for related costs of state or municipal retirement funds and for necessary and associated administrative expenses.

Proposed law retains present law but removes municipal retirement fund payments, adds Medicare contributions, and limits administrative expenses to those provided in proposed law as eligible uses of the fund.

Proposed law provides that it is the intent of the legislature that the fund be completely self-sufficient and self-sustaining from the filing fee proceeds and that no state general funds are used for the purposes of the fund.

Present law creates the Judges' Supplemental Compensation Fund Board.

Proposed law repeals present law.

Present law provides that disbursement of the proceeds from the fund may be authorized only by a majority of the members of the board.

Proposed law repeals present law.

Proposed law requires the judicial administrator to review the rate of supplemental pay for all judges and commissioners receiving supplemental pay from the fund on a quarterly basis.

Proposed law further requires the supplemental pay rate to be based on actual collections.

Present law established a base filing fee in 1985 which is adjusted annually based on the consumer price index.

Proposed law adjusts the base filing fee to the amount currently collected.

Present law requires payment of administrative expenses from the fund prior to the judicial administrator distributing supplemental compensation payments.

Proposed law retains present law and adds that necessary and associated administrative expenses

related to the management and operation of the fund incurred by the supreme court shall be paid in priority from the fund to the supreme court and accepted by the supreme court prior to distributing the amount available for supplemental payments.

Proposed law further adds that administrative expenses shall not exceed one and one-half percent of monies collected each year.

Proposed law requires the supreme court to develop an online payment portal for clerks of court to remit the filing fee. Proposed law further provides that the portal shall be considered an administrative expense.

Proposed law requires a minimum cash balance reserve of \$750,000 to be maintained in the fund. Proposed law further authorizes the cash reserve to be utilized in certain circumstances but requires the balances to be restored prior to determining the amount available for supplemental payments.

Present law provides for the distribution of supplemental payments to judges and commissioners and for associated retirement benefits.

Proposed law retains present law but adds Medicare contributions as a payable expense from the fund.

Provides law provides that a judge of any court that fails to timely remit the filing fee shall not be eligible to receive the supplemental payment for the month following the month in which the court failed to remit payment.

(Amends R.S. 13:10.3)