JUDICIAL DEPARTMENT BILL DRAFT REQUEST FOR THE 2023 LEGISLATIVE SESSION

Authority: NRS 218D.190

Deadline: BDRs from the Judicial Department must be submitted by the Supreme Court by no later than **September 1, 2022**.

Person Submitting Request:

John McCormick

Person to Contact for Clarification or Additional Information:

Name: John McCormick

Email: jmccormick@nvcourts.nv.gov

Phone: 775-687-9813

1. **Intent of Proposed Bill or Resolution** (Describe the problem to be solved, intended effect, and/or the goal(s) of the proposed bill or resolution – may be attached as separate document):

The intent of this proposed bill is to make compensation for Supreme Court Justices and Court of Appeals Judges more equitable by adjusting the salaries of these State Judicial Officers by the cumulative percentage of increases afforded the classified employees of the State over the previous two terms of office for Justices, and over the last term of office for Judges. Furthermore, it creates a mechanism to adjust State Judicial Officer pay by the cumulative percentage of increases for classified employees every six years (judicial term of office) thereafter.

2. **If known, list any existing state law that is sought to be changed or which is affected by the measure (NRS Title(s), Chapter(s) and Section(s) affected, Statutes of Nevada Chapter(s) and Section(s) affected and/or Nevada Constitutional provision):**

Title 1, NRS 2.050 and NRS 2A.080

3. **Any additional information that may be helpful in drafting the bill or resolution** (May include any relevant legislative measures, cases or federal laws or other supporting materials – may be attached):

Suggested language is attached. The mechanism to increase the salaries of the State Judicial Officers every term mirrors the mechanism used to increase the compensation of the constitutional officers such as the Governor (see NRS 223.050).

4. **Effective Date:**

☐ Default (October 1, 2023)

☒ July 1, 2023

☐ January 1, 2024

☐ Upon Passage and Approval

☐ Other

5. **Description of any known cost to the State or a local government that would result from carrying out the changes in the bill if enacted:**

There will be a direct impact on the State in that it will require appropriations to be made to budget account 1490 - State Judicial Elected Officials in order to increase the compensation of State Judicial Officers in 2023, 2025, 2027, and every six years thereafter.

REQUIRED PREFILING:

A bill draft requested by the Supreme Court is required to be prefiled on or before November 16, 2022. By statute, such a measure that is not prefiled on or before that date is deemed to be withdrawn. There is no authority to waive this requirement.

Please submit the completed Bill Draft Request form by mail to: Bryan Fernley, Legislative Counsel, Legislative Building, 401 South Carson Street, Carson City, Nevada 89701; by e-mail at Bryan.Fernley@lcb.state.nv.us; or by fax at (775) 684-6761.

Section 1. NRS 2.050 is hereby amended to read as follows:

2.050 1. Until the first Monday in January ~~[2009,]~~ ***2027,*** the justices of the Supreme Court whose terms of office expire on the first Monday in January ~~[2009]~~ ***2027*** are entitled to receive an annual base salary of ~~[$140,000.]~~ ***$170,000.*** From and after the first Monday in January ~~[2009,]~~ ***2027, the base salary shall be adjusted by an amount equal to the cumulative percentage increase in the salaries of the classified employees of this State over the immediately preceding two terms of office of the justices or their predecessor in office. On the first Monday in January every sixth year thereafter,*** their successors in office are entitled to receive an annual base salary ***adjusted by an amount equal to the cumulative percentage increase in the salaries of the classified employees of this State during the immediately preceding term of office of the justice of the Supreme Court.***

2. Until the first Monday in January ~~[2011,]~~ ***2023,*** the justices of the Supreme Court whose terms of office expire on the first Monday in January ~~[2011]~~ ***2023*** are entitled to receive an annual base salary of ~~[$140,000.]~~ ***$170,000.*** From and after the first Monday in January ~~[2011,]~~ ***2023, the base salary shall be adjusted by an amount equal to the cumulative percentage increase in the salaries of the classified employees of this State over the immediately preceding two terms of office of the justices or their predecessor in office. On the first Monday in January every sixth year thereafter,*** their successors in office are entitled to receive an annual base salary ***adjusted by an amount equal to the cumulative percentage increase in the salaries of the classified employees of this State during the immediately preceding term of office of the justice of the Supreme Court.***

3. Until the first Monday in January ~~[2013,]~~ ***2025,*** the justices of the Supreme Court whose terms of office expire on the first Monday in January ~~[2013]~~ ***2025*** are entitled to receive an annual base salary of ~~[$140,000.]~~ ***$170,000.*** From and after the first Monday in January ~~[2013,]~~ ***2025, the base salary shall be adjusted by an amount equal to the cumulative percentage increase in the salaries of the classified employees of this State over the immediately preceding two terms of office of the justices or their predecessor in office. On the first Monday in January every sixth year thereafter,*** their successors in office are entitled to receive an annual base salary ***adjusted by an amount equal to the cumulative percentage increase in the salaries of the classified employees of this State during the immediately preceding term of office of the justice of the Supreme Court.***

4. All salaries provided for in this section are payable in biweekly installments as other state officers are paid.

Sec. 2 NRS 2A.080 is hereby amended to read as follows:

2A.080 1. The annual base salary of each judge of the Court of Appeals ***whose term of office begins before the first Monday in January 2023*** is $165,000. ***From and after the first Monday in January 2023, and on the first Monday of January every sixth year thereafter, his or her successor in office is entitled to receive an annual base salary adjusted by an amount equal to the cumulative percentage increase in the salaries of the classified employees of this State during the immediately preceding term of office of the judge of the Court of Appeals.***

2. A judge of the Court of Appeals who has served as a justice of the Supreme Court, judge of the Court of Appeals or judge of a district court, or any combination thereof, for at least 4 years is entitled to an additional salary of 2 percent of his or her annual base salary for each year of service. The additional salary must not exceed 22 percent of his or her annual base salary.

3. The salary provided for in this section is payable in biweekly installments as other state officers are paid.