

CONFERENCE COMMITTEE REPORT**HB 781****2024 Regular Session****McFarland**

June 3, 2024

To the Honorable Speaker and Members of the House of Representatives and the Honorable President and Members of the Senate.

Ladies and Gentlemen:

We, the conferees appointed to confer over the disagreement between the two houses concerning House Bill No. 781 by Representative McFarland, recommend the following concerning the Engrossed bill:

1. That Senate Committee Amendment No. 4 by the Senate Committee on Finance (#4220) be rejected.
2. That Senate Committee Amendments Nos. 1, 2, 3, and 5 by the Senate Committee on Finance (#4220) be adopted.
3. That the set of Senate Floor Amendments by Senator Womack (#4429) be adopted.
4. That the following amendment to the Engrossed bill be adopted:

AMENDMENT NO. 1

On page 10, delete lines 26 through 29 in their entirety, and insert the following:

"Section 6.(A) If the Louisiana Supreme Court and the Louisiana Judicial Budgetary Control Board each determine that the judiciary has sufficient funding from its approved bank account, as reflected in its balance as of June 30, 2024, to fund a one-time stipend as authorized in this Section, then the justices of the supreme court shall receive an additional one-time payment of Fifteen Thousand Two Hundred Eighty (\$15,280) Dollars; the judges of the courts of appeal shall receive an additional one-time payment of Seventeen Thousand Six Hundred Eighty (\$17,680) Dollars; the judges of the district courts shall receive an additional one-time payment of Fourteen Thousand Six Hundred Ninety-One (\$14,691) Dollars; and the judges of city courts and parish courts shall receive an additional one-time payment of Eight and Forty-Five Hundredths (8.45) Percent of their current base salary.

(B) The one-time stipend authorized in this Section shall be funded solely by the approved bank account of the judiciary based on its balance as of June 30, 2024.

(C) The one-time stipend authorized in this Section shall become effective following the completion of a work point study of the appellate and district courts in Louisiana with the National Center for State Courts and the submission of a report to the Louisiana Supreme Court and the Judicial Structure Task Force continued pursuant to House Resolution No. 3 of the 2024 Regular Session of the Louisiana Legislature.

(D) The one-time stipend authorized in this Section shall not be funded by a specific appropriation of the Louisiana Legislature, and as such shall not be considered compensation pursuant to Article V, Section 21 of the Constitution of Louisiana.

(E) Any salary increase pursuant to R.S. 13:5636 that occurs by operation of law shall be considered a salary increase for purposes of Article V, Section 31 of the Constitution of Louisiana."

Respectfully submitted,

Representative Jack G. McFarland

Senator Glen Womack

Representative Phillip R. DeVillier

Senator Jimmy Harris

Representative Jerome Zeringue

Senator W. Jay Luneau

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

CONFERENCE COMMITTEE REPORT DIGEST

HB 781

2024 Regular Session

McFarland

Keyword and oneliner of the instrument as it left the House

APPROPRIATIONS: Appropriates funds for the expenses of the judiciary for Fiscal Year 2024-2025

Report adopts Senate amendments to:

1. Restore funding of \$743,057 for personnel at the Criminal District Court of Orleans.
2. Make technical changes.

Report rejects Senate amendments which would have:

1. Removed proposed language requiring the completion of the work point study by the National Center for State Courts before funding any salary increases for judges.
2. Added language providing that if the La. Supreme Court and the La. Judicial Budgetary Control Bd. determine that the judiciary has sufficient funding from the state and other sources to fund salary increases, and if such determination is made prior to July 1, 2024, the following salary increases shall be in effect from July 1, 2024: \$15,280 to the justices of the supreme court, \$17,680 to the judges of the courts of appeal, \$14,691 to the judges of the district courts, and 8.45% to the judges of the city and parish courts.
3. Made a technical change.

Report amends the bill to:

1. Add language providing that if the La. Supreme Court and the La. Judicial Budgetary Control Bd. each determine that the judiciary has sufficient funding from its approved bank account, as reflected in its balance as of June 30, 2024, to fund a one-time stipend as authorized in proposed law, then the justices of the supreme court shall receive an additional one-time payment of Fifteen Thousand Two Hundred Eighty (\$15,280) Dollars; the judges of the courts of appeal shall receive an additional one-time payment of Seventeen Thousand Six Hundred Eighty (\$17,680) Dollars; the judges of the district courts shall receive an additional one-time payment of Fourteen Thousand Six Hundred Ninety-One (\$14,691) Dollars; and the judges of

city courts and parish courts shall receive an additional one-time payment of Eight and Forty-Five Hundredths (8.45) Percent of their current base salary.

2. Add language providing that the one-time stipend authorized in proposed law shall be funded solely by the approved bank account of the judiciary based on its balance as of June 30, 2024.
3. Add language providing that the one-time stipend authorized in proposed law shall become effective following the completion of a work point study of the appellate and district courts in Louisiana with the National Center for State Courts and the submission of a report to the Louisiana Supreme Court and the Judicial Structure Task Force continued pursuant to House Resolution No. 3 of the 2024 Regular Session of the Louisiana Legislature.
4. Add language providing that the one-time stipend authorized in proposed law shall not be funded by a specific appropriation of the Louisiana Legislature, and as such shall not be considered compensation under present constitution (Art. V, Sec. 21 of the Constitution of La.), which prohibits the reduction of compensation of a judge during his term.
5. Add language providing that any salary increase pursuant to present law (R.S. 13:5636), which authorizes sheriffs to receive a salary increase, that occurs by operation of law shall be considered a salary increase for purposes of present constitution (Art. V, Sec. 31), which prohibits the reduction of the salary of a sheriff during his term of office.

Digest of the bill as proposed by the Conference Committee

Appropriates funds for Fiscal Year 2024-2025 for the ordinary operating expenses of the judicial branch of government with total funding of \$208,551,329 from the following sources: \$187,315,555 out of the State General Fund (Direct); \$9,392,850 out of Interagency Transfers; and \$11,842,924 from statutory dedications out of the Judges' Supplemental Compensation Fund and the Trial Court Case Management Fund.

Proposed law provides that if the La. Supreme Court and the La. Judicial Budgetary Control Bd. each determine that the judiciary has sufficient funding from its approved bank account, as reflected in its balance as of June 30, 2024, to fund a one-time stipend as authorized in proposed law, then the justices of the supreme court shall receive an additional one-time payment of Fifteen Thousand Two Hundred Eighty (\$15,280) Dollars; the judges of the courts of appeal shall receive an additional one-time payment of Seventeen Thousand Six Hundred Eighty (\$17,680) Dollars; the judges of the district courts shall receive an additional one-time payment of Fourteen Thousand Six Hundred Ninety-One (\$14,691) Dollars; and the judges of city courts and parish courts shall receive an additional one-time payment of Eight and Forty-Five Hundredths (8.45) Percent of their current base salary.

Proposed law provides that the one-time stipend authorized in proposed law shall be funded solely by the approved bank account of the judiciary based on its balance as of June 30, 2024. Further provides that the one-time stipend authorized in proposed law shall become effective following the completion of a work point study of the appellate and district courts in Louisiana with the National Center for State Courts and the submission of a report to the Louisiana Supreme Court and the Judicial Structure Task Force continued pursuant to House Resolution No. 3 of the 2024 Regular Session of the Louisiana Legislature.

Provides that the one-time stipend authorized in proposed law shall not be funded by a specific appropriation of the Louisiana Legislature, and as such shall not be considered compensation under present constitution (Art. V, Sec. 21 of the Constitution of La.), which prohibits the reduction of compensation of a judge during his term.

Provides that any salary increase pursuant to present law (R.S. 13:5636), which authorizes sheriffs to receive a salary increase, that occurs by operation of law shall be considered a

salary increase for purposes of present constitution (Art. V, Sec. 31), which prohibits the reduction of the salary of a sheriff during his term of office.

Funding for the ordinary operating expenses of the judicial branch of government is provided as follows:

	<u>FY 24 EOB</u>	<u>FY 25 REC</u>
Louisiana Supreme Court	\$ 87,705,242	\$ 94,167,608
Courts of Appeal	\$ 51,986,944	\$ 55,830,638
District Courts	\$ 44,571,039	\$ 48,684,291
Criminal Court, Parish of Orleans	\$ 6,979,439	\$ 7,387,777
Juvenile and Family Courts	\$ 2,858,092	\$ 2,911,815
Other Courts (Required by Statute)	\$ 3,601,525	\$ 3,901,082
Other Programs	\$ 815,183	\$ 862,658
Reduction (SGF)	\$ 0	\$ (13,666,285)
Increase (SGF)	\$ 0	\$ 8,471,745
Total Funding	<u>\$ 198,517,464</u>	<u>\$ 208,551,329</u>

Effective July 1, 2024.