

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO.

Public officials' compensation.

Sponsored by: Joint Appropriations Committee

A BILL

for

1 AN ACT relating to public officials; setting compensation
2 and compensation adjustment schedules for judicial
3 officers, district attorneys and full-time county and
4 prosecuting attorneys; increasing the state contribution
5 for county and prosecuting attorneys and assistant county
6 and prosecuting attorneys salaries; repealing obsolete
7 provisions; requiring reporting; specifying applicability;
8 and providing for an effective date.

9

10 *Be It Enacted by the Legislature of the State of Wyoming:*

11

1 **Section 1.** W.S. 5-1-110(a)(i) through (iii) and by
2 creating new subsections (c) and (d), 9-1-802(d), 9-3-
3 101(a)(intro) and 18-3-107(f), are amended to read:

4
5 **5-1-110. Salaries of judges.**

6
7 (a) Subject to constitutional and statutory
8 provisions concerning when salaries can become effective,
9 judges of the supreme court, district courts, chancery
10 courts and circuit courts shall receive the following
11 annual salaries which shall be paid in equal monthly
12 installments on the last working day of the month:

13
14 (i) Supreme court justices shall receive an
15 annual salary ~~of one hundred sixty-five thousand dollars~~
16 ~~(\$165,000.00) commencing July 1, 2012 and one hundred~~
17 ~~seventy-five thousand dollars (\$175,000.00) commencing July~~
18 ~~1, 2019~~ equal to ninety percent (90%) of the annual salary
19 provided for a judge of the United States district court
20 pursuant to W.S. 28 U.S.C. 135, as amended, and as adjusted
21 by 28 U.S.C. 461, as amended. The salary provided by this
22 paragraph shall commence on July 1, 2028 and shall be
23 adjusted every even-numbered July 1 thereafter, subject to

1 constitutional requirements and legislative approval as
2 provided in subsection (c) of this section;

3
4 (ii) District court judges shall receive an
5 annual salary ~~one hundred fifty thousand dollars~~
6 ~~(\$150,000.00) commencing July 1, 2012 and one hundred sixty~~
7 ~~thousand dollars (\$160,000.00) commencing July 1, 2019~~
8 equal to eighty percent (80%) of the annual salary provided
9 for a judge of the United States district court pursuant to
10 W.S. 28 U.S.C. 135, as amended, and as adjusted by 28
11 U.S.C. 461, as amended. The salary provided by this
12 paragraph shall commence on July 1, 2028 and shall be
13 adjusted every even-numbered July 1 thereafter, subject to
14 constitutional requirements and legislative approval as
15 provided in subsection (c) of this section;

16
17 (iii) Circuit court judges shall receive an
18 annual salary ~~of one hundred twenty-five thousand dollars~~
19 ~~(\$125,000.00) commencing July 1, 2017 and one hundred~~
20 ~~forty-five thousand dollars (\$145,000.00) commencing July~~
21 ~~1, 2019~~ equal to seventy percent (70%) of the annual salary
22 provided for a judge of the United States district court
23 pursuant to W.S. 28 U.S.C. 135, as amended, and as adjusted

1 by 28 U.S.C. 461, as amended. The salary provided by this
2 paragraph shall commence on July 1, 2028 and shall be
3 adjusted every even-numbered July 1 thereafter, subject to
4 constitutional requirements and legislative approval as
5 provided in subsection (c) of this section;

6
7 (c) The supreme court and district courts shall
8 include as separate line items in their standard budget
9 requests to the joint appropriations committee for the
10 fiscal biennium beginning July 1, 2028 and each fiscal
11 biennium thereafter, the respective proposed judicial
12 salaries for the upcoming fiscal biennium as calculated and
13 provided in subsection (a) of this section. Legislative
14 appropriation of funds specified in this line item in the
15 general appropriations bill for the succeeding fiscal
16 biennium shall constitute legislative approval of the
17 judicial salary.

18
19 (d) The judicial branch shall adjust salaries for
20 justices and judges as provided in subsection (a) of this
21 section on July 1, 2028 and again on July 1 of every even-
22 numbered year thereafter subject to legislative approval as
23 provided in subsection (c) of this section. The judicial

branch shall report the new judicial salary schedule to the state auditor, the human resource division of the department of administration and information, the state budget department, management council and the joint appropriations committee by July 31 of each even-numbered year. A judicial salary adjustment under this section shall become effective subject to constitutional provisions concerning when judicial salaries can become effective.

9-1-802. Election; term; qualifications; full-time; private practice prohibited; exception; salary; vacancies.

(d) ~~From and after January 3, 2011 until January 2, 2023, each district attorney shall receive an annual salary of not less than one hundred thousand dollars (\$100,000.00).~~ From and after January 2, 2023, each district attorney shall receive an annual salary not greater than the salary authorized for a circuit court judge in W.S. 5-1-110 as determined by the legislature.

9-3-101. Salaries; amount; date of payment.

1 (a) ~~Salaries for clerk of the supreme court and~~
2 ~~district court reporters shall be determined by the supreme~~
3 ~~court as authorized by legislative appropriations.~~ Subject
4 to constitutional limitations the following state officers
5 ~~and members of the judiciary~~ shall receive the salaries
6 ~~indicated by the figures~~ following their respective titles:

7
8 **18-3-107. Annual salaries of certain officers;**
9 **additional compensation prohibited; exception as to**
10 **traveling and other expenses; compensation of county**
11 **commissioner; appointment and salaries of deputies, clerks,**
12 **stenographers and other assistants.**

13
14 (f) Subject to legislative appropriation, the state
15 will pay a portion of each county and prosecuting attorney
16 and assistant county and prosecuting attorney's salary as
17 provided in this subsection. The state will pay ~~fifty~~
18 ~~thousand dollars (\$50,000.00) or~~ fifty percent (50%) of
19 the salary of the county and prosecuting attorney,
20 ~~whichever is less,~~ per year to each qualifying county. The
21 state will pay ~~thirty thousand dollars (\$30,000.00) or~~
22 fifty percent (50%) of the salary of each assistant to the
23 county and prosecuting attorney, ~~whichever is less,~~ per

1 year. Payments under this section shall be made annually on
2 or before June 30. In any fiscal year in which the
3 legislative appropriation is insufficient to make all
4 payments authorized by this subsection, the state treasurer
5 shall provide a reduced payment by multiplying the payment
6 authorized under this subsection by a fraction, the
7 numerator of which is equal to the remaining legislative
8 appropriation for the program for the biennial budget
9 period and the denominator of which is equal to the total
10 payments to be made under this subsection for the current
11 fiscal year.

12
13 **[STAFF COMMENT: Following are other statutory**
14 **salaries effected by this Act:**

15
16 **5-1-110. Salaries of judges.**

17
18 (a) Subject to constitutional and statutory
19 provisions concerning when salaries can become effective,
20 judges of the supreme court, district courts, chancery
21 courts and circuit courts shall receive the following
22 annual salaries which shall be paid in equal monthly
23 installments on the last working day of the month:

24
25 (iv) Chancery court judges shall receive an
26 annual salary equal to the judges of the district courts.

27
28 **18-3-107. Annual salaries of certain officers;**
29 **additional compensation prohibited; exception as to**
30 **traveling and other expenses; compensation of county**
31 **commissioner; appointment and salaries of deputies, clerks,**
32 **stenographers and other assistants.**

33
34 (a) County officers shall be paid as follows:

1
2 (i) The county assessor, part-time county and
3 prosecuting attorneys, part-time county attorneys, county
4 clerk, clerk of district court, county sheriff and county
5 treasurer in their respective counties shall receive as
6 annual salaries:

7
8 (D) From and after January 2, 2023 not more
9 than the salary authorized for a circuit court judge in
10 W.S. 5-1-110.

11
12 (ii) Full-time county attorneys and full-time
13 county and prosecuting attorneys shall receive as annual
14 salaries:

15
16 (D) From and after January 2, 2023 and to
17 the extent permitted under the constitution and statutory
18 law, not less than thirty-five thousand dollars
19 (\$35,000.00) nor more than the salary authorized for a
20 circuit court judge under W.S. 5-1-110.

21
22
23 Section 2. W.S. 5-1-110(b) and 18-3-107(a)(i)(C) and
24 (ii)(C) are repealed.

25
26 [STAFF COMMENT]: Following are the Repealed Sections:

27
28 5-1-110. Salaries of judges.

29
30 (b) In addition to the salaries provided in
31 subsection (a) of this section, the legislature may provide
32 through the budget process salary cost of living increases
33 comparable to the increases provided to other state
34 employees. Any such cost of living salary increases shall
35 be specifically stated in a footnote to the budget bill by
36 stating the total appropriation required as a result of any
37 such increases along with the new salary amount to be
38 provided to the supreme court, district court and circuit
39 court. Any salary increase under this subsection shall be
40 subject to constitutional and statutory provisions
41 concerning when salaries can become effective.
42

1 18-3-107. Annual salaries of certain officers;
2 additional compensation prohibited; exception as to
3 traveling and other expenses; compensation of county
4 commissioner; appointment and salaries of deputies, clerks,
5 stenographers and other assistants.

6
7 (a) County officers shall be paid as follows:

8
9 (i) The county assessor, part-time county and
10 prosecuting attorneys, part-time county attorneys, county
11 clerk, clerk of district court, county sheriff and county
12 treasurer in their respective counties shall receive as
13 annual salaries:

14
15 (C) From and after January 3, 2011, not less than ten
16 thousand dollars (\$10,000.00) nor more than one hundred
17 thousand dollars (\$100,000.00);

18
19 (ii) Full-time county attorneys and full-time
20 county and prosecuting attorneys shall receive as annual
21 salaries:

22
23 (C) From and after January 1, 2009 through
24 January 1, 2023, and to the extent permitted under the
25 constitution and statutory law, not less than thirty-five
26 thousand dollars (\$35,000.00) nor more than the salary
27 authorized for a district attorney under W.S. 9-1-802(d);]

28
29
30 Section 3.

31
32 (a) The amended salaries provided in section 1 of
33 this act for judicial officers shall begin on July 1, 2028,
34 subject to constitutional and statutory provisions
35 concerning when salaries can become effective. Until that
36 date the following annual salary schedule shall apply:

1 (i) Supreme court justice \$187,250;

2

3 (ii) District court judge \$171,200;

4

5 (iii) Circuit court judge \$153,700;

6

7 (iv) Chancery court judge \$171,200.

8

9 (b) The state's portion of county and prosecuting
10 attorneys' salaries and assistant county and prosecuting
11 attorneys' salaries as provided in W.S. 18-3-107(f) as
12 amended by section 1 this act shall be effective July 1,
13 2028. Until that date, the state will pay fifty thousand
14 dollars (\$50,000.00) or fifty percent (50%) of the salary
15 of the county and prosecuting attorney, whichever is less,
16 per year to each qualifying county. The state will pay
17 thirty thousand dollars (\$30,000.00) or fifty percent (50%)
18 of the salary of each assistant to the county and
19 prosecuting attorney, whichever is less, per year.

20

21 **Section 4.**

22

1 (a) The judicial branch shall report to the state
2 auditor, the human resource division of the department of
3 administration and information, the state budget
4 department, management council and the joint appropriations
5 committee on each date judicial salaries are adjusted under
6 W.S. 5-1-110. The state auditor, the human resource
7 division of the department of administration and
8 information and the state budget department shall adjust
9 the salaries of district attorneys on the date of each
10 report.

(b) Updated and current district attorney and judicial salaries as calculated and provided by this act shall be published on the websites of the state auditor and the human resource division of the department of administration and information.

18 **Section 5.** This act is effective July 1, 2027.

20 (END)