

1 SB118
2 215781-2
3 By Senator Barfoot
4 RFD: Finance and Taxation General Fund
5 First Read: 18-JAN-22

SYNOPSIS: Under existing law, the salary of the several circuit clerks in the state's judicial system is based on the pay plan of the Unified Judicial System.

This bill would revise the salary of all circuit clerks in the state's judicial system, including the Deputy Circuit Clerk of the Bessemer Division of the Tenth Judicial Circuit, to increase the pay grade for circuit clerks beginning the next term of office in January 2025 based on the pay plan adopted by the personnel system of the Unified Judicial System, as amended from time to time.

A BILL
TO BE ENTITLED
AN ACT

To amend Section 12-17-81 of the Code of Alabama 1975, to further provide for the salary of all circuit clerks

1 in the Unified Judicial System based on the pay plan adopted
2 by the personnel system of the Unified Judicial System.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. Section 12-17-81 of the Code of Alabama
5 1975, is amended to read as follows:

6 "§12-17-81.

7 "(a) For the purposes of this section, the following
8 terms shall have the following meanings:

9 "(1) ANNIVERSARY DATE. Annually, the first Monday
10 after the second Tuesday in January.

11 "(2) CIRCUIT CLERKS. All circuit clerks in the
12 Unified Judicial System and the Deputy Circuit Clerk of the
13 Bessemer Division in the Tenth Judicial Circuit.

14 "~~(2)~~ (3) PAY PLAN. The pay plan adopted by the
15 Unified Judicial System personnel system, or its successor
16 entity, providing the pay range with steps, as the same may be
17 amended from time to time.

18 "~~(3)~~ (4) STATE SALARY. The annual salary of circuit
19 clerks and district clerks payable from the State Treasury.

20 "(b) Effective January 18, 1999, the annual salary
21 of circuit clerks and district clerks, who first take office
22 by appointment or election on or after January 18, 1999,
23 payable from the State Treasury shall be fixed at step one of
24 the pay plan for Assistant Clerk of the Court of Criminal
25 Appeals. Thereafter, the state salary of circuit clerks and
26 district clerks shall be increased annually, on the
27 anniversary date, by one step on the pay plan until the

1 maximum step authorized by the pay plan is reached. This
2 section shall not diminish any local supplement currently
3 provided to any circuit clerk or district clerk pursuant to
4 any general or local act; provided further that nothing in
5 this section as amended by Act 98-301 of the 1998 Regular
6 Session shall serve to increase any local supplement in effect
7 on July 1, 1998. In no event shall the annual state salary of
8 any circuit clerk or district clerk be diminished by this
9 section.

10 "(c) Effective January 18, 1999, the state salary
11 payable to circuit clerks and district clerks, who are already
12 serving in office on that date and who have not more than six
13 years of service, shall be an amount equal to step five of the
14 pay plan for Assistant Clerk of the Court of Criminal Appeals.
15 The state salary shall be increased on January 17, 2000, or on
16 the anniversary date of creditable service, to step six of the
17 pay plan. Beginning on the anniversary date in the year 2002,
18 and annually thereafter, the state salary shall be increased
19 in an amount equal to one step in the pay plan until the
20 maximum step authorized by the pay plan is reached.

21 "(d) Effective beginning with the term of office
22 commencing in January 2025, the annual salary of circuit
23 clerks who first take office by appointment or election on or
24 after that date payable from the State Treasury shall be fixed
25 at step one of pay grade 86 of the pay plan and the annual
26 salary of circuit clerks serving in office prior to that date
27 and continuing to serve who are receiving a salary in pay

1 grade 84 shall be fixed at the corresponding step in pay grade
2 86 of the pay plan. Thereafter, the state salary of circuit
3 clerks shall be increased annually, on the anniversary date,
4 by one step on the pay plan until the maximum step authorized
5 by the pay plan is reached. This section shall not diminish
6 any local supplement currently provided to an circuit clerk
7 pursuant to any general or local act; provided further that
8 nothing in this section as amended by Act 98-301 of the 1998
9 Regular Session shall serve to increase any local supplement
10 in effect on July 1, 1998. In no event shall the annual state
11 salary of any circuit clerk be diminished by this section.

12 ~~"(d) Effective January 18, 1999, the state salary~~
13 ~~payable to circuit clerks and district clerks, who are in~~
14 ~~office on that date and who have not less than six and not~~
15 ~~more than 12 years of service, shall be an amount equal to~~
16 ~~fifty-four thousand dollars (\$54,000), plus one-third of the~~
17 ~~difference between fifty-four thousand dollars (\$54,000) and~~
18 ~~step 12 of the pay plan for Assistant Clerk of the Court of~~
19 ~~Criminal Appeals. The state salary shall be increased on~~
20 ~~January 17, 2000, to an amount equal to fifty-four thousand~~
21 ~~dollars (\$54,000), plus two-thirds of the difference between~~
22 ~~fifty-four thousand dollars (\$54,000) and step 12 of the pay~~
23 ~~plan. The state salary shall be increased on January 15,~~
24 ~~2001, or on the anniversary date of creditable service, to an~~
25 ~~amount equal to step 12 of the pay plan. Beginning on the~~
26 ~~anniversary date in the year 2002, and annually thereafter,~~
27 ~~the state salary shall be increased in an amount equal to one~~

1 ~~step in the pay plan until the maximum step authorized by the~~
2 ~~pay plan is reached.~~

3 ~~"(e) Effective January 18, 1999, the state salary~~
4 ~~payable to circuit clerks and district clerks, who are in~~
5 ~~office on that date and who have more than 12 years of~~
6 ~~service, shall be an amount equal to fifty-four thousand~~
7 ~~dollars (\$54,000), plus one-third of the difference between~~
8 ~~fifty-four thousand dollars (\$54,000) and step 18 of the pay~~
9 ~~plan for Assistant Clerk of the Court of Criminal Appeals.~~
10 ~~The state salary shall be increased on January 17, 2000, to an~~
11 ~~amount equal to fifty-four thousand dollars (\$54,000), plus~~
12 ~~two-thirds of the difference between fifty-four thousand~~
13 ~~dollars (\$54,000) and step 18 of the pay plan for Assistant~~
14 ~~Clerk of the Court of Criminal Appeals. The state salary~~
15 ~~shall be increased on January 15, 2001, or on the anniversary~~
16 ~~date of creditable service, to an amount equal to step 18 of~~
17 ~~the pay plan.~~

18 ~~"(f) Notwithstanding the provisions of this section~~
19 ~~as amended by Act 98-301 of the 1998 Regular Session, no~~
20 ~~circuit or district clerk shall receive any salary increase~~
21 ~~for state employees which is enacted to apply effective FY~~
22 ~~1999."~~

23 Section 2. This act shall become effective on the
24 first day of the third month following its passage and
25 approval by the Governor, or its otherwise becoming law.