



94TH GENERAL ASSEMBLY

State of Illinois

2005 and 2006

HB0046

Introduced 1/3/2005, by Rep. William B. Black

SYNOPSIS AS INTRODUCED:

5 ILCS 290/3	from Ch. 53, par. 3
5 ILCS 290/3.1	from Ch. 53, par. 3.1
5 ILCS 290/3.2	from Ch. 53, par. 3.2
5 ILCS 290/3.3	from Ch. 53, par. 3.3
5 ILCS 290/3.4 new	
25 ILCS 120/4	from Ch. 63, par. 904
25 ILCS 120/5.10 new	

Amends the Salaries Act and the Compensation Review Act. Provides that the Compensation Review Board shall not recommend the compensation of judges. Authorizes the General Assembly to set the compensation of judges by law. Provides that judges shall not receive cost-of-living adjustments as authorized by Senate Joint Resolution 192 of the 86th General Assembly, beginning with terms beginning on or after the first Monday in December 2014 (for Supreme Court judges), 2012 (for Appellate Court judges), 2010 (for Circuit Court judges), and 2008 (for associate judges). Permits judges for those terms to receive cost-of-living adjustments provided by law by the General Assembly.

LRB094 04152 JAM 34173 b

FISCAL NOTE ACT
MAY APPLY

1 AN ACT concerning government.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Salaries Act is amended by changing Sections
5 3, 3.1, 3.2, and 3.3 and by adding Section 3.4 as follows:

6 (5 ILCS 290/3) (from Ch. 53, par. 3)

7 Sec. 3. Salaries of Judges of the Supreme Court. From July
8 1, 1982 through June 30, 1983, the annual salary of each judge
9 of the Supreme Court shall be \$66,500, to be paid out of the
10 State Treasury. From ~~On and after~~ July 1, 1983 until the
11 effective date of this amendatory Act of the 94th General
12 Assembly, the annual salary of each judge of the Supreme Court
13 shall be \$75,000, or as set by the Compensation Review Board,
14 whichever is greater, to be paid out of the State Treasury. On
15 and after the effective date of this amendatory Act of the 94th
16 General Assembly, the annual salary of each judge of the
17 Supreme Court shall be as provided in Section 3.4, to be paid
18 out of the State treasury.

19 (Source: P.A. 86-1028.)

20 (5 ILCS 290/3.1) (from Ch. 53, par. 3.1)

21 Sec. 3.1. Salaries of Judges of the Appellate Court. From
22 July 1, 1982 through June 30, 1983, the annual salary of each
23 judge of the Appellate Court shall be \$61,500, to be paid out
24 of the State Treasury. From ~~On and after~~ July 1, 1983 until the
25 effective date of this amendatory Act of the 94th General
26 Assembly, the annual salary of each judge of the Appellate
27 Court shall be \$70,000, or as set by the Compensation Review
28 Board, whichever is greater, to be paid out of the State
29 Treasury. On and after the effective date of this amendatory
30 Act of the 94th General Assembly, the annual salary of each
31 judge of the Appellate Court shall be as provided in Section

1 3.4, to be paid out of the State treasury.

2 (Source: P.A. 86-1028.)

3 (5 ILCS 290/3.2) (from Ch. 53, par. 3.2)

4 Sec. 3.2. Salaries of Judges of the Circuit Court. From
5 July 1, 1982 through June 30, 1983, each judge of the Circuit
6 Court shall receive and be paid out of the State Treasury an
7 annual salary of \$57,500. ~~From On and after~~ July 1, 1983 until
8 the effective date of this amendatory Act of the 94th General
9 Assembly, each judge of the Circuit Court shall receive and be
10 paid out of the State Treasury an annual salary of \$65,000, or
11 an amount set by the Compensation Review Board, whichever is
12 greater. On and after the effective date of this amendatory Act
13 of the 94th General Assembly, each judge of the Circuit Court
14 shall receive and be paid out of the State treasury an annual
15 salary as provided in Section 3.4. The judges of the Circuit
16 Court in the Judicial Court constituted by the First Judicial
17 District and in other Judicial circuits composed of a single
18 county shall each be paid by the county in which their circuit
19 lies an additional salary of \$500 per year. Such additional
20 salary shall be paid in installments by the County Clerk, at
21 the end of each half month, by drawing a warrant therefor in
22 favor of each of the judges on the County Treasurer who shall
23 pay the same on presentation properly endorsed.

24 The judges of Circuit Courts, other than those of the
25 Circuit Court in the Judicial Court constituted by the First
26 Judicial District and those in any other Judicial circuit
27 composed of a single county, shall each be paid out of the
28 State Treasury an additional salary of \$500 per year.

29 The counties in each Judicial circuit, other than the
30 Circuit Court in the Judicial Court constituted by the First
31 Judicial District and any Judicial circuit composed of a single
32 county, shall reimburse the State Treasury for each additional
33 \$500 salary paid to judges of their Circuit Courts. The sums to
34 be paid by the counties in each such circuit shall be computed
35 by the Supreme Court and shall be apportioned among those

1 counties in accordance with their respective populations
2 compared with the total population of all counties within the
3 same circuit. The population of each county shall be determined
4 by the last federal census immediately preceding such
5 reimbursement. Each county shall pay its portion of
6 reimbursement not later than the last day of March in the year
7 immediately following such additional salary payment by the
8 State.

9 (Source: P.A. 86-1028; 86-1447.)

10 (5 ILCS 290/3.3) (from Ch. 53, par. 3.3)

11 Sec. 3.3. Salaries of Associate Judges of the Circuit
12 Court.

13 (a) In Judicial Circuits each associate judge shall be paid
14 out of the State Treasury an annual salary as follows: from
15 July 1, 1982 through June 30, 1983, \$52,500; from ~~on and after~~
16 July 1, 1983 until the effective date of this amendatory Act of
17 the 94th General Assembly, \$60,000, or an amount set by the
18 Compensation Review Board, whichever is greater; on and after
19 the effective date of this amendatory Act of the 94th General
20 Assembly, as provided in Section 3.4. In such judicial circuits
21 which are composed of a single county, each associate judge
22 shall be paid by the county in which such circuit lies an
23 additional salary of \$500 per year. Such additional salary
24 shall be paid in installments by the County Clerk, at the end
25 of each half month, by drawing a warrant therefor in favor of
26 each of the associate judges on the County Treasurer who shall
27 pay the same on presentation properly endorsed.

28 (b) In the Judicial Circuit constituted by the First
29 Judicial District, each associate judge shall be paid out of
30 the State Treasury an annual salary as follows: from July 1,
31 1982 through June 30, 1983, \$52,500; from ~~on and after~~ July 1,
32 1983 until the effective date of this amendatory Act of the
33 94th General Assembly, \$60,000, or an amount set by the
34 Compensation Review Board, whichever is greater; on and after
35 the effective date of this amendatory Act of the 94th General

1 Assembly, as provided in Section 3.4. In addition to this
2 annual amount, each such associate judge shall be paid by the
3 county in which such Circuit lies, an additional salary of \$500
4 per year. Such additional salary shall be paid in installments
5 by the County Clerk, at the end of each half month, by drawing
6 a warrant therefor in favor of each of the judges on the County
7 Treasurer who shall pay the same on presentation properly
8 endorsed.

9 Associate judges, other than those of the Circuit Court in
10 the Judicial Court constituted by the First Judicial District
11 and those in any other Judicial circuit composed of a single
12 county, shall each be paid out of the State Treasury an
13 additional salary of \$500 per year.

14 The counties in each Judicial circuit, other than the
15 Circuit Court in the Judicial Court constituted by the First
16 Judicial District and any Judicial circuit composed of a single
17 county, shall reimburse the State Treasury for each additional
18 \$500 salary paid to associate judges of their Circuit Courts.
19 The sums to be paid by the counties in each such circuit shall
20 be computed by the Supreme Court and shall be apportioned among
21 those counties in accordance with their respective populations
22 compared with the total population of all counties within the
23 same circuit. The population of each county shall be determined
24 by the last federal census immediately preceding such
25 reimbursement. Each county shall pay its portion of
26 reimbursement not later than the last day of March in the year
27 immediately following such additional salary payment by the
28 State.

29 (Source: P.A. 86-1028; 86-1447.)

30 (5 ILCS 290/3.4 new)

31 Sec. 3.4. Salaries of judges.

32 (a) On and after the effective date of this amendatory Act
33 of the 94th General Assembly, the annual compensation of judges
34 shall be the amount in effect on the effective date of this
35 amendatory Act of the 94th General Assembly except as provided

1 in this Section and unless a different amount is set by the
2 General Assembly by law.

3 (b) With respect to terms of Illinois Supreme Court judges
4 beginning before the first Monday in December 2014, those
5 judges shall receive cost-of-living adjustments to their
6 compensation as authorized by Senate Joint Resolution 192 of
7 the 86th General Assembly. Beginning with terms beginning on or
8 after the first Monday in December 2014, Illinois Supreme Court
9 judges shall receive only those cost-of-living adjustments
10 provided by the General Assembly by law enacted after the
11 effective date of this amendatory Act of the 94th General
12 Assembly.

13 (c) With respect to terms of Illinois Appellate Court
14 judges beginning before the first Monday in December 2012,
15 those judges shall receive cost-of-living adjustments to their
16 compensation as authorized by Senate Joint Resolution 192 of
17 the 86th General Assembly. Beginning with terms beginning on or
18 after the first Monday in December 2012, Illinois Appellate
19 Court judges shall receive only those cost-of-living
20 adjustments provided by the General Assembly by law enacted
21 after the effective date of this amendatory Act of the 94th
22 General Assembly.

23 (d) With respect to terms of Illinois Circuit Court judges
24 beginning before the first Monday in December 2010, those
25 judges shall receive cost-of-living adjustments to their
26 compensation as authorized by Senate Joint Resolution 192 of
27 the 86th General Assembly. Beginning with terms beginning on or
28 after the first Monday in December 2010, Illinois Circuit Court
29 judges shall receive only those cost-of-living adjustments
30 provided by the General Assembly by law enacted after the
31 effective date of this amendatory Act of the 94th General
32 Assembly.

33 (e) With respect to terms of Illinois associate judges
34 beginning before the first Monday in December 2008, those
35 judges shall receive cost-of-living adjustments to their
36 compensation as authorized by Senate Joint Resolution 192 of

1 the 86th General Assembly. Beginning with terms beginning on or
2 after the first Monday in December 2008, Illinois associate
3 judges shall receive only those cost-of-living adjustments
4 provided by the General Assembly by law enacted after the
5 effective date of this amendatory Act of the 94th General
6 Assembly.

7 (f) As used in this Section, "terms" includes terms
8 resulting both from election and from retention.

9 Section 10. The Compensation Review Act is amended by
10 changing Section 4 and adding Section 5.10 as follows:

11 (25 ILCS 120/4) (from Ch. 63, par. 904)

12 Sec. 4. Meetings of the Board; determining compensation;
13 public hearings; reports. The Board shall meet as often as may
14 be necessary and shall determine, upon a vote requiring at
15 least 7 affirmative votes, the compensation for members of the
16 General Assembly, ~~judges, other than the county supplement,~~
17 State's attorneys, other than the county supplement, the
18 elected constitutional officers of State government, and
19 certain appointed officers of State government.

20 In determining the compensation for each office, the
21 Compensation Review Board shall consider the following
22 factors:

23 (a) the skill required,

24 (b) the time required,

25 (c) the opportunity for other earned income,

26 (d) the value of public services as performed in
27 comparable states,

28 (e) the value of such services as performed in the
29 private sector in Illinois and comparable states based on
30 the responsibility and discretion required in the office,

31 (f) the average consumer prices commonly known as the
32 cost of living,

33 (g) the overall compensation presently received by the
34 public officials and all other benefits received,

1 (h) the interests and welfare of the public and the
2 financial ability of the State to meet those costs, and

3 (i) such other factors, not confined to the foregoing,
4 which are normally or traditionally taken into
5 consideration in the determination of such compensation.

6 The Board shall conduct public hearings prior to filing its
7 report.

8 At the public hearings, the Board shall allow interested
9 persons to present their views and comments. The Board may
10 prescribe reasonable rules for the conduct of public hearings,
11 to prevent undue repetition. The meetings of the Board are
12 subject to the Open Meetings Act.

13 The Board shall file an initial report with the House of
14 Representatives, the Senate, the Comptroller and the Secretary
15 of State. Subsequent reports shall be filed therewith before
16 April 1 in each even-numbered year thereafter stating the
17 annual salary for members of the General Assembly, the elected
18 State constitutional officers and certain appointed State
19 officers and compensated employees and members of certain State
20 departments, agencies, boards and commissions whose terms
21 begin in the next calendar year; the annual salary for State's
22 attorneys; and the annual salary for the Auditor General ~~and~~
23 ~~for Supreme Court, Appellate Court, Circuit Court and Associate~~
24 ~~judges~~. If the report increases the annual salary of ~~judges,~~
25 State's attorneys, and the Auditor General, such increase shall
26 take effect as soon as the time period for disapproval or
27 reduction, as provided in subsection (b) of Section 5, has
28 expired.

29 The salaries in the report or as reduced by the General
30 Assembly, other than for ~~judges,~~ State's attorneys, and the
31 Auditor General, shall take effect as provided by law.

32 (Source: P.A. 90-375, eff. 8-14-97; 91-798, eff. 7-9-00.)

33 (25 ILCS 120/5.10 new)

34 Sec. 5.10. Compensation of judges. The Compensation Review
35 Board shall not recommend the compensation of judges.