

AMENDMENTS TO HOUSE BILL NO. 10

Sponsor: SENATOR PICCOLA

Printer's No. 2157

1 Amend Title, page 1, lines 4 through 7, by striking out all
2 of said lines and inserting

3 Amending Title 42 (Judiciary and Judicial Procedure) of the
4 Pennsylvania Consolidated Statutes, providing for
5 compensation of judges, for exclusive jurisdiction of Supreme
6 Court and for the Criminal Justice Enhancement Account; and
7 making related repeals.

8 Amend Bill, page 2, lines 18 and 19, by striking out all of
9 said lines and inserting

10 Section 1. Chapter 17 of Title 42 of the Pennsylvania
11 Consolidated Statutes is amended by adding a subchapter to read:

12 SUBCHAPTER C
13 COMPENSATION

14 Sec.

15 1741. Compensation of judges.

16 1742. Exclusive jurisdiction of Supreme Court.

17 1741. Compensation of judges.

18 (a) Base salaries.--Notwithstanding any other provision of
19 law to the contrary:

20 (1) A person who is elected or appointed to a term as a
21 justice of the Supreme Court, judge of the Superior Court,
22 judge of the Commonwealth Court, judge of a court of common
23 pleas, judge of the Philadelphia Municipal Court, judge of
24 the Philadelphia Traffic Court or magisterial district judge
25 after the effective date of this section shall receive a
26 salary that is equal to the salary payable to persons who
27 held that particular judicial office on the day prior to the
28 effective date of this section, plus \$1 and any applicable
29 cost-of-living adjustment or adjustments under subsection
30 (b).

31 (2) A person who serves a term as a justice of the
32 Supreme Court, judge of the Superior Court, judge of the
33 Commonwealth Court, judge of a court of common pleas, judge
34 of the Philadelphia Municipal Court, judge of the
35 Philadelphia Traffic Court or magisterial district judge on
36 the effective date of this section shall receive a salary
37 that is equal to the salary payable to persons holding that
38 particular judicial office on the day prior to the effective
39 date of this section, plus \$1 and any applicable cost-of-

1 living adjustment or adjustments under subsection (b).

2 (b) Cost-of-living adjustments.--

3 (1) For the 12-month period beginning January 1, 2008,
4 and each January 1 thereafter, the annual salaries for
5 persons subject to subsection (a)(1) or (2) shall be
6 increased by the percentage change, if any, in the Consumer
7 Price Index for All Urban Consumers (CPI-U) for the
8 Pennsylvania, New Jersey, Delaware and Maryland area for the
9 most recent 12-month period for which figures are officially
10 reported by the United States Department of Labor, Bureau of
11 Labor Statistics, immediately prior to the date the
12 adjustment is due to take effect.

13 (2) In no event shall deflation result in a negative
14 cost-of-living adjustment to a salary under subsection (a)(1)
15 or (2).

16 (c) Limitation.--

17 (1) No justice of the Supreme Court shall receive any
18 annual salary insofar as that salary is based on any increase
19 in the base salary of a circuit court judge of the United
20 States Court of Appeals that occurs after the effective date
21 of this section.

22 (2) No judge of the Superior Court or Commonwealth Court
23 shall receive any annual salary insofar as that salary is
24 based on any increase in the base salary of a judge of the
25 United States District Court that occurs after the effective
26 date of this section.

27 (3) No judge of a court of common pleas or Philadelphia
28 Municipal Court, Philadelphia Traffic Court or magisterial
29 district judge shall receive any annual salary insofar as
30 that annual salary is based on any increase in the base
31 salary of a United States magistrate judge that occurs after
32 the effective date of this section.

33 1742. Exclusive jurisdiction of Supreme Court.

34 The Pennsylvania Supreme Court shall have exclusive
35 jurisdiction to hear any challenge to or to render a declaratory
36 judgment concerning the constitutionality of this subchapter.
37 The Supreme Court is authorized to take such action as it deems
38 appropriate, consistent with the Supreme Court retaining
39 jurisdiction over such a matter, to find facts or to expedite a
40 final judgment in connection with such a challenge or request
41 for declaratory relief.

42 Section 2. Title 42 is amended by adding a section to read:

43 Amend Sec. 1 (Sec. 1111), page 2, line 20, by striking out

44 "1111" and inserting

45 3575

46 Amend Sec. 1 (Sec. 1111), page 3, line 7, by striking out

47 "this title" and inserting

48 18 Pa.C.S. (relating to crimes and offenses).

49 Amend Sec. 1 (Sec. 1111), page 3, line 13, by inserting after

50 "offenses"

1 under 18 Pa.C.S.

2 Amend Bill, page 4, lines 24 through 30; page 5, lines 1
3 through 30; page 6, lines 1 through 15, by striking out all of
4 said line and inserting

5 Section 3. Repeals are as follows:

6 (1) As much of section 2.1 of the act of September 30,
7 1983 (P.L.160, No.39), known as the Public Official
8 Compensation Law, that is inconsistent with the addition of
9 42 Pa.C.S. Ch. 17 Subch. C, is repealed.

10 (2) The General Assembly declares that the repeal under
11 paragraph (3) is necessary to effectuate the addition of 42
12 Pa.C.S. Ch. 17 Subch. C.

13 (3) The provisions of 42 Pa.C.S. Ch. 18, added July 7,
14 2005 (P.L.201, No.44), repealed November 16, 2005 (P.L.385,
15 No.72) and repeal declared unconstitutional 905 A.2d 918 (Pa.
16 2006), are repealed.

17 Section 4. This act shall take effect as follows:

18 (1) The addition of 42 Pa.C.S. 3575 shall take effect
19 in 120 days.

20 (2) The remainder of this act shall take effect
21 immediately.