



January 31, 2003

## SENATE BILL No. 349

DIGEST OF SB 349 (Updated January 29, 2003 12:19 PM - DI 106)

**Citations Affected:** IC 33-4; noncode.

**Synopsis:** Senior judges pay. Provides that a senior judge receives a per diem of \$50 for each of the first 30 days of service in a calendar year and, for each day after the first 30 days, a per diem equal to the minimum compensation to which a full-time trial court judge is entitled. Specifies that the per diem for each day of service beyond the initial 30 days consists of: (1) the retirement benefits that the person is receiving or is entitled to receive; and (2) additional compensation sufficient to make the per diem equal to the minimum compensation to which a full-time trial court judge is entitled. Provides that the supreme court may adjust the compensation rate if there are insufficient funds in the payroll fund. (The introduced version of this bill was prepared by the commission on courts.)

**Effective:** July 1, 2003.

**Bray, Broden**

January 15, 2003, read first time and referred to Committee on Judiciary.  
January 30, 2003, reported favorably — Do Pass.

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SB 349—LS 7691/DI 106+



January 31, 2003

First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

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## SENATE BILL No. 349

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 33-4-8-5 IS AMENDED TO READ AS FOLLOWS  
2 [EFFECTIVE JULY 1, 2003]: Sec. 5. (a) A senior judge is entitled to  
3 **the following compensation:**  
4 (1) **For each of the first thirty (30) days of service in a**  
5 **calendar year, a per diem of fifty dollars (\$50). and**  
6 (2) **Except as provided in subsection (c), for each day the**  
7 **senior judge serves after serving the first thirty (30) days of**  
8 **service in a calendar year, a per diem equal to the minimum**  
9 **compensation to which a full-time trial court judge is entitled**  
10 **under IC 33-13-12. The per diem described in this subdivision**  
11 **consists of:**  
12 (A) **retirement benefits that the person appointed as a**  
13 **senior judge is receiving or entitled to receive; and**  
14 (B) **additional compensation sufficient to cause the per**  
15 **diem to equal the minimum compensation to which a**  
16 **full-time trial court judge is entitled under IC 33-13-12.**  
17 (3) Reimbursement for:

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1 (A) mileage; and  
 2 (B) reasonable expenses, including but not limited to meals  
 3 and lodging, incurred in performing service as a senior judge;  
 4 for each day served as a senior judge.  
 5 (b) **Subject to subsection (c)**, the per diem and reimbursement for  
 6 mileage and reasonable expenses under subsection (a) shall be paid by  
 7 the state.  
 8 (c) **The compensation under subsection (a)(2) must be paid by**  
 9 **the state from funds appropriated to the supreme court for judicial**  
 10 **payroll. If the payroll fund is insufficient to pay the compensation**  
 11 **under subsection (a)(2), the supreme court may issue an order**  
 12 **adjusting the compensation rate.**  
 13 (d) A senior judge appointed under this chapter may not be  
 14 compensated as a senior judge for more than one hundred (100)  
 15 calendar days in the aggregate during a calendar year.  
 16 SECTION 2. [EFFECTIVE JULY 1, 2003] (a) **IC 33-4-8-5, as**  
 17 **amended by this act, applies only to a senior judge who is**  
 18 **appointed after June 30, 2003.**  
 19 (b) **This SECTION expires July 1, 2008.**

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SENATE MOTION

Mr. President: I move that Senator Broden be added as coauthor of Senate Bill 349.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Judiciary, to which was referred Senate Bill No. 349, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 349 as introduced.)

BRAY, Chairperson

Committee Vote: Yeas 10, Nays 0.

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