Department of Planning and Budget 2025 General Assembly Session State Fiscal Impact Statement

PUBLISHED: 2/2/2025 9:59 AM

General Fund Expenditure Impact:

ORIGINAL

Bill Number:SB1069 EPatron:PeakeBill Title:Retired justices and judges; per diem payments for attendance at mandatory judicial
conferences.

Bill Summary: Requires that justices and judges who are retired under the Judicial Retirement System and are eligible for recall receive a per diem payment for attendance at any mandatory judicial conference at a rate established by the Office of the Executive Secretary (OES) of the Supreme Court of Virginia.

The engrossed version of the bill adds three enactment clauses: one that establishes that the provisions of the bill will not become effective unless reenacted by the 2026 General Assembly and two that require OES to study the provision of an hourly rate of pay for retired judges.

Budget Amendment Necessary:		No	Items Impacted:	N/A
Explanation:	See below			

Fiscal Summary: Total cost estimates provided below assume 211 judges at \$400 per day plus Social Security (FICA) cost, for one three-day conference plus one travel day (four days total). Costs would not be incurred unless the bill is enacted by the 2026 General Assembly. It is not clear at this time if the costs associated with the studies required in the engrossed version of the bill could be absorbed by the OES. If additional information becomes available, this impact statement will be revised.

Agency	<u>FY2025</u>	<u>FY2026</u>	<u>FY2027</u>	<u>FY2028</u>	<u>FY2029</u>	<u>FY2030</u>
Supreme Court			\$363,426	\$363,426	\$363,426	\$363,426
TOTAL			\$363,426	\$363,426	\$363,426	\$363,426

Fiscal Analysis: According to the OES, there are 102 retired circuit court judges, 108 retired district court judges, and one retired appellate judge, for a total of 211 judges who are currently subject to recall. Each judge would be required to attend one mandatory conference each year, which takes place over the course of three days, with one additional day for travel (four full days total). OES assumes that the adopted per diem rate of \$400 established in § 17.1-327 (Payment for services of retired judges; members of the State Corporation Commission and Virginia Workers' Compensation Commission) would apply and that Social Security (FICA) at a rate of 7.65 percent would be paid on the per diem amount, for an annual total of

Department of Planning and Budget 2025 General Assembly Session State Fiscal Impact Statement

\$363,426. OES reports that this amount would fluctuate based on the actual number of conference days attended by retired justices and judges.

Other: None