

## Department of Planning and Budget 2023 Fiscal Impact Statement

**1. Bill Number:** SB1486ES1

**House of Origin**    ☐ Introduced    ☒ Substitute    ☒ Engrossed

**Second House**    ☐ In Committee    ☐ Substitute    ☐ Enrolled

**2. Patron:** Morrissey

**3. Committee:** Senate Finance and Appropriations

**4. Title:** Per diem compensation for retired judges temporarily recalled to service

**5. Summary:** The engrossed bill amends § 17.1-327 (Payment for services of retired judges; members of the State Corporation Commission and Virginia Workers' Compensation Commission) raising from \$200 to \$400 the per diem compensation for retired judges temporarily recalled to service.

**6. Budget Amendment Necessary:** Yes, Items 45, 46, and 47

**7. Fiscal Impact Estimates:** Preliminary (see Item 8 below)

**8. Fiscal Implications:** According to the Executive Secretary of the Supreme Court (“OES”), the engrossed bill would increase the per diem compensation for retired judges temporarily recalled to service from \$250 to \$400.

Retired judges sat for 10,355 days in FY 2019, the last full year before COVID-19 impacted court operations. If the per diem was increased to \$400 and the utilization of retired judges returned to the pre-COVID level the fiscal impact would be an increase of the per diem expenditures by \$1,672,073 (\$1,553,250 for per diem and \$118,823 for FICA taxes)..

HB1400/SB800 includes \$1,672,073 to cover the cost of raising the per diem for retired judges temporarily recalled to service. This funding is sufficient to raise the per diem from \$250 a day to \$400 a day. Assuming the funding in HB1400/SB800 remains in the budget, no additional would be needed to raise the per diem to \$400 a day.

The fiscal impact on the Virginia Workers’ Compensation Commission and the State Corporation Commission is indeterminate, but is expected to minimal or no cost.

**9. Specific Agency or Political Subdivisions Affected:** Courts, Virginia Workers’ Compensation Commission, State Corporation Commission

**10. Technical Amendment Necessary:** No

**11. Other Comments:** No