

SESSION OF 2010

**SUPPLEMENTAL NOTE ON SENATE BILL NO. 461**

As Amended by House  
General Government Budget Committee

**Brief\***

SB 461, as amended, would require that supplemental funding be deposited in the state treasury and credited to the District Magistrate Judge Supplemental Compensation Fund. All associated employer contributions and payments would be paid by the county providing the supplemental funding in the same manner, conditions and requirements as the judge's conventional salary. Applicable withholding or other taxes, associated retirement or other employer contributions and authorized payroll deductions would apply to the supplemental funding. Payrolls would be approved by the Chief Justice of the Supreme Court. All salary and other compensation would be considered to be provided by law for services as a district magistrate judge for all purposes under law. According to the bill, employer contributions would include employer contributions under KSA 20-2605 for any district magistrate judge who is a member of the retirement system for judges. The bill, if enacted, would take effect on publication in the *Kansas Register*.

**Background**

Current law allows a county to supplement the salary of, or pay compensation to, a district magistrate judge. Under the current system, any supplemental funding received by a district magistrate judge was paid directly to them and they were directed to file tax form 1099-MISC to account for the payment.

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Donald Jarrett, Chief Counsel, Johnson County Board of County Commissioners testified as a proponent of the bill. There were no opponents of the bill.

The Senate Committee amended the bill to include employer contributions under KSA 20-2605 and employee contributions under KSA 20-2603 for any district magistrate judge who is a member of the retirement system for judges.

The General Government Budget Committee removed the provision that employee contributions under KSA 20-2603 would be included and paid for by the county providing the supplemental funding.

The fiscal note prepared by the Division of the Budget indicates the bill would have no fiscal effect on the state as any additional pay or associated benefits would be financed by the counties.