



Legislator Compensation, Benefits, and Practices

Josalyn Williams, Center for Legislative Strengthening

Natalie Wood, Center for Legislative Strengthening

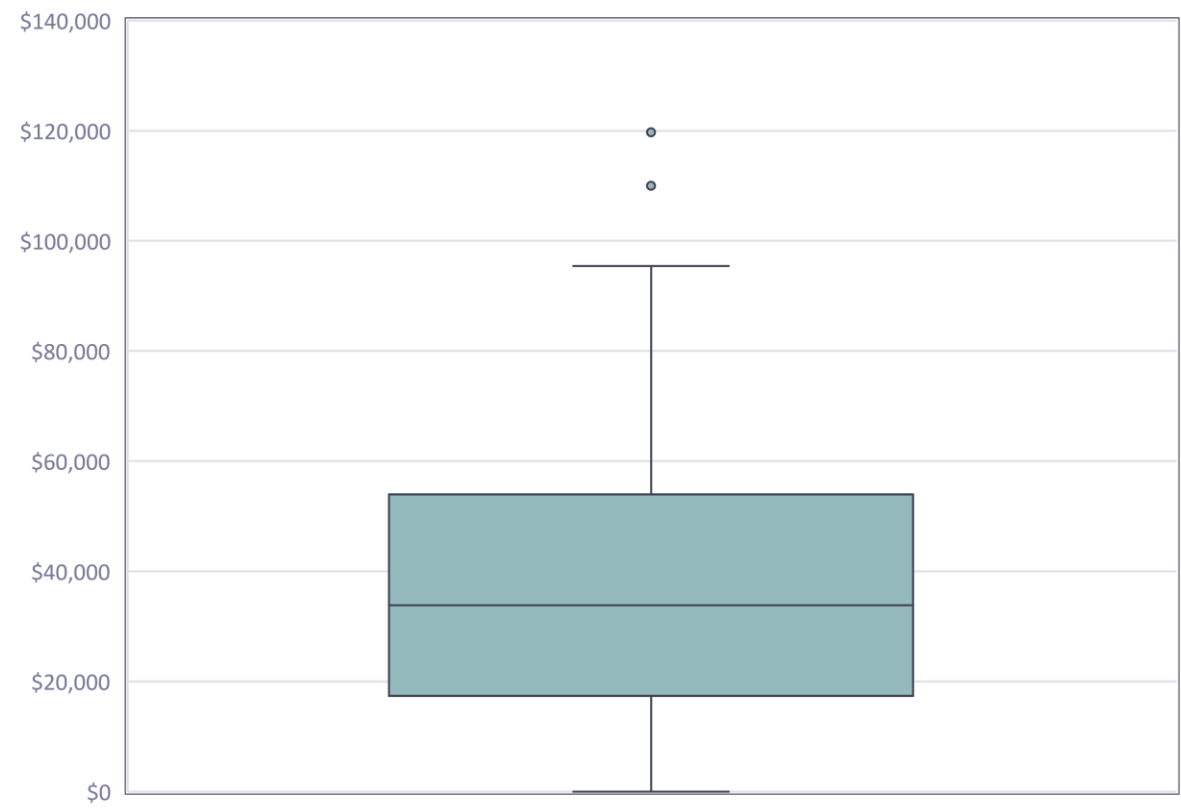
Legislative Compensation

- Salary
- Per Diem and mileage
- Additional compensation for Senate and House/Assembly leaders
- Office and staffing
- Insurance benefits
- Retirement benefits



Annual Legislator Salary

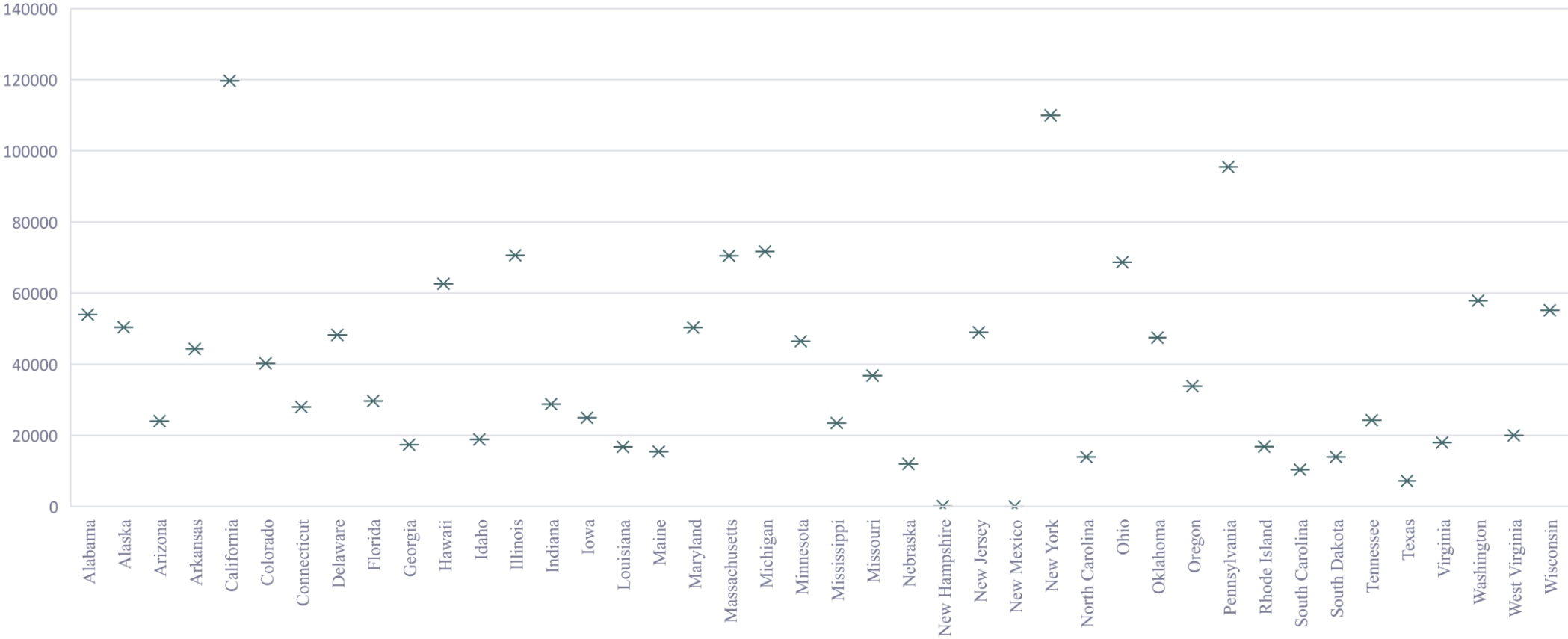
2022 Legislator Salary



- Range: \$0 - \$119,702
- Minimum: \$0 (New Mexico)
- Maximum: \$119,702 (California)
- Average (Mean): \$39, 230
- Average (Median): \$31,775

Annual Legislator Salaries 2022

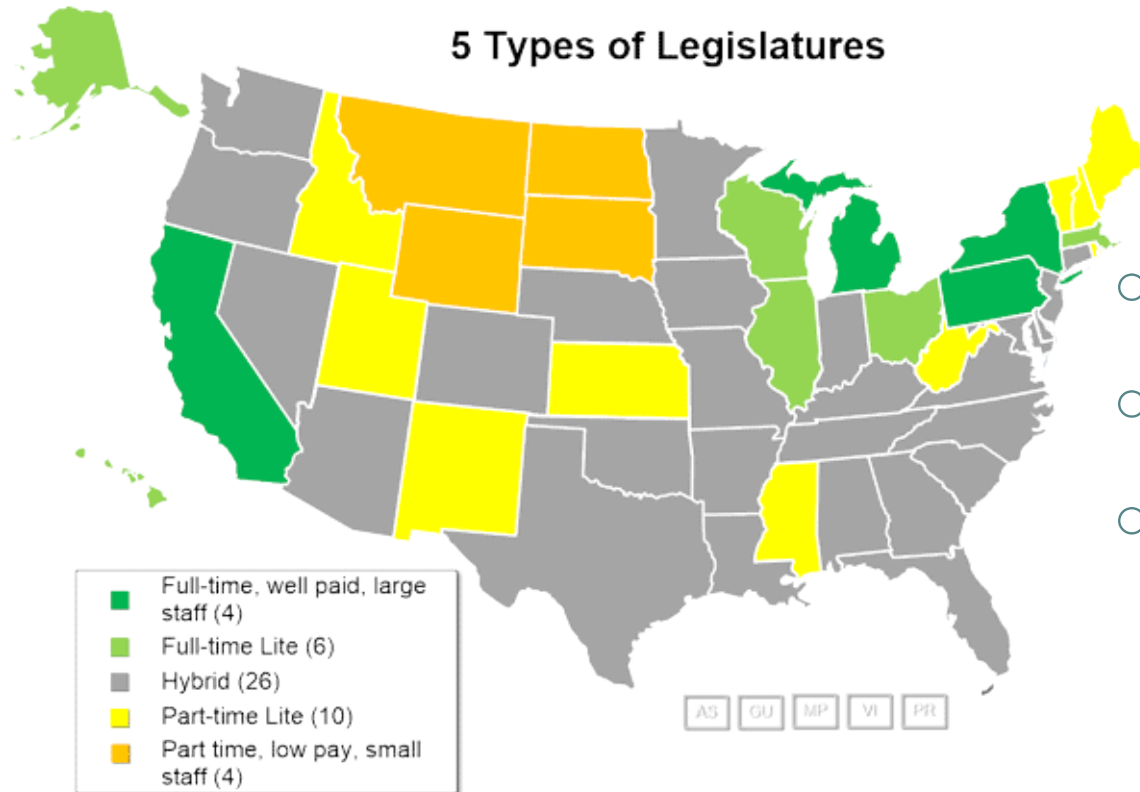
Annual Legislator Salaries By State



Legislator Salary: Alternative Pay Structures

- 8 states, including Vermont, compensate legislators with an alternative to annual salary
- Salary instead is tied to session days, calendar days, session weeks.
 - Examples:
 - Utah: \$285/legislative day.
 - Nevada: \$164.69/calendar day up to 60 days.

Legislative Salary and Legislature Type



- Full Time Legislatures Average Salary: \$76,253
- Hybrid Legislatures Average Salary: \$31,546
- Part Time Legislatures Average Salary: \$13,111

Compensation Differences Across the States: Salary

	New Hampshire	Maine	Colorado	California
Salary (2022)	\$100/year	\$15,417 for the first regular session. \$10,999 for the second regular session	\$40,242	\$119,702
Additional Compensation for Leadership (2021)	Presiding Officer: \$50 for a two year term.	Presiding Officer: 50% of base salary/year, Majority Leader and Minority Leader: 25% of base salary/per year, Assistant Majority and Assistant Minority leaders: 12.5% of base salary/year	All leaders receive \$99/day during interim when in attendance at committee or leadership matters. All assigned committee members receive \$99/day during interim.	House Leaders: Presiding Officer and Minority Leader: \$17,230/year. Majority Leader and second ranking Minority Leader: \$8,616/year

More About Per Diem and Mileage

- No singular way to approach per diem and mileage.
- Many states tie mileage to federal rate.
- Variations on per diem include:
 - General daily compensation for per diem.
 - Specific amounts of per diem for lodging and food.
 - Same per diem for everyone.
 - Per diem eligibility or amount being tied to distance from capital.
 - Different compensation amounts for senators and representatives
 - Vouchered and unvouchered per diem.
 - Taxed v. untaxed.



Compensation Differences Across the States: Mileage and Per Diem

	New Hampshire	Maine	Colorado	California
Mileage (2022)	58.5/mile. Tied to federal rate.	46/mile (starting on 10/22). Also eligible for toll reimbursement.	58.5/mile. Tied to federal rate.	58.5/mile
Per Diem (2022)	No per diem.	\$38/day for lodging (or roundtrip mileage). \$32/day for meals.	For legislators residing within 50 miles of the capitol: \$45/day. For legislators living more than 50 miles from the capitol: \$234/day. Vouchered.	\$211/day for Senators and \$214/day for Representatives.

Compensation Differences Across the States: Benefits

	New Hampshire	Maine	Colorado	California
Health Insurance (2021)	Same as state employees but is optional at legislator expense.	Same as state employees. State covers 100% of legislator coverage and 50% of benefit coverage.	Same as state employees. State pays a portion and legislators pay a portion. Amount differs according to plan selected.	Same as state employees. State pays a portion and legislators pay a portion.
Retirement Benefits (2021)	No retirement plan available.	Mandatory, but can be waived in certain circumstances. Different than state employee retirement plan.	Mandatory; same plan as the state employee retirement plan.	No retirement plan available.

Pay Problem

- References difficulty in raising legislative salaries when legislators are responsible for setting their own salaries.
- Salary raising can be considered politically perilous.
- Legislatures often defer making or decline to make salary changes.



Compensation Setting

Legislation

- 19 states use legislation or legislatively referred ballot measures
- Some states legislators set salary directly
- Some states voters must approve salary changes

Compensation Commissions

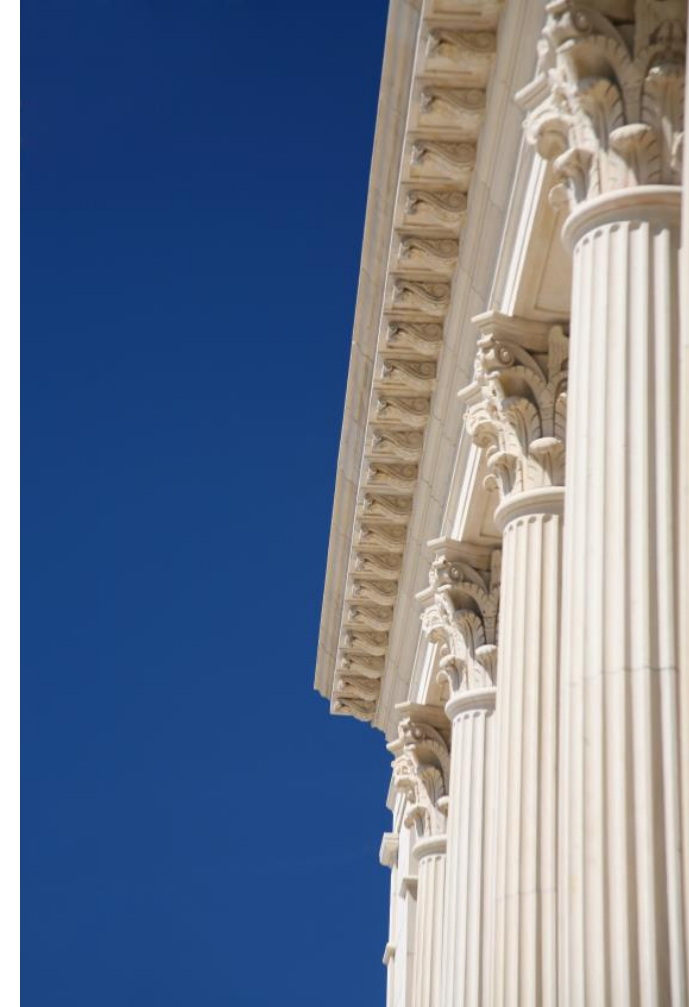
- 21 states use compensation commissions.
- Responsibilities and power of compensation commission vary from state to state.
- Some set salary independent of legislature.
- Some require legislative approval

External Factors

- 10 states link legislator salary to external factors
- State median income
- Tied to other government employees

Legislative Service and Outside Employment

- No state bans employment outside of the legislature generally.
- Some states have constraints on public employment and legislative service.



Legislator Leave Policies

Legislative Leave Laws



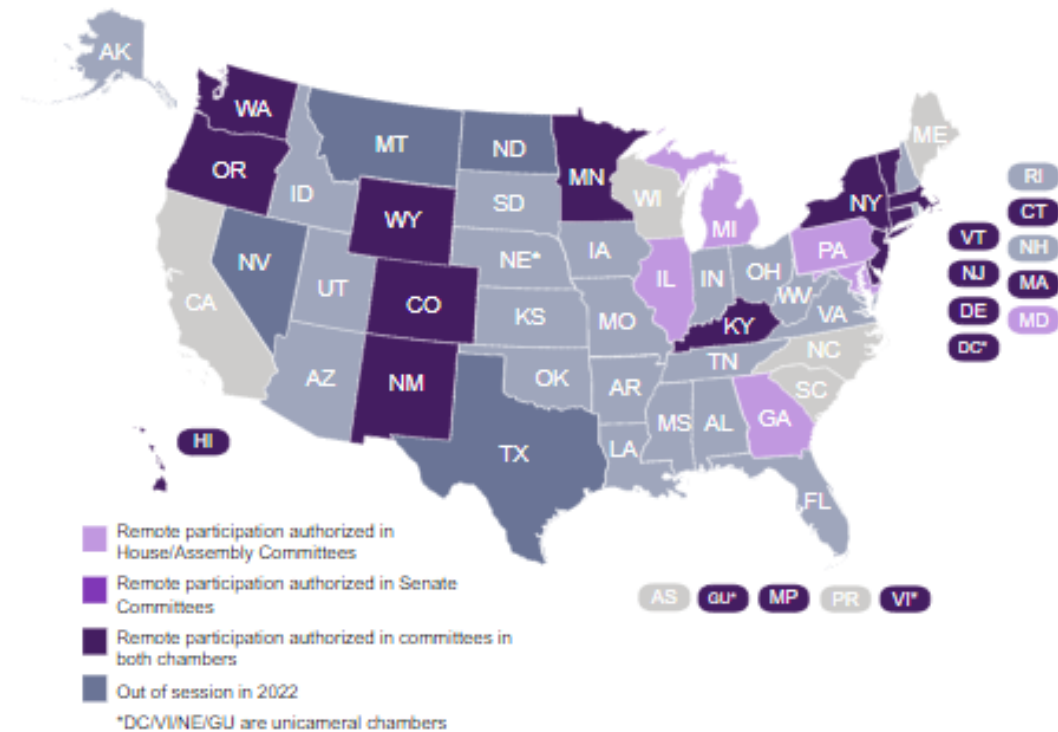
- State law explicitly requires some employers to grant leave
- State law gives some employers the option to grant leave
- State law protects legislators' benefits at second jobs, but does not mandate or lay out a process for leave

Note: Rhode Island law requires employers to provide employees who serve in the legislature with a "flexible work schedule" but does not mention leaves of absence.

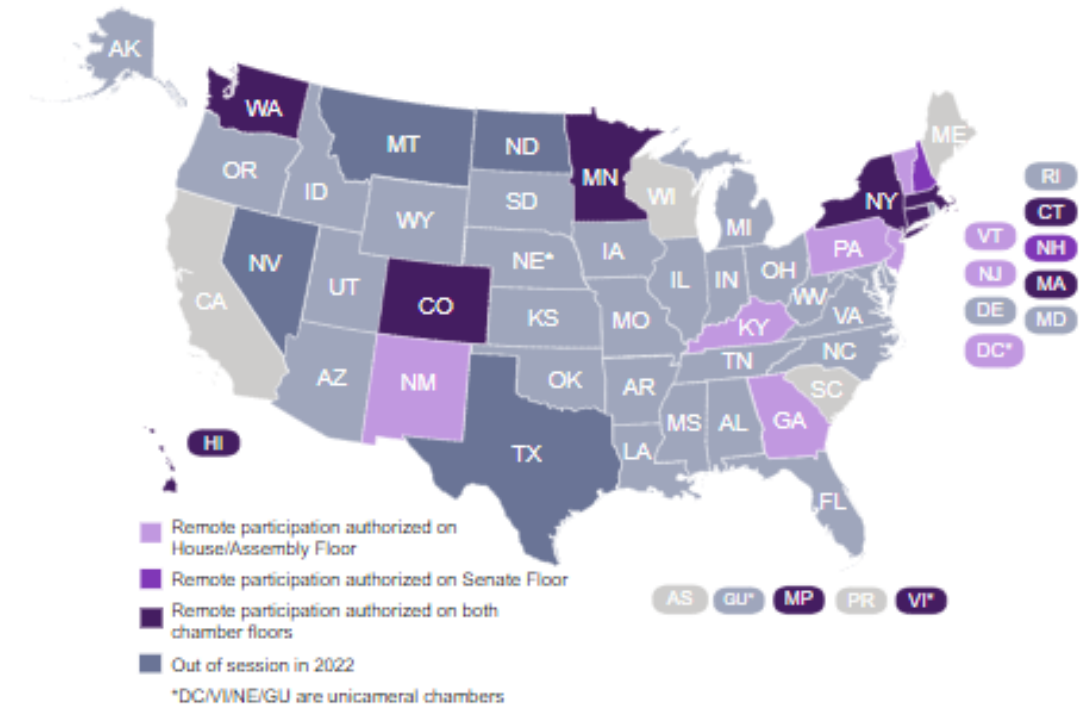
Source: NCSL, 2019

Legislator remote participation in 2022

Remote Participation in Committee Proceedings



Remote Participation in Floor Proceedings



Thank you!

josalyn.williams@ncsl.org

natalie.wood@ncsl.org