

Regular Session, 2014

SENATE BILL NO. 11

BY SENATOR LAFLEUR

JUDGES. Constitutional amendment to remove the age beyond which judges shall not remain in office. (2/3 - CA13s1(A))

1 A JOINT RESOLUTION

2 Proposing to amend Article V, Section 23 of the Constitution of Louisiana, relative to  
3 judges; to remove provisions that establish an age beyond which judges shall not  
4 remain in office; and to specify an election for submission of the proposition to  
5 electors and provide a ballot proposition.

6 Section 1. Be it resolved by the Legislature of Louisiana, two-thirds of the members  
7 elected to each house concurring, that there shall be submitted to the electors of the state, for  
8 their approval or rejection in the manner provided by law, a proposal to amend Article V,  
9 Section 23 of the Constitution of Louisiana, to read as follows:

10 Section 23: ~~(A)~~ Retirement System. Within two years after the effective date  
11 of this constitution, the legislature shall provide for a retirement system for judges  
12 which shall apply to a judge taking office after the effective date of the law enacting  
13 the system and in which a judge in office at that time may elect to become a member,  
14 with credit for all prior years of judicial service and without contribution therefor.  
15 The retirement benefits and judicial service rights of a judge in office or retired on  
16 the effective date of this constitution shall not be diminished, nor shall the benefits  
17 to which a surviving spouse is entitled be reduced.

1           ~~(B) Mandatory Retirement. Except as otherwise provided in this Section, a~~  
2           ~~judge shall not remain in office beyond his seventieth birthday. A judge who attains~~  
3           ~~seventy years of age while serving a term of office shall be allowed to complete that~~  
4           ~~term of office.~~

5           Section 2. Be it further resolved that this proposed amendment shall be submitted  
6           to the electors of the state of Louisiana at the statewide election to be held on November 4,  
7           2014.

8           Section 3. Be it further resolved that on the official ballot to be used at said election  
9           there shall be printed a proposition, upon which the electors of the state shall be permitted  
10          to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as  
11          follows:

12                   Do you support an amendment to remove provisions establishing seventy  
13                   years of age as the age beyond which judges shall not remain in office?

14                   (Amends Article V, Section 23)

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The original instrument and the following digest, which constitutes no part  
of the legislative instrument, were prepared by Julie J. Baxter.

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#### DIGEST

LaFleur (SB 11)

Present constitution provides that seventy years of age is the age beyond which judges shall not remain in office.

Proposed constitutional amendment deletes this language.

Provides for submission of the proposed amendment to the voters at the statewide election to be held on November 4, 2014.

(Amends Const. Art. V., Sec. 23)