2020 Regular Session

HOUSE BILL NO. 22

BY REPRESENTATIVE BAGLEY

JUDGES: (Constitutional Amendment) Provides relative to the mandatory retirement age for judges

A JOINT RESOLUTION

Proposing to amend Article V, Section 23 of the Constitution of Louisiana, relative to public office and public employment; to provide for the elimination of the mandatory retirement age for judges; to provide for submission of the proposed amendment to the electors; and to provide for related matters.

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

§23. Judges; Retirement

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

~~(B) Mandatory Retirement. Except as otherwise provided in this Section, a judge shall not remain in office beyond his seventieth birthday. A judge who attains~~

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~~seventy years of age while serving a term of office shall be allowed to complete that term of office.~~

Section 2. Be it further resolved that this proposed amendment shall be submitted to the electors of the state of Louisiana at the statewide election to be held on November 3, 2020.

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

Do you support an amendment to remove the mandatory retirement age for judges? (Effective January 1, 2021) (Amends Article V, Section 23)

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

HB 22 Original 2020 Regular Session Bagley

Abstract: Eliminates the mandatory retirement age requirement for all judges.

Present constitution requires that no judge may remain in office beyond his 70th birthday, but allows a judge to complete the current term if he attains 70 years of age while in office.

Proposed constitutional amendment repeals the mandatory retirement age of judges.

Provides for submission of the proposed amendment to the voters at the statewide election to be held Nov. 3, 2020.

(Amends Const. Art. V, §23)

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