

2025 Regular Session

SENATE BILL NO. 86

BY SENATOR BARROW

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

JUDGES. Constitutional amendment to remove the mandatory retirement age for judges.
(2/3 - CA13s1(A)) (1/1/27)

A JOINT RESOLUTION

Proposing to amend Article V, Section 23 of the Constitution of Louisiana, relative to public office; to provide for the elimination of the mandatory retirement age for judges; to provide for an effective date; and to specify an election for submission of the proposition to electors and provide a ballot proposition.

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, 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

1 to which a surviving spouse is entitled be reduced.

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

6 Section 2. Be it further resolved that this proposed amendment shall be submitted to
 7 the electors of the state of Louisiana at the statewide election to be held on November 3,
 8 2026.

9 Section 3. Be it further resolved that the provisions of this amendment shall become
 10 effective on January 1, 2027.

11 Section 4. Be it further resolved that on the official ballot to be used at said election
 12 there shall be printed a proposition, upon which the electors of the state shall be permitted
 13 to vote YES or NO, to amend the Constitution of Louisiana, which proposition shall read as
 14 follows:

15 Do you support an amendment to remove the mandatory retirement age for
 16 judges?

17 (Effective January 1, 2027)

18 (Amends Article V, Section 23)

The original instrument and the following digest, which constitutes no part of the legislative instrument, were prepared by Senate Legislative Services. The keyword, summary, 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)]

DIGEST

SB 86 Engrossed 2025 Regular Session Barrow

Present constitution requires that no judge may remain in office beyond that judge's 70th birthday.

Proposed constitutional amendment repeals the mandatory retirement age of judges.

Proposed constitutional amendment provides that no person shall be denied the right to hold public office or public employment based solely on age.

Proposed constitutional amendment provides for an effective date of January 1, 2027.

Provides for submission of the proposed amendment to the voters at the statewide election to be held Nov. 3, 2026.

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

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Judiciary A to the original bill

1. Removes proposed constitutional amendment language that no person shall be denied the right to hold public office or public employment based solely on age.
2. Changes the statewide election date for the proposed constitutional amendment to repeal the mandatory retirement age of judges from November 15, 2025 to November 3, 2026.
3. Removes public employees from the proposed ballot language.
4. Changes the effective date from January 1, 2026 to January 1, 2027.
5. Makes technical changes.