

2018 Regular Session

SENATE BILL NO. 278

BY SENATOR CLAITOR

JUDGES. Constitutional amendment to remove the mandatory retirement age for judges.
(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 the mandatory retirement age for judges; and to specify an election
4 for submission of the proposition to electors and provide a ballot proposition.

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

9 §23. Judges; Retirement

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 6,
 7 2018.

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 the age for mandatory retirement
 13 age for judges?

14 (Amends Article V, Section 23)

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

SB 278 Engrossed	DIGEST 2018 Regular Session	Claitor
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Present constitution provides that a judge shall not remain in office beyond his 70th birthday
 except for a judge who attains 70 years of age while serving a term of office shall be allowed
 to complete that term of office.

Proposed constitution deletes present constitution regarding a mandatory retirement age.

Specifies submission of the amendment to the voters at the statewide election to be held on
 November 6, 2018.

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