

Regular Session, 2014

HOUSE BILL NO. 96

BY REPRESENTATIVE EDWARDS

JUDGES: (Constitutional amendment) Removes the mandatory retirement age of judges

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 §23. Judges; Retirement

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

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

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

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

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

10 Do you support an amendment to remove the constitutional requirement that
11 a judge retire upon attaining the age of seventy, or if his seventieth birthday
12 occurs during his term, that he retire upon completion of that term? (Amends
13 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)]

Edwards

HB No. 96

Abstract: Removes the mandatory retirement age of judges.

Present constitution provides that a judge shall not remain in office beyond his 70th birthday and provides that a judge who attains the age of 70 while serving a term of office shall be allowed to complete that term of office.

Proposed constitutional amendment deletes this language.

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

(Amends Const. Art. V, §23)