

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1991

CHAPTER 873
HOUSE BILL 1512

AN ACT TO PROVIDE FOR A UNIFORM MANDATORY RETIREMENT AGE OF
SEVENTY-TWO FOR ALL JUDGES AND JUSTICES OF THE GENERAL
COURT OF JUSTICE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 7A-4.20 reads as rewritten:

"§ 7A-4.20. **Age limit for service as justice or judge: exception.**

No justice or judge ~~of the appellate division~~ of the General Court of Justice may continue in office beyond the last day of the month in which he attains his seventy-second birthday, ~~and no judge of the superior court or district court division of the General Court of Justice may continue in office beyond the last day of the month in which he attains his seventieth birthday,~~ but justices and judges so retired may be recalled for periods of temporary service as provided in subchapters II and III of this chapter."

Sec. 2. G.S. 135-57(b) reads as rewritten:

"(b) Any member who is a justice or judge ~~of the appellate division~~ of the General Court of Justice shall be automatically retired as of the first day of the calendar month coinciding with or next following the later of January 1, 1974, or his attainment of his seventy-second birthday ~~and each other member shall be automatically retired as of the first day of the calendar month coinciding with or next following the later of January 1, 1974, or his attainment of his seventieth birthday;~~ provided, however, that no judge who is a member on January 1, 1974, shall be forced to retire under the provisions of this subsection at an earlier date than the last day that he is permitted to remain in office under the provisions of G.S. 7A-4.20."

Sec. 3. This act is effective upon ratification, and shall apply to judges or justices retiring on or after that date.

In the General Assembly read three times and ratified this the 7th day of July, 1992.

James C. Gardner
President of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives