

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

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HOUSE BILL 205
Committee Substitute Favorable 3/18/15

Short Title: Increase Retirement Age/Judges & Magistrates.

(Public)

Sponsors:

Referred to:

March 12, 2015

A BILL TO BE ENTITLED

AN ACT TO INCREASE THE MANDATORY RETIREMENT AGE FOR JUDGES AND JUSTICES OF THE GENERAL COURT OF JUSTICE AND FOR MAGISTRATES, AND TO ALLOW JUDGES, JUSTICES, AND MAGISTRATES TO SERVE UNTIL THE END OF THE CALENDAR YEAR IN WHICH THEY ATTAIN THE AGE OF 75.

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 General Court of Justice may continue in office beyond the last day of ~~the month~~ December of the year in which ~~he~~ the justice or judge attains his ~~seventy-second~~ or her seventy-fifth 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."

SECTION 2. G.S. 7A-170(b) reads as rewritten:

"(b) No magistrate may continue in office beyond the last day of ~~the month~~ December of the year in which the magistrate reaches the mandatory retirement age for justices and judges of the General Court of Justice specified in G.S. 7A-4.20."

SECTION 3. G.S. 135-57(b) reads as rewritten:

"(b) Any member who is a justice or judge 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~~ January 1 of the calendar year following the member's attainment of his ~~seventy-second~~ or her seventy-fifth 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.~~ birthday."

SECTION 4. This act is effective December 1, 2015, and applies to justices, judges, and magistrates holding office or elected or appointed on or after that date.

