

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

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HOUSE BILL 50
Committee Substitute Favorable 3/24/15

Short Title: Amend Mand. Retire. Age/Judges & Magistrates.

(Public)

Sponsors:

Referred to:

February 5, 2015

A BILL TO BE ENTITLED

AN ACT TO AMEND THE MANDATORY RETIREMENT AGE FOR MAGISTRATES,
JUDGES, AND JUSTICES OF THE GENERAL COURT OF JUSTICE TO REQUIRE
RETIREMENT ON DECEMBER 31 OF THE YEAR THE MAGISTRATE, JUDGE, OR
JUSTICE ATTAINS THE AGE OF 72.

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 or her seventy-second 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 following the member's attainment of his or her seventy-second 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 becomes effective January 1, 2016, and applies to magistrates, judges, and justices holding office on or after that date.



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