

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

H.B. 50
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HOUSE PRINCIPAL CLERK

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HOUSE DRH30017-LL-44 (1/18)

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

Sponsors: Representatives McNeill, Hurley, Bishop, and Stam (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND THE MANDATORY RETIREMENT AGE FOR MAGISTRATES,
3 JUDGES, AND JUSTICES OF THE GENERAL COURT OF JUSTICE TO REQUIRE
4 RETIREMENT ON DECEMBER 31 OF THE YEAR THE MAGISTRATE, JUDGE, OR
5 JUSTICE ATTAINS THE AGE OF 72.
6 The General Assembly of North Carolina enacts:
7 **SECTION 1.** G.S. 7A-4.20 reads as rewritten:
8 "**§ 7A-4.20. Age limit for service as justice or judge: exception.**
9 No justice or judge of the General Court of Justice may continue in office beyond the last
10 day of ~~the month~~ December of the year in which ~~he~~ the judge attains his or her seventy-second
11 birthday, but justices and judges so retired may be recalled for periods of temporary service as
12 provided in Subchapters II and III of this chapter."
13 **SECTION 2.** G.S. 7A-170(b) reads as rewritten:
14 "(b) No magistrate may continue in office beyond the last day of ~~the month~~ December of
15 the year in which the magistrate reaches the mandatory retirement age for justices and judges of
16 the General Court of Justice specified in G.S. 7A-4.20."
17 **SECTION 3.** G.S. 135-57(b) reads as rewritten:
18 "(b) Any member who is a justice or judge of the General Court of Justice shall be
19 automatically retired as of the first day of ~~the calendar month coinciding with or next following~~
20 ~~the later of January 1, 1974, or his~~ January following the member's attainment of his or her
21 seventy-second birthday; ~~provided, however, that no judge who is a member on January 1,~~
22 ~~1974, shall be forced to retire under the provisions of this subsection at an earlier date than the~~
23 ~~last day that he is permitted to remain in office under the provisions of G.S. 7A-4.20.~~ birthday."
24 **SECTION 4.** This act becomes effective January 1, 2016, and applies to
25 magistrates, judges, and justices holding office on or after that date.

