

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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SENATE BILL 117
PROPOSED COMMITTEE SUBSTITUTE S117-PCS35095-TG-3

Short Title: Forfeiture of Retirement Benefits/Judges.

(Public)

Sponsors:

Referred to:

February 22, 2017

A BILL TO BE ENTITLED

AN ACT PROHIBITING THE RECEIPT OF BENEFITS FROM THE CONSOLIDATED
JUDICIAL RETIREMENT SYSTEM FOR JUDGES WHO HAVE BEEN IMPEACHED
AND CONVICTED OR REMOVED FROM OFFICE.

The General Assembly of North Carolina enacts:

SECTION 1. Article 4 of Chapter 135 of the General Statutes is amended by adding a
new section to read:

**"§ 135-75.1B. Forfeiture of retirement benefits for impeachment and conviction or removal
from office.**

(a) The Board of Trustees shall not pay any retirement benefits or allowances, except for a
return of member contributions plus interest, to any judge who is impeached and convicted for
reasons other than a physical or mental incapacity interfering with the performance of the judge's
duties.

(b) The Board of Trustees shall not pay any retirement benefits or allowances, except for a
return of member contributions plus interest, to any judge removed from office under
G.S. 7A-376(b)."

SECTION 2. G.S. 7A-376(b) reads as rewritten:

"(b) Upon recommendation of the Commission, the Supreme Court may issue a public
reprimand, censure, suspend, or remove any judge for willful misconduct in office, willful and
persistent failure to perform the judge's duties, habitual intemperance, conviction of a crime
involving moral turpitude, or conduct prejudicial to the administration of justice that brings the
judicial office into disrepute. A judge who is suspended for any of the foregoing reasons shall
receive no compensation during the period of that suspension. A judge who is removed for any of
the foregoing reasons shall receive no retirement ~~compensation~~ compensation, except for a return
of member contributions plus interest, and is disqualified from holding further judicial office."

SECTION 3. This act is effective when it becomes law.

