

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 1512  
Second Edition Engrossed 6/17/92

Short Title: Judge Retirement Age.

(Public)

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Sponsors: Representatives Kerr, Bowen, Albertson, and Redwine.

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Referred to: Pensions and Retirement.

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June 2, 1992

A BILL TO BE ENTITLED

1 AN ACT TO PROVIDE FOR A UNIFORM MANDATORY RETIREMENT AGE OF  
2 SEVENTY-TWO FOR ALL JUDGES AND JUSTICES OF THE GENERAL  
3 COURT OF JUSTICE.  
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5 The General Assembly of North Carolina enacts:

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

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

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

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

16 "(b) Any member who is a justice or judge ~~of the appellate division~~ of the General  
17 Court of Justice shall be automatically retired as of the first day of the calendar month  
18 coinciding with or next following the later of January 1, 1974, or his attainment of his  
19 seventy-second birthday ~~and each other member shall be automatically retired as of the~~  
20 ~~first day of the calendar month coinciding with or next following the later of January 1,~~  
21 ~~1974, or his attainment of his seventieth birthday;~~ provided, however, that no judge who  
22 is a member on January 1, 1974, shall be forced to retire under the provisions of this

1 subsection at an earlier date than the last day that he is permitted to remain in office  
2 under the provisions of G.S. 7A-4.20."

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