

**CHANGE TO MANDATORY RETIREMENT AGE FOR JUDGES**

2015 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Kraig Powell**

Senate Sponsor: \_\_\_\_\_

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**LONG TITLE**

**General Description:**

This bill modifies provisions relating to the mandatory retirement age for judges.

**Highlighted Provisions:**

This bill:

- ▶ repeals the mandatory retirement age for a justice court judge; and
- ▶ repeals the mandatory retirement age for a judge earning service credit in the

Judges' Contributory Retirement Act or the Judges' Noncontributory Retirement Act.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

AMENDS:

**78A-7-201**, as last amended by Laws of Utah 2012, Chapter 205

REPEALS:

**49-17-701**, as renumbered and amended by Laws of Utah 2002, Chapter 250

**49-18-701**, as renumbered and amended by Laws of Utah 2002, Chapter 250

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*Be it enacted by the Legislature of the state of Utah:*



28 Section 1. Section **78A-7-201** is amended to read:

29 **78A-7-201. Justice court judge eligibility requirements.**

30 (1) A justice court judge shall be:

31 (a) a citizen of the United States;

32 (b) 25 years of age or older;

33 (c) a resident of Utah for at least three years immediately preceding his appointment;

34 (d) a resident of the county in which the court is located or an adjacent county for at

35 least six months immediately preceding appointment; and

36 (e) a qualified voter of the county in which the judge resides.

37 (2) Justice court judges are not required to be admitted to practice law in the state as a

38 qualification to hold office but shall have at the minimum a diploma of graduation from high

39 school or its equivalent.

40 (3) A justice court judge shall be a person who has demonstrated maturity of judgment,

41 integrity, and the ability to understand and apply appropriate law with impartiality.

42 [~~(4) Justice court judges shall retire upon attaining the age of 75 years.~~]

43 Section 2. **Repealer.**

44 This bill repeals:

45 Section **49-17-701, Judges' mandatory retirement age.**

46 Section **49-18-701, Judges' mandatory retirement age.**

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**Legislative Review Note**  
**as of 1-15-15 1:56 PM**

**Office of Legislative Research and General Counsel**