

HB0137S01 compared with HB0137

~~text~~ shows text that was in HB0137 but was deleted in HB0137S01.

text shows text that was not in HB0137 but was inserted into HB0137S01.

DISCLAIMER: This document is provided to assist you in your comparison of the two bills. Sometimes this automated comparison will NOT be completely accurate. Therefore, you need to read the actual bills. This automatically generated document could contain inaccuracies caused by: limitations of the compare program; bad input data; or other causes.

Representative Kraig Powell proposes the following substitute bill:

CHANGE TO MANDATORY RETIREMENT AGE FOR JUDGES

2015 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Kraig Powell

Senate Sponsor: _____

LONG TITLE

General Description:

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

Highlighted Provisions:

This bill:

- ▶ ~~repeals~~amends the mandatory retirement age for a justice court judge; ~~and~~
- ▶ ~~repeals~~amends the mandatory retirement age for a judge earning service credit in the Judges' Contributory Retirement Act or the Judges' Noncontributory Retirement Act ~~;~~ and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

HB0137S01 compared with HB0137

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](#)~~

~~[78A-7-201, as last amended by Laws of Utah 2012, Chapter 205](#)~~

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

Section 1. Section 49-17-701 is amended to read:

49-17-701. Judges' mandatory retirement age.

~~[(1) Except as provided in Subsection (2), a A judge shall retire upon attaining the age of ~~75~~ 80 years.~~

~~[(2) A judge serving on July 1, 1996, who is 75 years of age or older on July 1, 1996, or who attains 75 years of age prior to the judge's next retention election may not be a candidate in that retention election and shall retire on or before December 31 of the year in which the judge would have been subject to a retention election.]~~

Section 2. Section 49-18-701 is amended to read:

49-18-701. Judges' mandatory retirement age.

~~[(1) Except as provided in Subsection (2), a A judge shall retire upon attaining the age of ~~75~~ 80 years.~~

~~[(2) A judge serving on July 1, 1996, who is 75 years of age or older on July 1, 1996, or who attains 75 years of age prior to the judge's next retention election may not be a candidate in that retention election and shall retire on or before December 31 of the year in which the judge would have been subject to a retention election.]~~

Section ~~4~~ 3. Section 78A-7-201 is amended to read:

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

(1) A justice court judge shall be:

- (a) a citizen of the United States;
- (b) 25 years of age or older;

HB0137S01 compared with HB0137

(c) a resident of Utah for at least three years immediately preceding his appointment;
(d) a resident of the county in which the court is located or an adjacent county for at least six months immediately preceding appointment; and

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

(2) Justice court judges are not required to be admitted to practice law in the state as a qualification to hold office but shall have at the minimum a diploma of graduation from high school or its equivalent.

(3) A justice court judge shall be a person who has demonstrated maturity of judgment, integrity, and the ability to understand and apply appropriate law with impartiality.

~~††~~(4) Justice court judges shall retire upon attaining the age of ~~[75]~~80 years. ~~††~~

~~{~~ ~~Section 2. Repealer.~~

~~—~~ ~~This bill repeals:~~

~~—~~ ~~Section 49-17-701, Judges' mandatory retirement age.~~

~~—~~ ~~Section 49-18-701, Judges' mandatory retirement age.~~

~~Legislative Review Note~~

~~—~~ ~~as of 1-15-15 1:56 PM~~

~~—~~ ~~Office of Legislative Research and General Counsel}~~