

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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HOUSE BILL 71

Short Title: Raise Age Limit for Justices/Judges. (Public)

Sponsors: Representatives Howard and Stevens (Primary Sponsors).

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Judiciary 1, if favorable, Rules, Calendar, and Operations of the House

February 9, 2023

1 A BILL TO BE ENTITLED
2 AN ACT TO INCREASE THE AGE LIMIT FOR SERVICE AS A JUSTICE OR JUDGE OF
3 THE GENERAL COURT OF JUSTICE TO SEVENTY-SIX YEARS OF AGE.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 7A-4.20 reads as rewritten:

6 "**§ 7A-4.20. Age limit for service as justice or judge: exception.**

7 No justice or judge of the General Court of Justice may continue in office beyond the last day
8 of the month in which ~~he the justice or judge~~ attains ~~his seventy-second birthday,~~ 76 years of age,
9 but justices and judges so retired may be recalled for periods of temporary service as provided in
10 Subchapters II and III of this chapter."

11 **SECTION 2.** G.S. 135-57(b) reads as rewritten:

12 "(b) Any member who is a justice or judge of the General Court of Justice shall be
13 automatically retired ~~as of the first day of the calendar month coinciding with or next following~~
14 ~~the later of January 1, 1974, or his attainment of his seventy-second birthday; provided, however,~~
15 ~~that no judge who is a member on January 1, 1974, shall be forced to retire under the provisions~~
16 ~~of this subsection at an earlier date than the last day that he is permitted to remain in office under~~
17 ~~the provisions of upon attainment of the mandatory retirement age specified in G.S. 7A-4.20."~~

18 **SECTION 3.** This act is effective when it becomes law and applies to justices and
19 judges serving on or after that date, provided that nothing in this act shall be construed to
20 automatically halt the retirement process of a justice or judge that has already initiated that
21 process.



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