

BILL ANALYSIS

H.J.R. 36
By: McReynolds
Judiciary
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The Constitution currently requires a judge to leave the bench when the judge turns 75 or such earlier age, not less than 70, which the Legislature prescribes as retirement age. The resolution would propose a constitutional amendment to permit a judge reaching retirement age to complete a term in which the judge reaches retirement age.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

The amendment proposed by this resolution would provide that the office of a Supreme Court justice or judge of a district court or appellate court shall become vacant on the expiration of the term during which the incumbent reaches retirement age rather than immediately upon the occupant reaching such age.

EFFECTIVE DATE

The proposed amendment would be submitted to the voters at an election to be held November 6, 2007.