CACR 6 - VERSION ADOPTED BY BOTH BODIES

2023 SESSION

23-0443
02/04

CONSTITUTIONAL AMENDMENT
CONCURRENT RESOLUTION ***6***

RELATING TO: the retirement age for judges.

PROVIDING THAT: the mandatory judicial retirement age shall be increased from 70 to 75.

SPONSORS: Rep. Lynn, Rock. 17; Rep. Hynes, Hills. 2; Sen. Soucy, Dist 18

COMMITTEE: Judiciary

ANALYSIS

This constitutional amendment concurrent resolution would increase the mandatory retirement age for judges from 70 to 75.

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Explanation: Matter added to current law appears in ***bold italics.***
Matter removed from current law appears [~~in brackets and struckthrough.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Three

CONCURRENT RESOLUTION PROPOSING CONSITUTIONAL AMENDMENT

RELATING TO: the retirement age for judges.

PROVIDING THAT: the mandatory judicial retirement age shall be increased from 70 to 75.

Be it Resolved by the House of Representatives, the Senate concurring, that the Constitution of New Hampshire be amended as follows:

I. That article 78 of the second part of the constitution be amended to read as follows:

[Art.] 78. [Judges and Sheriffs, When Disqualified by Age.] No person shall hold the office of [~~judge of any court, or judge of probate, or~~] sheriff of any county, after [~~he~~] ***the person*** has attained the age of seventy years. ***No person shall hold the office of judge of any court after the person has attained the age of seventy-five years.***

II. That the above amendment proposed to the constitution be submitted to the qualified voters of the state at the state general election to be held in November, 2024.

III. That the selectmen of all towns, cities, wards and places in the state are directed to insert in their warrants for the said 2024 election an article to the following effect: To decide whether the amendments of the constitution proposed by the 2023 session of the general court shall be approved.

IV. That the wording of the question put to the qualified voters shall be:

"Are you in favor of amending article 78 of the second part of the constitution to read as follows:

[Art.] 78. [Judges and Sheriffs, When Disqualified by Age.] No person shall hold the office of sheriff of any county, after the person has attained the age of seventy years. No person shall hold the office of judge of any court after the person has attained the age of seventy-five years."

V. That the secretary of state shall print the question to be submitted on a separate ballot with other constitutional questions or on the official ballot. The ballot containing the question shall include 2 ovals next to the question allowing the voter to vote "Yes" or "No." If no oval is marked, the ballot shall not be counted on the question. The outside of the ballot shall be the same as the regular official ballot except that the words "Questions Relating to Constitutional Amendments proposed by the 2023 General Court" shall be printed in bold type at the top of the ballot.

VI. That if the proposed amendment is approved by 2/3 of those voting on the amendment, it becomes effective when the governor proclaims its adoption.

VII. Voters' Guide.

AT THE PRESENT TIME, the mandatory retirement age for judges is seventy.

IF THE AMENDMENT IS ADOPTED, the mandatory retirement age for judges will be seventy-five.