

CA CR 12 - AS INTRODUCED

2021 SESSION

21-0875

04/11

CONSTITUTIONAL AMENDMENT

CONCURRENT RESOLUTION **12**

RELATING TO: the retirement age for judges.

PROVIDING THAT: the mandatory retirement age for judges is repealed.

SPONSORS: Sen. D'Allesandro, Dist 20; Sen. Prentiss, Dist 5; Sen. Kahn, Dist 10; Sen. Cavanaugh, Dist 16; Sen. Soucy, Dist 18; Sen. Sherman, Dist 24

COMMITTEE: Judiciary

ANALYSIS

This constitutional amendment concurrent resolution repeals the mandatory retirement age for judges.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty One

CONCURRENT RESOLUTION PROPOSING CONSTITUTIONAL AMENDMENT

RELATING TO: the retirement age for judges.

PROVIDING THAT: the mandatory retirement age for judges is repealed.

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

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

2 [Art.] 78. [~~Judges and~~ Sheriffs, When Disqualified by Age.] No person shall hold the office of
3 [~~Judge of any Court, or Judge of Probate, or~~ Sheriff of any county, after ~~he~~ **such person** has
4 attained the age of seventy years.

5 II. That the above amendment proposed to the constitution be submitted to the qualified
6 voters of the state at the state general election to be held in November, 2022.

7 III. That the selectmen of all towns, cities, wards and places in the state are directed to
8 insert in their warrants for the said 2022 election an article to the following effect: To decide
9 whether the amendments of the constitution proposed by the 2021 session of the general court shall
10 be approved.

11 IV. That the wording of the question put to the qualified voters shall be:
12 “Are you in favor of amending article 78 of the second part of the constitution to read as follows:

13 [Art.] 78. [Sheriffs, When Disqualified by Age.] No person shall hold the office of Sheriff of any
14 county, after such person has attained the age of seventy years.”

15 V. That the secretary of state shall print the question to be submitted on a separate ballot or
16 on the same ballot with other constitutional questions. The ballot containing the question shall
17 include 2 squares next to the question allowing the voter to vote “Yes” or “No.” If no cross is made in
18 either of the squares, the ballot shall not be counted on the question. The outside of the ballot shall
19 be the same as the regular official ballot except that the words “Questions Relating to Constitutional
20 Amendments proposed by the 2021 General Court” shall be printed in bold type at the top of the
21 ballot.

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

24 VII. Voters' Guide.

25 AT THE PRESENT TIME, a judge must retire by the age of 70.

26 IF THE AMENDMENT IS ADOPTED, there shall be no mandatory retirement age
27 for a judge.