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THE GENERAL ASSEMBLY OF PENNSYLVANIA

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SENATE BILL

No. 85 Session of  
2013

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INTRODUCED BY GREENLEAF, ALLOWAY, STACK, SOLOBAY, LEACH, FOLMER,  
VANCE AND BOSCOLA, JANUARY 18, 2013

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REFERRED TO JUDICIARY, JANUARY 18, 2013

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A JOINT RESOLUTION

1 Proposing an amendment to the Constitution of the Commonwealth  
2 of Pennsylvania, in the judiciary, abolishing the mandatory  
3 retirement age for justices, judges and justices of the  
4 peace.

5 The General Assembly of the Commonwealth of Pennsylvania  
6 hereby resolves as follows:

7 Section 1. The following amendment to the Constitution of  
8 Pennsylvania is proposed in accordance with Article XI:

9 That section 16(b) of Article V be amended to read:

10 § 16. Compensation and retirement of justices, judges and  
11 justices of the peace.

12 \* \* \*

13 (b) [Justices, judges and justices of the peace shall be  
14 retired on the last day of the calendar year in which they  
15 attain the age of 70 years.] Former and retired justices, judges  
16 and justices of the peace shall receive such compensation as  
17 shall be provided by law. Except as provided by law, no salary,  
18 retirement benefit or other compensation, present or deferred,  
19 shall be paid to any justice, judge or justice of the peace who,

1 under section 18 or under Article VI, is suspended, removed or  
2 barred from holding judicial office for conviction of a felony  
3 or misconduct in office or conduct which prejudices the proper  
4 administration of justice or brings the judicial office into  
5 disrepute.

6 \* \* \*

7 Section 2. (a) Upon the first passage by the General  
8 Assembly of this proposed constitutional amendment, the  
9 Secretary of the Commonwealth shall proceed immediately to  
10 comply with the advertising requirements of section 1 of Article  
11 XI of the Constitution of Pennsylvania and shall transmit the  
12 required advertisements to two newspapers in every county in  
13 which such newspapers are published in sufficient time after  
14 passage of this proposed constitutional amendment.

15 (b) Upon the second passage by the General Assembly of this  
16 proposed constitutional amendment, the Secretary of the  
17 Commonwealth shall proceed immediately to comply with the  
18 advertising requirements of section 1 of Article XI of the  
19 Constitution of Pennsylvania and shall transmit the required  
20 advertisements to two newspapers in every county in which such  
21 newspapers are published in sufficient time after passage of  
22 this proposed constitutional amendment. The Secretary of the  
23 Commonwealth shall submit this proposed constitutional amendment  
24 to the qualified electors of this Commonwealth at the first  
25 primary, general or municipal election which meets the  
26 requirements of and is in conformance with section 1 of Article  
27 XI of the Constitution of Pennsylvania and which occurs at least  
28 three months after the proposed constitutional amendment is  
29 passed by the General Assembly.