

1 **SENATE FLOOR VERSION**

2 February 20, 2024

3 SENATE BILL NO. 1672

By: Daniels and Bullard of the
Senate

4 and

5 Lepak of the House
6

7
8 An Act relating to judicial retirement; creating the
9 Oklahoma Judicial Retirement Act of 2024; providing
10 short title; mandating retirement of certain judicial
11 officers upon certain age; authorizing completion of
12 certain term; authorizing certain retirement
13 benefits; requiring delivery of affidavit for certain
14 purpose; providing for filling of certain vacancy;
15 prohibiting election or appointment of certain
16 persons; providing for severability; providing for
17 codification; and declaring an emergency.

18 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

19 SECTION 1. NEW LAW A new section of law to be codified
20 in the Oklahoma Statutes as Section 1407 of Title 20, unless there
21 is created a duplication in numbering, reads as follows:

22 A. This act shall be known and may be cited as the "Oklahoma
23 Judicial Retirement Act of 2024".

24 B. As authorized pursuant to subsection (c) of Section 11 of
Article VII of the Oklahoma Constitution, a Justice of the Supreme
Court, a Judge of the Court of Criminal Appeals or of the Court of
Civil Appeals, or a district court judge shall retire when he or she

1 reaches seventy-five (75) years of age; provided, however, such
2 appellate Justice or Judge or district court judge may complete the
3 term during which he or she turns seventy-five (75) years of age if
4 he or she chooses to complete such term. Upon retiring, each such
5 appellate Justice or Judge or district court judge shall receive
6 retirement benefits as provided by law.

7 C. An appellate Justice or Judge or district court judge who
8 has reached seventy-five (75) years of age on or before the effective
9 date of this act shall retire on the effective date of this act;
10 provided, however, such appellate Justice or Judge or district court
11 judge may complete the term during which this act was enacted if he or
12 she chooses to complete such term.

13 D. No later than thirty (30) days prior to the date the appellate
14 Justice or Judge or district court judge would be required to
15 retire, an appellate Justice or Judge or a district court judge who
16 chooses to complete his or her term pursuant to subsection B or C of
17 this section shall deliver a signed affidavit to the chief or
18 presiding judge of his or her court that declares the intent to
19 complete the term. Any appellate Justice or Judge or district court
20 judge who does not provide the signed affidavit shall be deemed to be
21 retired on the date set pursuant to subsection B or C of this section
22 and the office shall be deemed vacant. Any vacancy occurring upon a
23 retirement as required by this section shall be filled as provided
24 by law.

1 E. No person shall be eligible for election or appointment to
2 any appellate or district court who has reached seventy-five (75)
3 years of age prior to or on the date of election or appointment.

4 F. The provisions of this act are severable and if any part or
5 provision shall be held void the decision of the court so holding
6 shall not affect or impair any of the remaining parts or provisions
7 of this act.

8 SECTION 2. It being immediately necessary for the preservation
9 of the public peace, health or safety, an emergency is hereby
10 declared to exist, by reason whereof this act shall take effect and
11 be in full force from and after its passage and approval.

12 COMMITTEE REPORT BY: COMMITTEE ON JUDICIARY
13 February 20, 2024 - DO PASS
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