

# House File 2300 - Introduced

HOUSE FILE \_\_\_\_\_  
BY R. OLSON

Passed House, Date \_\_\_\_\_ Passed Senate, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

## A BILL FOR

1 An Act relating to mandatory retirement for senior judges.  
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:  
3 TLSB 6385HH 82  
4 ec/rj/24

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1 1 Section 1. Section 602.9202, Code 2007, is amended by  
1 2 adding the following new subsection:  
1 3 NEW SUBSECTION. 3A. "Senior judge retirement age" means  
1 4 seventy-eight years of age or, if the senior judge is  
1 5 reappointed as a senior judge for an additional two-year term  
1 6 upon attaining seventy-eight years of age pursuant to section  
1 7 602.9203, eighty years of age.  
1 8 Sec. 2. Section 602.9203, subsection 5, Code 2007, is  
1 9 amended to read as follows:  
1 10 5. a. A senior judge may be reappointed to additional  
1 11 two-year terms, at the discretion of the supreme court, if the  
1 12 judicial officer meets the requirements of subsection 2.  
1 13 b. A senior judge may be reappointed to an additional  
1 14 two-year term upon attaining seventy-eight years of age, at  
1 15 the discretion of the supreme court, if the judicial officer  
1 16 meets the requirements of subsection 2.  
1 17 Sec. 3. Section 602.9204, subsection 1, Code 2007, is  
1 18 amended to read as follows:  
1 19 1. A judge who retires on or after July 1, 1994, and who  
1 20 is appointed a senior judge under section 602.9203 shall be  
1 21 paid a salary as determined by the general assembly. A senior  
1 22 judge or retired senior judge shall be paid an annuity under  
1 23 the judicial retirement system in the manner provided in  
1 24 section 602.9109, but computed under this section in lieu of  
1 25 section 602.9107, as follows: The annuity paid to a senior  
1 26 judge or retired senior judge shall be an amount equal to the  
1 27 applicable percentage multiplier of the basic senior judge  
1 28 salary, multiplied by the judge's years of service prior to  
1 29 retirement as a judge of one or more of the courts included  
1 30 under this article, for which contributions were made to the  
1 31 system, except the annuity of the senior judge or retired  
1 32 senior judge shall not exceed an amount equal to the  
1 33 applicable specified percentage of the basic senior judge  
1 34 salary used in calculating the annuity. However, following  
1 35 the twelve-month period during which the senior judge or  
2 1 retired senior judge attains ~~seventy-eight years of senior~~  
2 2 ~~judge retirement~~ age, the annuity paid to the person shall be  
2 3 an amount equal to the applicable percentage multiplier of the  
2 4 basic senior judge salary cap, multiplied by the judge's years  
2 5 of service prior to retirement as a judge of one or more of  
2 6 the courts included under this article, for which  
2 7 contributions were made to the system, except that the annuity  
2 8 shall not exceed an amount equal to the applicable specified  
2 9 percentage of the basic senior judge salary cap. A senior  
2 10 judge or retired senior judge shall not receive benefits  
2 11 calculated using a basic senior judge salary established after  
2 12 the twelve-month period in which the senior judge or retired  
2 13 senior judge attains ~~seventy-eight years of senior judge~~  
2 14 ~~retirement~~ age. The state shall provide, regardless of age,  
2 15 to an active senior judge or a senior judge with six years of  
2 16 service as a senior judge and to the judge's spouse, and pay  
2 17 for medical insurance until the judge attains ~~the senior judge~~  
2 18 ~~retirement~~ age of ~~seventy-eight years~~.  
2 19 Sec. 4. Section 602.9204, subsection 2, paragraphs d and  
2 20 e, Code 2007, is amended to read as follows:  
2 21 d. "Basic senior judge salary cap" means the basic senior

2 22 judge salary, at the end of the twelve-month period during  
2 23 which the senior judge or retired senior judge attained  
2 24 ~~seventy-eight years of senior judge retirement~~ age, of the  
2 25 office in which the person last served as a judge before  
2 26 retirement as a judge or senior judge.  
2 27 e. "Escalator" means the difference between the current  
2 28 basic salary, as of the time each payment is made up to and  
2 29 including the twelve-month period during which the senior  
2 30 judge or retired senior judge attains ~~seventy-eight years of~~  
2 31 ~~senior judge retirement~~ age, of the office in which the senior  
2 32 judge last served as a judge before retirement as a judge or  
2 33 senior judge, and the basic annual salary which the judge is  
2 34 receiving at the time the judge becomes separated from  
2 35 full-time service as a judge of one or more of the courts  
3 1 included in this article, as would be used in computing an  
3 2 annuity pursuant to section 602.9107 without service as a  
3 3 senior judge.

3 4 Sec. 5. Section 602.9207, subsection 1, Code 2007, is  
3 5 amended to read as follows:

3 6 1. A senior judge shall cease to be a senior judge upon  
3 7 completion of the twelve-month period during which the judge  
3 8 attains ~~seventy-eight years of senior judge retirement~~ age.  
3 9 The clerk of the supreme court shall make a notation of the  
3 10 retirement of a senior judge in the roster of senior judges,  
3 11 at which time the senior judge shall become a retired senior  
3 12 judge.

3 13 Sec. 6. Section 602.9208, subsection 1, Code 2007, is  
3 14 amended to read as follows:

3 15 1. A senior judge, at any time prior to the end of the  
3 16 twelve-month period during which the judge attains  
3 17 ~~seventy-eight years of senior judge retirement~~ age, may submit  
3 18 to the clerk of the supreme court a written request that the  
3 19 judge's name be stricken from the roster of senior judges.  
3 20 Upon the receipt of the request the clerk shall strike the  
3 21 name of the person from the roster of senior judges, at which  
3 22 time the person shall cease to be a senior judge. A person  
3 23 who relinquishes a senior judgeship as provided in this  
3 24 subsection may be assigned to temporary judicial duties as  
3 25 provided in section 602.1612.

#### 3 26 EXPLANATION

3 27 This bill allows a senior judge who reaches age 78 to be  
3 28 reappointed to an additional two-year term as a senior judge,  
3 29 thereby increasing the mandatory retirement age for senior  
3 30 judges from 78 to 80 years of age. Current benefit provisions  
3 31 made applicable to senior judges are made subject to the  
3 32 increased retirement age.

3 33 LSB 6385HH 82

3 34 ec/rj/24