STATE OF NEW YORK

1786

2023-2024 Regular Sessions

IN ASSEMBLY

January 20, 2023

Introduced by M. of A. LAVINE -- read once and referred to the Committee on Judiciary

AN ACT to amend the judiciary law, in relation to age limitation on term of judicial office

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section 23 of the judiciary law, as added by chapter 649 of the laws of 1945, is amended to read as follows:

§ 23. Age limitation on term of judicial office. No person shall hold the office of judge **of the court of appeals**, justice [~~or surrogate of any court, whether of record or not of record, except a justice of the peace of a town or police justice of a village,~~] **of the supreme court, judge of the court of claims, judge of the county court, judge of the surrogate's court, judge of the family court, judge of a court for the city of New York established pursuant to section fifteen of article VI of the state constitution or judge of the district court** longer than until and including the last day of December next after he **or she** shall be seventy years of age[~~, except that a judge or justice in office or elected or appointed to office at the effective date of this section, as to whom no provision limiting his right to hold office to the close of the year following his attaining the age of seventy years was applicable prior to the effective date of this section, may continue in office during the term for which he was elected or appointed~~].

§ 2. This act shall take effect immediately.

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

LBD03301-01-3