

SESSION OF 2020

**SUPPLEMENTAL NOTE ON SENATE BILL NO. 269**

As Amended by Senate Committee on Judiciary

**Brief\***

SB 269, as amended, would increase the mandatory retirement age for judges from age 75 to age 79 and would remove a provision allowing a judge who reaches the mandatory retirement age to finish serving the term during which the judge reaches that age.

For purposes of this provision, under continuing law, “judge” includes any duly elected or appointed justice of the Supreme Court, judge of the Court of Appeals, judge of any Kansas district court, and district magistrate judge.

The bill would be in effect upon publication in the *Kansas Register*.

**Background**

The bill was introduced by Senators Miller, Doll, Francisco, Haley, Hardy, Longbine, Masterson, Pettey, Rucker, and Wilborn. As introduced, the bill would have raised the mandatory retirement age to age 80, removed the provision allowing for completion of a term, and been effective upon publication in the statute book.

In the Senate Committee on Judiciary hearing, Senator Miller and a district judge testified in support of the bill, stating generally that the bill would increase fairness by standardizing the mandatory retirement age for judges and allow some current experienced judges to continue serving. A

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\*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

representative of the Kansas Bar Association submitted written-only testimony supporting the bill. No neutral or opponent testimony was provided.

The Senate Committee amended the bill to change the mandatory retirement age to age 79 and make the bill effective upon its publication in the *Kansas Register*.

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the Kansas Public Employees Retirement System (KPERS) indicates enactment of the bill would have a negligible actuarial cost to the Judges Retirement System because of the small number of members affected. The cost of updating printed materials and the KPERS database would be negligible. Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2021 Governor's Budget Report*.