

# State of South Dakota

EIGHTY-FOURTH SESSION  
LEGISLATIVE ASSEMBLY, 2009

547Q0011

## SENATE BILL NO. 78

Introduced by: Senators Abdallah, Adelstein, Ahlers, Bartling, Bradford, Brown, Dempster, Fryslie, Garnos, Gillespie, Gray, Hansen (Tom), Hanson (Gary), Haverly, Heidepriem, Hundstad, Jerstad, Kloucek, Maher, Merchant, Miles, Nelson, Nesselhuf, Novstrup (Al), Olson (Russell), Peterson, Rhoden, Schmidt, Tieszen, Turbak Berry, and Vehle and Representatives Engels, Bolin, Cutler, Gibson, Juhnke, Kirkeby, McLaughlin, and Thompson

1 FOR AN ACT ENTITLED, An Act to revise the mandatory retirement age of judges of the  
2 Supreme Court and circuit court.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 16-1-4.1 be amended to read as follows:

5 16-1-4.1. ~~A~~ Any justice of the Supreme Court is automatically retired on the first Tuesday  
6 after the first Monday of January next after the general election at which members of the  
7 Legislature are elected immediately following the attainment of age ~~seventy~~ seventy-five of such  
8 justice. Such justice shall conclude all matters pending before him or her unless the Supreme  
9 Court makes other provisions for the disposition of such matters.

10 Section 2. That § 16-6-31 be amended to read as follows:

11 16-6-31. ~~A~~ Any judge of a the circuit court is automatically retired on the first Tuesday after  
12 the first Monday of January next after the general election at which members of the Legislature  
13 are elected immediately following the attainment of age ~~seventy~~ seventy-five of such judge.



- 1 Such judge shall conclude all matters pending before him or her unless the Supreme Court
- 2 makes other provisions for the disposition of such matters.