



**PAR**  
LOUISIANA

# PAR GUIDE TO THE 2026 CONSTITUTIONAL AMENDMENTS

**An Independent,  
Non-Partisan Review**

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For more information, media interviews or public presentation requests regarding this constitutional amendment guide, please contact PAR President Steven Procio at [Steven@parlouisiana.org](mailto:Steven@parlouisiana.org).



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# PAR Guide to the 2026 Constitutional Amendments

## Voter Checklist for May 16 ballot

YES NO

### Amendment 1

"Do you support an amendment to allow the legislature to remove or add officers, positions, and employees to the unclassified state civil service?"

### Amendment 2

"Do you support an amendment to grant the St. George community school system in East Baton Rouge Parish the same authority granted parishes for purposes of Article VIII, Section 13 of the Constitution of Louisiana, including purposes related to the minimum foundation program, funding for certain school books and instructional materials, and the raising of certain local revenues for the support of elementary and secondary schools?"

### Amendment 3

"Do you support an amendment to fund a \$2,250 teacher pay raise and \$1,125 support staff pay raise by utilizing the remaining savings from paying down the debt of the Teachers' Retirement System of Louisiana with monies from certain constitutional funds?"

### Amendment 4

"Do you support an amendment to allow a parish to reduce or exempt property tax on property held as business inventory and to provide for the classification of Public Service Property?"

### Amendment 5

"Do you support an amendment to change the mandatory retirement age for judges from seventy to seventy-five, provided that a judge may continue to serve to complete a term of office?"

## INTRODUCTION

Voters are being asked to consider five amendments to the Louisiana Constitution in this spring's election cycle on the May 16 ballot. The issues involve civil service protections for workers, the creation of a new public school district, teacher pay and retirement debt, property taxes on business inventory and the retirement age for judges.

The Public Affairs Research Council of Louisiana (PAR), a nonpartisan educational and research organization, has provided detailed reports on the constitutional amendments set before voters across more than four decades.

This latest PAR Guide to the 2026 Constitutional Amendments reviews each proposal for the May ballot in the order they will appear before voters. The guide does not make recommendations about how to vote, but it offers analysis and provides the arguments of supporters and opponents of each proposal for voters to make their own decisions.

Lawmakers passed the five amendments in the 2025 regular legislative session. Each proposal had to receive a two-thirds favorable vote in the House and Senate to reach the ballot. Now, each amendment needs a majority vote at the polls to get enacted.

A constitution should offer the fundamental guiding principles of law, containing the essential elements of government organization, the basic principles of government powers and the enumeration of citizen rights. Statutory law should get into the weeds, providing the details of government operations and offering easier opportunities for change by lawmakers.

**Year after year, lawmakers most frequently seek to amend Article VII, the money section. This year is no different. Two of the five amendments on the spring ballot would make adjustments to that section of the document.**

Louisiana's constitution, however, has grown thicker nearly every year, with lawmakers adding more and more provisions that arguably should be placed in state law.

Since voters ratified the Louisiana Constitution in 1974, they have been asked to decide 325 amendments, a number growing to 330 this year with the current list of proposals. That averages seven proposed amendments since the first round hit the ballot only a few years after the constitution took effect. So far, 221 changes have won approval from voters.

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PAR's website [parlouisiana.org](http://parlouisiana.org) contains information about constitutional amendments, including analysis about every amendment since the 1974 Constitution was adopted. Further in-depth recommendations can be found in PAR's publications, Louisiana Constitutional Reform **Part I: Getting the Foundation Right** and **PART II: An Enduring Fiscal Framework**.

# AMENDMENT 1

## Job Creation Outside the Civil Service System

YOU  
DECIDE



### A VOTE FOR WOULD:

Allow lawmakers to remove state government jobs from the civil service system and its protections without needing approval from the Civil Service Commission.

### A VOTE AGAINST WOULD:

Retain the current provisions requiring Civil Service Commission approval to exempt state jobs from the civil service system and its protections.

### CURRENT SITUATION

The Louisiana Constitution establishes the state and city civil service systems and divides the workers that fall under the system's oversight into two types of employees: classified and unclassified workers.

Classified workers receive civil service protections and fall under civil service rules that require competitive hiring for positions, minimum qualification standards and salaries tied to detailed pay scales for job categories. The employees can only be disciplined or fired under prescribed rules governing due process rights. They cannot participate in political activities that support a specific candidate or party.

The State Civil Service Commission oversees the administration of rules governing personnel activities for classified state employees and hears appeals of decisions and disciplinary issues from state workers and agencies.

Unclassified workers are at-will political appointees at agencies who can be fired without cause or due process rights and serve at the pleasure of the agency leader, with some notable exceptions such as higher education faculty. Under most circumstances, their pay and job qualifications are set by a department leader or manager, unless specifically provided in state law. They can participate in political activities and do not fall under the oversight of the State Civil Service Commission.

The constitution outlines which employees are unclassified. At the state level that includes elected officials; the governor's cabinet secretaries; members of boards and commissions; members of the military; teachers, staff and administrators at public schools and colleges; employees of the Louisiana Legislature, judiciary, governor, lieutenant governor and attorney general; and employees of the Governor's Office of Homeland Security and Emergency Preparedness, among others.

Additional positions can be designated unclassified by the seven-member State Civil Service Commission. Six of the commission's members are appointed by the governor and confirmed by the state Senate, and the seventh is elected by classified state employees. At least one appointed member must be from each of Louisiana's congressional districts.

The Legislature does not have the authority to change a job classification from classified to unclassified on its own. It requires either commission approval or a voter-approved change to the state's constitution.

Louisiana state government had about 39,000 classified employees and 30,500 unclassified employees in 2025, according to a recent report from the Department of State Civil Service. Most of the unclassified workers are in higher education. Unclassified workers, on average, earn more annually than classified workers, according to the report.

### **PROPOSED CHANGE**

The amendment would give the Louisiana Legislature the ability to shift state jobs from classified service to unclassified service in state law without needing Civil Service Commission approval. It wouldn't immediately reclassify any position.

What jobs lawmakers may seek to exempt from civil service oversight and make unclassified are unclear. Lawmakers would make those decisions later in bills that could be introduced in the future if the amendment passes and they gain the authority to change state job classifications.

If the Legislature chooses to add a position to the unclassified service under this new authority, only the House and Senate would be able to undo that reclassification.

The amendment deals solely with state civil service. It doesn't impact municipal civil service.

### **ARGUMENT FOR**

The current civil service system is too rigid, with too many rules and too much bureaucracy that make it difficult to find ways to improve government operations and efficiency. The system sometimes prioritizes longevity over job performance and requires navigating a complex series of burdensome regulations to discipline someone for poor work. Louisiana state agencies should have more flexibility to manage their workers, respond to performance issues and operate like the private sector.

### **ARGUMENT AGAINST**

Louisiana has a history of political corruption and patronage in government that drove the need for a civil service system. Government offices are not the same as private sector workplaces. Removing jobs from civil service protections could inject more political meddling into state agencies, expose employees to improper political pressure at the risk of their jobs and potentially lose some guardrails on employee salaries. Lawmakers should look at broader reform, not just making individual decisions about job classifications.

**Legal Citation:** *Act No. 223 (Senate Bill 8) by Sen. Jay Morris of the 2025 Regular Session amends Article X, Section 2(B).*

## AMENDMENT 2

### New Public School District in East Baton Rouge Parish

YOU  
DECIDE



#### A VOTE FOR WOULD:

Authorize the creation of the St. George Community School System in East Baton Rouge Parish.

#### A VOTE AGAINST WOULD:

Keep the schools in the City of St. George in the East Baton Rouge Parish School System.

#### CURRENT SITUATION

Voters within the limits of St. George in East Baton Rouge Parish agreed in 2019 to create the city of more than 86,000 people from unincorporated areas southeast of Baton Rouge.

Louisiana has 69 school systems around the state, most of them parishwide districts. Five cities operate their own school systems: Baker, Central and Zachary in East Baton Rouge Parish; Bogalusa in Washington Parish; and Monroe in Ouachita Parish.

#### PROPOSED CHANGE

The amendment would allow the City of St. George to form its own school district separate from the East Baton Rouge Parish School System, similar to the parish's other breakaway districts in Baker, Central and Zachary.

The new district would have the same authority as parish school districts, including the ability to raise certain local revenues and to get money through the state financing formula for public schools. The district's operations would begin in July 2027.

The creation of a new school system is expected to cost the state an additional \$2.4 million a year in the public school financing formula, according to the Legislative Fiscal Office. In addition, federal, state and local tax dollars that currently pay for schools in the East Baton Rouge Parish school district would shift to the new St. George Community School System.

The Legislative Fiscal Office estimated about \$107 million in state and local funds annually could be diverted from the East Baton Rouge Parish School System to the new St. George Community School System – assuming 6,200 students move from one district to the other. No estimate was available for the amount of federal funding that could be shifted.

A corresponding bill that would take effect if the amendment passes would create a seven-member interim school board appointed by the governor for the new municipal school system and a mechanism for the later election of a seven-member school board. It also provides for the drawing of the St. George Community School System districts and the redrawing of the school board districts for the parish school system.

The East Baton Rouge Parish School System would have to transfer to St. George the public school land, buildings, facilities, instructional materials, equipment and buses for the operation of the new city school district by June 30, 2027.

Sales and property taxes dedicated to schools collected within the boundaries of the new city school system would be transferred away from the East Baton Rouge Parish School System and directed to the St. George Community School System.

The bill also contains provisions for shifting the cost of retirement and health insurance benefits for school employees and teachers who transfer from the parishwide school system to the new municipal school system or who were employed at a school located within the St. George Community School System boundaries when they retired. It also requires the St. George school district to reimburse the parish school district for debts tied to public school facility construction within the borders of the new school system. Disagreement exists about the funding levels, however.

High school students who would no longer live in the school district where they attend school would be allowed to remain in their schools until graduation. Students in kindergarten through fifth grade would be able to stay in their current schools through the end of fifth grade even if they no longer live in the district where the school is located. Similarly, students in grades six through eight would be allowed to remain in their current schools through the end of eighth grade.

Beyond those specific students, the bill also would allow other students to continue attending schools across jurisdictional boundaries over time – if both school boards agree.

Students who live in St. George would be able to enroll in charter schools or magnet programs at public schools in the parish school system if they meet the admission requirements. Conversely, students who live in East Baton Rouge Parish would be allowed to attend charter schools or magnet programs at St. George public schools.

However, the legislation also would give the East Baton Rouge Parish School System the ability to prioritize its residents in the admissions process and would allow St. George to do the same for its residents.

To take effect, the amendment must be approved by a majority of voters statewide and in East Baton Rouge Parish.

### **ARGUMENT FOR**

The East Baton Rouge Parish school system has fallen short for years, offering a poor education for students at many of its facilities and not responding to concerns from the parents who live in the St. George area. People voted to create the City of St. George as a step toward creating their own school system and having more oversight of the direction of public schools in their area. By creating a smaller school district, residents will have a greater sense of ownership of their public schools and more input into their management.

## **ARGUMENT AGAINST**

Creating another new breakaway school system in East Baton Rouge Parish will lead to more segregation in public schools, with the St. George Community School System a largely White district and the parish school system a largely Black district. The fragmentation will duplicate administrative costs and bureaucracy and provide uneven educational opportunities for children in the parish by draining resources from the parish school system and its children. The parish school system will continue to carry some obligations related to workers and facilities in the new St. George system.

**Legal Citation:** *Act No. 218 (Senate Bill 25) by Sen. Rick Edmonds of the 2025 Regular Session amends Article VIII, Section 13(D)(1).*

## AMENDMENT 3

### Trust Funds Eliminated for Retirement Payment, Teacher Pay

YOU  
DECIDE



#### A VOTE FOR WOULD:

Dissolve three education trust funds and use the money to pay down retirement debt and give public school teachers and support workers a permanent raise.

#### A VOTE AGAINST WOULD:

Maintain the education trust funds and continue to distribute their investment earnings for early childhood education, K-12 schools and college programs.

### CURRENT SITUATION

The Louisiana Constitution has many protected trust funds, including several whose proceeds or investment earnings are dedicated to education programs, from prekindergarten through college.

Among those funds that provide annual financing to education programs are the Louisiana Education Quality Trust Fund, Louisiana Quality Education Support Fund and Education Excellence Fund. The three funds combined contain about \$2 billion, according to the Legislative Fiscal Office.

The Louisiana Education Quality Trust Fund was created in 1986 with money from a multi-state settlement with the federal government involving offshore oil and gas production. The trust fund principal cannot be touched, but a portion of its interest, royalty and investment earnings can be spent through the separate Louisiana Quality Education Support Fund.

The dollars available from the support fund are split evenly each year between the elementary and secondary education system and the higher education system.

The Board of Elementary and Secondary Education can spend its allocation on teacher pay, instructional materials, academic improvement programs, research, student remediation, preschool programs, foreign language education and teacher stipends in shortage areas.

The Board of Regents can spend its higher education allocation on research work, endowed chairs and professorships, program enhancement and graduate student recruitment.

The Education Excellence Fund was created separately, as a sub-fund of the Millennium Trust, which was set up in 1999 to capture money from Louisiana's settlement with tobacco companies. Louisiana is one of many states that settled lawsuits involving claims of smokers' deaths and health costs against tobacco companies in return for years of payments from the companies.

The fund receives one-third of all investment earnings from the Millennium Trust, with the dollars provided to the state education department. The money can be spent on early childhood education, remedial student instruction and other education items. It cannot be spent on construction work, building maintenance, religious purposes or pay raises.

Education programs received \$68 million from the three funds' investments and other earnings in the 2023-24 budget year, according to the Legislative Fiscal Office, though data from the state treasury show dollars available from the trust funds have fluctuated significantly over time. Programs have gotten at least \$2 billion across the years since the creation of the trust funds.

Separately, most employees in the K-12 public school system and at public colleges in the state receive retirement benefits through the Teachers' Retirement System of Louisiana.

The system has a \$7.2 billion unfunded accrued liability, which is the difference between how much the retirement system needs to pay promised future benefits minus its investment assets. This debt is attributable, in part, to a series of policy decisions by state lawmakers that created the debt and, in some instances, worsened it over time. Public schools and colleges pay toward the debt each year as part of their contribution to the retirement system for their employees.

### **PROPOSED CHANGE**

The amendment would eliminate the Louisiana Education Quality Trust Fund, Louisiana Quality Education Support Fund and Education Excellence Fund and use their balances to pay off a portion of retirement debt. Public schools and colleges, in turn, would save money on their annual retirement payments.

The K-12 school systems would have to use their savings to pay for a permanent salary increase for teachers and support workers, plus any associated retirement costs. Teachers would each get \$2,250 per year, while support workers such as teacher aides and cafeteria staff would receive \$1,125.

Teachers and support workers have received payments of \$2,000 and \$1,000 for the last three years as one-time stipends from lawmakers, but those stipends weren't guaranteed to reappear. This amendment would make the money a larger, permanent raise, starting in the 2026-27 school year.

Louisiana's average K-12 teacher salary was \$55,911 in the 2023-24 school year, compared to the regional average of \$61,847, according to the latest data available from the Southern Regional Education Board.

The higher education systems wouldn't have a mandated use for the savings they receive, though likely they'd want to at least cover the cost of programs they have financed annually with the investment earnings from the trust funds.

The nearly \$2 billion in trust fund balances would be sent to the Teachers' Retirement System of Louisiana by May 31, after subtracting any amounts needed to pay for education commitments in the current budget year financed with the trust fund money.

Dissolving the funds would pay down about 27% of the retirement system's debt and was estimated by the Teachers' Retirement System of Louisiana to save about \$1 billion in interest payments that would otherwise be owed over the current multiyear payment plan.

The Legislative Fiscal Office estimated the debt payment would lessen retirement costs for the K-12 public school systems and public colleges by \$283 million in a budget year, about three-quarters of that savings for elementary and secondary schools.

Schools would have uneven levels of savings. The savings from the retirement payment wouldn't give every school system enough money to cover the full price tag of the pay raises, and it wouldn't cover those costs for public charter schools that don't participate in the Teachers' Retirement System of Louisiana.

If a school system can't fully cover the raises, lawmakers must increase annual state spending on public schools to pay for the permanent salary hike.

The amount of money that would be needed to fill the gap and fully fund the pay raises isn't yet certain, but estimates have reached as high as \$17 million a year, according to information from the Legislative Fiscal Office.

Any district that would receive more in savings than required to finance the required \$2,250 and \$1,125 permanent salary increases could only spend the savings on raises for teachers and staff in critical shortage areas; summer enrichment program staffing; early childhood education programs for at-risk children; school security improvements; technology needs; or another across-the-board salary increase for teachers or support workers.

The amendment wouldn't require the replacement of trust fund dollars that currently go to K-12 programs, but Gov. Jeff Landry's administration and lawmakers have said they intend to keep the programs financed at their current levels, though that's not mandated. They said the state's annual savings from smaller retirement debt payments should be more than enough money to cover the costs.

Trust fund dollars that help finance early childhood education must be replaced by lawmakers, under a companion bill tied to the amendment. That measure creates the Early Childhood Education Stability Fund and requires an \$11 million yearly appropriation from lawmakers, to maintain the level of trust fund spending on the programs. That money currently pays for approximately 2,000 4-year-olds to participate in early learning programs, according to the Louisiana Policy Institute for Children.

### **ARGUMENT FOR**

Dissolving the trust funds and paying down a hefty state debt is a better use of the money. The maneuver will save Louisiana an estimated \$1 billion over time, money that could fund other critical priorities, including education needs. The maneuver will make the Teachers' Retirement System of Louisiana more financially stable, and the state will save more on retirement debt interest payments for years than it was receiving in annual interest and investment earnings from the trust fund money. Requiring public school systems to use their savings for a permanent teacher and support worker raise ends the annual financial uncertainty educators have faced with one-time stipends uncertain to reappear each year.

## **ARGUMENT AGAINST**

The education trust funds were created to ensure that public school systems and colleges have a protected stream of money to finance priority programs and important initiatives for the long-term. Just because this governor and lawmakers have agreed to continue to pay for those programs without the trust fund revenue doesn't mean future officials will agree to the same terms. If the governor and Legislature want to prioritize a permanent teacher pay raise, they should find the state money to cover those costs without raiding trust funds and ending an annual stream of investment and interest earnings that is available in perpetuity. The state already has a plan in place to pay down the retirement debt.

**Legal Citation:** *Act No. 222 (House Bill 473) by Rep. Julie Emerson of the 2025 Regular Session amends Article VII, Section 10.8(A)(1), (2) and (4), (B) and (C)(1); Adds Article VII, Section 10.17; Repeals Article VII, Sections 10(F)(4)(d), 10.1, 10.8(A)(3) and (C)(3) and 10.16(A)(9).*

# AMENDMENT 4

## Property Taxes on Business Inventory

YOU  
DECIDE



### A VOTE FOR WOULD:

Allow local governments to lessen or eliminate property taxes on business inventory and receive a one-time payment if they stop charging the tax.

### A VOTE AGAINST WOULD:

Continue the current system for local governments to charge property taxes on business inventory.

### CURRENT SITUATION

Since 1973, property taxes have been imposed solely at the local level. The Louisiana Constitution has extensive regulations governing the assessment of local government property taxes, which are one of the chief income sources that local authorities use to pay for programs and services.

Property taxes are charged using the fair market value of a property and calculations tied to the type of property. The Louisiana Constitution sets the rate for property taxes on the inventory a business holds in the parish, at 15% of the fair market value. Business inventory includes things such as manufacturing supplies, production materials and merchandise ready for sale.

Fourteen states levy some form on inventory tax, though Louisiana is one of only seven states (in addition to Arkansas, Kentucky, Mississippi, Oklahoma, Texas and West Virginia) that fully taxes business inventory, according to the Tax Foundation, which tracks tax issues around the country.

Local governments collected about \$530 million in inventory taxes in 2023, according to the Legislative Fiscal Office, which said those collections could be from multiple tax years.

Since 1991, to lessen the impact of the tax on businesses, Louisiana has given a state tax credit for inventory taxes companies pay to local government. If the inventory taxes paid to local government are larger than a company's state income and franchise taxes, Louisiana provides many companies with a refund of the remaining amount, with some caveats.

The inventory tax credit cost the state more than \$300 million in recent budget years, according to data from the Department of Revenue. The tax credit, however, is expiring for businesses taxed as C corporations for federal tax purposes. Those businesses will no longer receive the credit for taxes paid on or after July 1, though certain unused credits earned before that time can be carried forward and used for up to 20 years.

### PROPOSED CHANGE

The amendment would give local governments more flexibility in charging property taxes on business inventory, allowing them to end the tax in their parish or to lessen the inventory tax charged. The sheriff, school board and parish governing authority all would have to agree before the business inventory tax could be removed or reduced. That decision would affect all taxing authorities within the parish.

Parishes that choose to permanently exempt businesses from property taxes on their inventory before July 2027 would receive a one-time incentive payment from the state ranging from \$500,000 to \$15 million, to help them cover some lost property tax revenue.

A corresponding bill that takes effect if the amendment is approved lays out the payment structure.

If the parish decides to stop charging the inventory tax for taxable periods starting Jan. 1, 2027, the state's payment to the parish would equal three times the amount of property tax collected on business inventory for the 2026 tax year, at a minimum of \$1 million and a maximum of \$15 million.

If the parish chooses to phase out the inventory tax over five years, the state's payment to the parish would equal the amount of property tax collected on business inventory for the 2026 tax year, at a minimum of \$500,000 and a maximum of \$10 million.

The payment would come from the state's Revenue Stabilization Trust Fund, which contains about \$2.4 billion.

An analysis from the Department of Revenue estimated the state could owe parishes anywhere from \$218 million to \$563 million from the trust fund if every parish decided to stop charging the property tax on business inventory. Some parishes, however, are expected to keep the tax in place if the amendment passes.

The incentive payment from the state would be divided on a pro-rata basis to each taxing authority that levies a property tax in the parish. Parishes would have to take action to eliminate or phase out the tax before July 1, 2027, to get the state incentive payment.

Parishes that choose to keep the inventory tax could allow a partial exemption to businesses by reducing the percentage of the inventory's fair market value that is taxed. Once the sheriff, school board and parish governing authority decide to lower the tax, they cannot raise it back to prior levels. The decision is permanent.

Under the amendment, the Legislature would be prohibited from enacting any law that requires any taxing authority to exempt business inventory from property taxes.

### **ARGUMENT FOR**

Property taxes on business inventory are not charged by most states and make Louisiana uncompetitive for economic development. The taxes also are often passed on to consumers through higher prices. While the state's tax credit helps offset the cost, its availability is disappearing for some businesses, and it makes tax filing unnecessarily complex for those who can continue to access the credit. Local government should have flexibility to determine whether and how to charge the inventory tax. Parishes could use its removal to attract business, grow other revenue sources and cover the lost tax money.

## **ARGUMENT AGAINST**

The property taxes that local governments charge on business inventory, in some cases, raise large sums of money essential to government services, such as schools, law enforcement and infrastructure. Eliminating or reducing the tax could shift the burden of paying for government programs to other taxpayers and could create financial gaps for local governments. An inventory tax decision shouldn't be irrevocable, as a parish's financial situation and income sources may change over time. Future local officials should have the ability to reinstate the tax if economic conditions or financial needs change.

**Legal Citation:** *Act No. 221 (House Bill 336) by Rep. Daryl Deshotel of the 2025 Regular Session amends Article VII, Sections 10.15(F)(1) and 18(A) and (B); Adds Article VII, Sections 20.1, 20.2 and 21(P).*

# AMENDMENT 5

## Mandatory Retirement Age for Judges

**YOU  
DECIDE**



### A VOTE FOR WOULD:

Raise the mandatory retirement age for judges to 75 years old.

### A VOTE AGAINST WOULD:

Keep the mandatory retirement age for judges at 70 years old.

### CURRENT SITUATION

People who are 70 years old or older cannot run for election or re-election to a judgeship in Louisiana. Sitting judges who turn 70 are not required to retire immediately and can fulfill the remainder of their full term of office, but they cannot run again.

The state's judges mostly serve terms ranging from six to 10 years, depending on the court level. Louisiana enacted the mandatory retirement age of 70 for judges when writing its current constitution more than five decades ago.

Some judges who age out of office because of the retirement mandate continue to serve in the judiciary for additional years through temporary appointments (known as ad hoc or pro tempore judges) when there are judicial vacancies, recusals or other temporary absences in specific courts.

Thirty-one states have a mandatory retirement age for judges, according to the National Center for State Courts. Of those states, 18 set the age at 70 years old, while the remaining 13 states have required retirement ages ranging from 72 to 90. Seven states set their mandatory retirement age at 75. Some states allow the judges to serve out their terms before retiring like Louisiana, while others do not. Some states force retirement by saying judges who do not step down by a certain age will lose their retirement benefits.

Previous efforts to adjust or end the retirement age in Louisiana have failed to win support from voters.

In 1995, 62% of voters statewide rejected a constitutional amendment that would have raised judges' mandatory retirement age to 75, according to election results from the Secretary of State's Office. Nearly a decade later, 58% of voters in 2014 refused an amendment to remove the mandatory retirement age entirely.

### PROPOSED CHANGE

The amendment would increase the age restriction by five years so that anyone who is 75 years old or older would be unable to run for a judgeship and a sitting judge who turns 75 in office would be able to complete the term but not run for reelection.

### **ARGUMENT FOR**

Judgeships are the only elected position in Louisiana with a mandatory retirement age. The restriction is arbitrary and discriminatory against people who are still capable of performing the job. Forcing out older judges with years of institutional knowledge removes people from the bench who have useful legal experience and life knowledge to help guide their decisions on cases. Raising the retirement age accounts for increasing life expectancy estimates. Voters can decide whether they believe a judge is capable, and a system exists to remove judges who are no longer able to handle the office's duties.

### **ARGUMENT AGAINST**

Judges play a vital role in deciding people's fortunes and should be fully alert and capable of performing their work in a manner that instills public confidence. An age limit helps ensure this standard. Although no other elected offices in Louisiana have age limits, many of those offices have term limits. Eliminating the mandatory retirement age would effectively remove term limits for elected judges, making it harder to bring new people and perspectives into office. Voters already have spoken on this issue, twice rejecting efforts to adjust this provision in the constitution and indicating they have no interest in changing it.

**Legal Citation:** *Act No. 219 (House Bill 63) by Rep. Kyle Green and Rep. Jason Hughes of the 2025 Regular Session amends Article V, Section 23(B).*