

107TH CONGRESS
1ST SESSION

S. 1477

To provide for an election of an annuity under section 377 of title 28,
United States Code, for any qualified magistrate judge.

IN THE SENATE OF THE UNITED STATES

OCTOBER 1, 2001

Mr. BINGAMAN (for himself and Mr. DOMENICI) introduced the following bill;
which was read twice and referred to the Committee on the Judiciary

A BILL

To provide for an election of an annuity under section 377
of title 28, United States Code, for any qualified mag-
istrate judge.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. ELECTION OF ANNUITY FOR A QUALIFIED MAG-**
4 **ISTRATE JUDGE.**

5 (a) DEFINITION.—In this section the term “qualified
6 magistrate judge” means any person who—

7 (1) retired as a magistrate judge before Novem-
8 ber 15, 1988; and

9 (2) on the date of filing an election under sub-
10 section (b)—

1 (A) is serving as a recalled magistrate
2 judge on a full-time basis under section 636(h)
3 of title 28, United States Code; and

4 (B) has completed at least 5 years of full-
5 time recall service.

6 (b) ELECTION OF ANNUITY.—The Director of the
7 Administrative Office of the United States Courts may ac-
8 cept the election of a qualified magistrate judge to—

9 (1) receive an annuity under section 377 of title
10 28, United States Code; and

11 (2) come within the purview of section 376 of
12 such title.

13 (c) CREDIT FOR SERVICE.—Full-time recall service
14 performed by a qualified magistrate judge shall be cred-
15 ited for service in calculating an annuity elected under this
16 section.

17 (d) REGULATIONS.—The Director of the Administra-
18 tive Office of the United States Courts may promulgate
19 regulations to carry out this Act.

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