

FOR OFFICE USE ONLY	

HOUSE FLOOR AMENDMENTS

2026 Regular Session

Amendments proposed by Representative Bacala to Reengrossed Senate Bill No. 479 by Senator Morris

1 AMENDMENT NO. 1

2 Delete the set of amendments by the House Committee on House and Governmental Affairs
3 (#5121)

4 AMENDMENT NO. 2

5 On page 1, line 12, delete "ADDRESS" and insert "IMPEACHMENT"

6 AMENDMENT NO. 3

7 On page 1, line 15, delete "grossly negligent" and insert "willful and persistent failure in
8 the"

9 AMENDMENT NO. 4

10 On page 2, line 1, after "or" delete "to" and insert "for a judge to willfully and"

11 AMENDMENT NO. 5

12 On page 2, delete lines 3 through 29 and insert the following:

13

14 " (2) "Malfeasance while in office" means substantial wrongdoing or
 15 misconduct by a judge in an official capacity that seriously undermines public
 16 confidence in the judiciary, including but not limited to any intentional refusal
 17 or other failure to perform any duty required by law, intentionally performing
 18 official duties in an unlawful manner, intentional or willful commission of an
 19 unlawful or wrongful act including the persistent refusal to follow the laws of
 20 this state or the United States, or knowingly permitting any other public officer
 21 or public employee, under his or her authority, to commit malfeasance in
 22 office."

23 AMENDMENT NO. 6

24 On page 3, delete lines 1 through 15 and insert the following:

25 " §1422. Impeachment; procedure
 26 A.(1) By majority vote of its elected members, the House of
 27 Representatives is free to proceed with any impeachment under its own
 28 constitutional authority at any time notwithstanding these procedures. The
 29 House may adopt rules of impeachment and may act in accordance with those
 30 rules during a session on any resolution of impeachment filed in the House of
 31 Representatives in the same manner as for passing a bill through the House of
 32 Representatives, but notwithstanding any deadline for filing bills or substantive
 33 resolutions.
 34 (2) This Section shall provide an additional method to orderly consider
 35 impeachment.

1 (3)(a) If the complaint is against a judge, the speaker of the House of
 2 Representatives or president of the Senate may elect to request a confidential
 3 report from the Judiciary Commission to ascertain whether the matter is
 4 already under active investigation or may elect to propose that the legislature
 5 issue a Special Legislative Address for Investigation pursuant to R.S. 42:1423.

6 (b) If the complaint is against an official for conduct subject to the
 7 jurisdiction of the Board of Ethics, the speaker of the House of Representatives
 8 or president of the Senate may elect to request a confidential report from the
 9 Board of Ethics to ascertain whether the matter is already under active
 10 investigation.

11 (c) The speaker of the House of Representatives or president of the
 12 Senate may direct that proceedings pursuant to this Section be paused pending
 13 the conclusion of disciplinary proceedings in another body. However, upon
 14 written petition of three-fifths of both the House of Representatives and the
 15 Senate, the investigation shall proceed under this Section.

16 B. Upon request by three-fifths of both the House of Representatives and
 17 Senate, which may be by written ballot, the speaker of the House of
 18 Representatives shall appoint three members of the House of Representatives,
 19 the president of the Senate shall appoint three members of the Senate, and the
 20 speaker of the House of Representatives and president of the Senate shall jointly
 21 appoint one member of the legislature as chair of a joint legislative committee
 22 on an impeachment investigation. The joint committee shall have the power of
 23 subpoena as a committee of the legislature.

24 C.(1) An impeachment investigation request under this Section may be
 25 filed in writing by three-fifths of both the House of Representatives and the
 26 Senate and shall be based upon a sworn complaint filed by any citizen with the
 27 clerk of the House of Representatives alleging a violation warranting
 28 impeachment under Section 24 of Article X of the Constitution of Louisiana.

29 (2) The complaint shall contain the name and legal address of the person
 30 filing the complaint, be based on the complainant's personal knowledge, state
 31 detailed facts, specify the actions of the named respondent which form the basis
 32 for the complaint, and identify each specific rule or law alleged by the
 33 complainant to have been violated.

34 (3) Upon a determination by three-fifths of the appointed members of the
 35 joint committee that the complaint states facts supporting a finding of probable
 36 cause of a violation warranting impeachment, the committee shall proceed with
 37 an investigation. The joint committee may appoint a special master or special
 38 subcommittee to gather and report facts. Following any failure by the joint
 39 committee to determine under this Paragraph that the complaint states facts
 40 supporting a finding of probable cause of a violation warranting impeachment,
 41 the complaint shall be dismissed.

42 (4) Unless dismissed, the committee shall investigate, give reasonable
 43 notice to the respondent, and grant the respondent an opportunity to be heard.
 44 Any special committee or special master's report and recommendation shall be
 45 presented to the chair of the joint committee as soon as practicable after the
 46 close of the investigation. If the report and recommendation conclude that the
 47 facts do not support a finding of a violation warranting impeachment, the
 48 complaint shall be dismissed unless three-fifths of the appointed members of the
 49 joint committee vote to proceed.

50 (5) If the report and recommendation of the special master or the select
 51 committee conclude that the facts support a finding of a violation warranting
 52 impeachment, the joint committee shall consider the report and
 53 recommendation, may make further inquiry, shall grant the respondent an
 54 opportunity to be heard before it, and shall respond to the report by taking any
 55 of the following actions: (a) dismiss the complaint; (b) issue a reprimand from
 56 the joint committee; or (c) develop its own recommendation to the speaker of
 57 the House of Representatives based on its investigation provided that any
 58 recommendation for impeachment shall be pursuant to Paragraph (6) of this
 59 Subsection.

1 (6) If the joint committee recommends impeachment by a three-fifths
 2 vote of its appointed members, the speaker of the House of Representatives shall
 3 present the committee's final recommendation along with any findings of the
 4 special master or special committee, to the House for final action.

5 (7) No member of the joint committee is recused from further
 6 consideration of the impeachment proceedings or a subsequent Senate trial.

7 D. Any material provided to the House of Representatives or joint
 8 committee in response to a complaint filed under rule that is confidential under
 9 applicable law shall remain confidential and shall not be disclosed to any person
 10 unless impeachment proceedings are recommended.

11 E. A complaint under this Section must be filed within two years after
 12 the alleged violation. A violation is committed when every element necessary to
 13 establish a violation of the rule has occurred, and time starts to run on the day
 14 after the violation occurred. A continuing violation does not prescribe. The
 15 applicable period of limitation is tolled on the day a sworn complaint is filed
 16 with the clerk of the House of Representatives.

17 F. When the House of Representatives is in recess or not in session, the
 18 speaker of the House of Representatives may appoint a replacement for any
 19 impeachment manager appointed by the House of Representatives if the
 20 manager neglects or cannot perform the duties of a manager or if the manager
 21 resigns. The speaker of the House of Representatives shall be the sole judge of
 22 such matters.

23 G. The Senate shall determine the time for the trial of any impeachment
 24 and may sit for the trial whether the legislature is in session or not. The
 25 president of the Senate may fix special meetings of the Senate under Section 24
 26 of Article X of the Constitution of Louisiana for this purpose. The president of
 27 the Senate may appoint a special impeachment committee to develop the rules
 28 and procedures for any particular impeachment.

29 §1423. Special legislative address concerning investigation of a judge.

30 In lieu of bringing impeachment proceedings, the legislature by
 31 concurrent resolution, adopted in accordance with all applicable rules for
 32 passage of a bill, may refer to the Judiciary Commission for investigation of,
 33 any matter concerning the conduct of a judge that it finds could constitute gross
 34 misconduct or malfeasance.

35 §1424. Availability of other proceedings.

36 Nothing in this Chapter shall be construed as precluding removal of any
 37 official, including a judge, by impeachment at any time pursuant to Article X,
 38 Section 24 of the Constitution of Louisiana, removal of a judge by the supreme
 39 court pursuant to Article V, Section 25 of the Constitution of Louisiana, or
 40 removal by suit of officials subject to the provisions of Article X, Section 25 of
 41 the Constitution of Louisiana.

42 Section 2. This Act shall be known and may be cited as the "Jacob Carter Act".

43 Section 3. This Act shall become effective upon signature by the governor or, if not
 44 signed by the governor, upon expiration of the time for bills to become law without signature
 45 by the governor, as provided by Article III, Section 18 of the Constitution of Louisiana. If
 46 vetoed by the governor and subsequently approved by the legislature, this Act shall become
 47 effective on the day following such approval."